

Civics and Citizenship Level 5

Chapter 1 — Government and democracy

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How Australia's democracy works: institutions, representation and elections

Civics and Citizenship 5 · Chapter 1 — Government and democracy · Section 1A

Owns	VC2HC6K01
Draws on	VC2HC6K01.E01 VC2HC6K01.E02 VC2HC6K01.E03 VC2HC6K01.E04 (VCAA's examples for teachers, listed here for links — D7)

Before we start — agreeing on the big words

Welcome to Civics and Citizenship! This is the first section of the book, and it starts with the biggest question of all: **who gets to make decisions for our country — and how?**

Some of the words in this section are big words that people sometimes use in slightly different ways. The Victorian Curriculum uses them but does not give them one fixed meaning, so this section tells you the meaning it uses. Every question in this section can be answered with these meanings. Other meanings exist, and they are not the same as these.

Word	How this section uses it
democracy	a way of making decisions in which the people in a group have a say, usually by voting, and everyone's say counts the same
election	an event in which people vote to choose who will make decisions for them
representation	voters choosing people to speak and decide for them; the chosen people are called representatives
electoral system	the whole set of rules for how a place runs its elections — who can vote, how votes are cast and how they are counted
parliament	the group of people elected by voters to make laws and decisions for a country or state
rule of law	the idea that the law applies to everyone — including the people who lead the country — and that no one is above the law

Three of these words — **electoral**, **compulsory** and **preferential** — are also words the Victorian Curriculum itself uses. You will meet each one with its meaning where it first appears below.

1. What is democracy?

The word **democracy** is very old. It comes from two Greek words: *demos*, meaning 'the people', and *kratos*, meaning 'rule' or 'power'. Put them together and democracy means 'the people rule'. (Source: 'democracy', Online Etymology Dictionary. Retrieved 26 August 2026.)

That is still what democracy means at its heart. In a democracy:

- people choose their leaders by **voting** in elections;
- everyone's vote counts the same — one person, one vote;
- leaders must follow the law, just like everyone else (the **rule of law**);
- if people are not happy with their leaders, they can choose different ones at the next election.

Some countries are run by kings or queens who get power from their family. Some are run by one person who takes power by force. Australia is different. Australia is a democracy.

There is one problem, though. Australia is a huge country with millions of people. We cannot all fit in one room to make every decision together. So Australians use **representation**: we vote for people who speak and decide for us. The people we choose are our **representatives**, and they meet in **parliament** to make laws for the whole country.

Keep this idea safe: in Australia, the power belongs to the people — and the people lend that power to representatives by voting. Elections are how we decide who gets it, and how we take it back.

2. The values that hold up Australian democracy

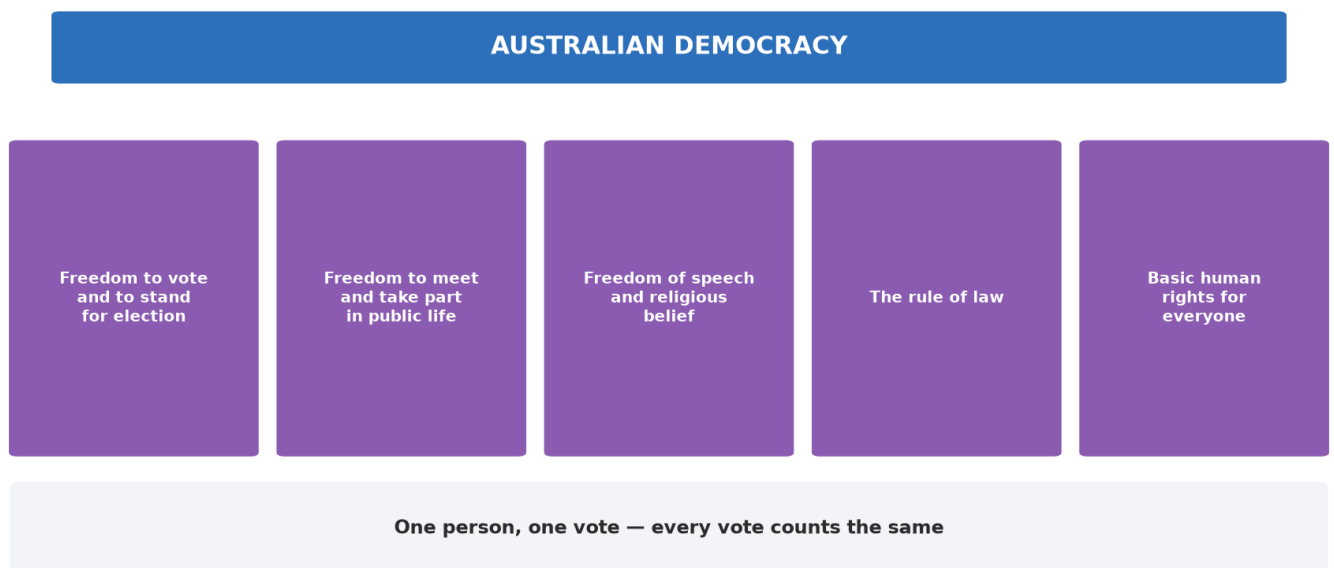
Democracy is more than just voting. It stands on a set of **values** — ideas about what is right and important. Here are the values that Australian democracy stands on.

1. **Freedom to vote and to stand for election.** You can vote for whoever you choose — and, when you are old enough, you can put your own name forward too.
2. **Freedom to meet and take part in public life.** You can meet with other people, join a group or a party, and have your say on public matters.
3. **Freedom of speech and religious belief.** You can say what you think, express your ideas, and believe what you choose.
4. **The rule of law.** The law applies to everyone equally — including the people who make the laws. No one is above the law.
5. **Basic human rights for everyone.** These are rights that belong to every person.

These values work together. Freedom of speech would not mean much if voting were not free. Voting would not mean much if leaders could ignore the law. Each value holds up the others.

The values that hold up Australian democracy

Each value holds up democracy — together they hold it up strongly



Values list in this book's words. VC2 link: VC2HC6K01.E01

A labelled diagram showing the values of Australian democracy as pillars holding up a roof labelled 'Australian democracy'. The pillars are freedom to vote and to stand for election, freedom to meet and take part in public life, freedom of speech and religious belief, then the rule of law, and basic human rights for everyone.

Figure 1. The values that hold up Australian democracy, drawn as pillars. VC2 link: VC2HC6K01.E01.

3. Democracy at work in your classroom

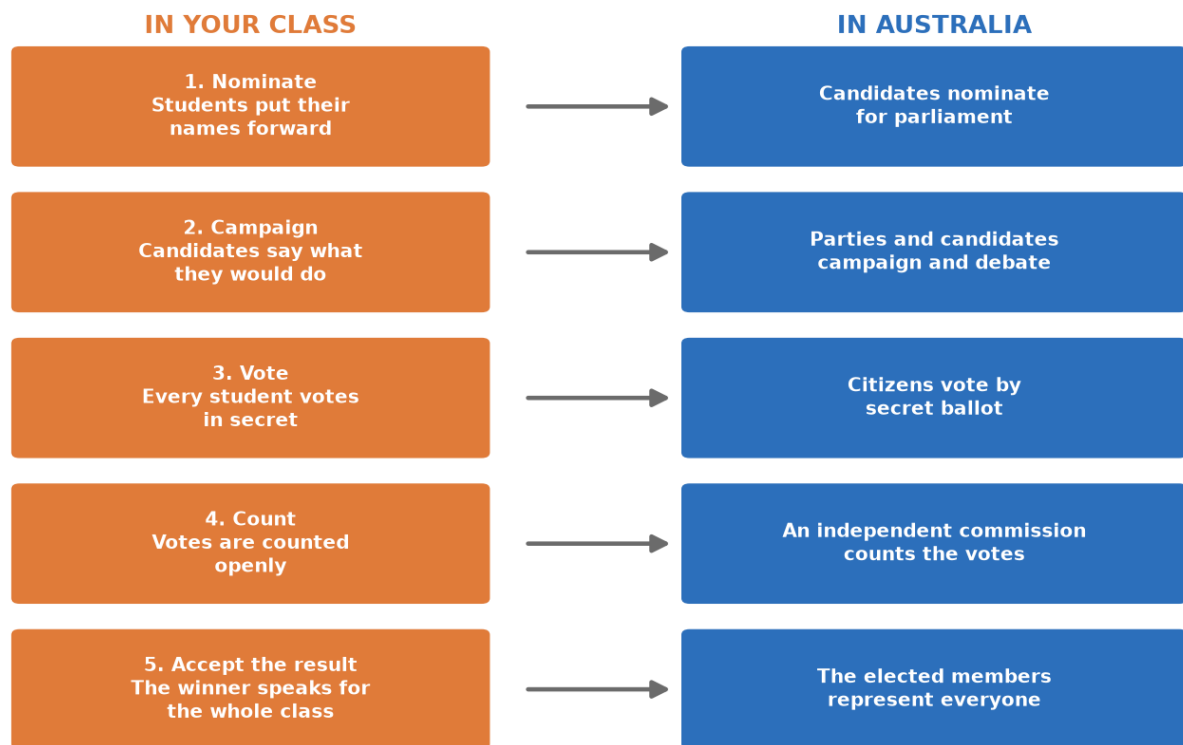
You do not have to wait until you are 18 to see democracy at work. Look at how a class chooses its **class captain** (or school prefects).

1. **Nominate.** Students who want the job put their names forward. Anyone can — that is *freedom to vote and to stand for election*.
2. **Campaign.** The candidates tell the class what they would do. The other students listen, ask questions and talk it over. That is *freedom of speech*.
3. **Vote.** Every student votes, and each vote counts the same. The vote is **secret**, so no one can see who you chose — and no one can pressure you.
4. **Count.** The votes are counted openly, and the candidate with the most votes wins.
5. **Accept the result.** Everyone accepts the result, even the people who voted for the other candidates. The new captain speaks for the whole class, not just their friends.

Notice who runs the vote. The teacher runs it, but the teacher does not pick the winner and does not take sides. Someone who runs a vote without taking sides is called **independent**... well, almost. In real Australian elections, the job is done by special independent bodies called electoral commissions. You will meet them in part 6.

Democracy at work: choosing a class captain

Each class step has a match in real Australian elections



Model drawn for this section — the same democratic values work at both scales

A two-column flow diagram of a class captain election. The left column shows the class steps: nominate, campaign, secret vote, count, accept the result. The right column shows the Australian match for each step, such as candidates nominating for parliament and votes counted by an independent electoral commission.

Figure 2. A class captain election, matched to the real Australian version of each step. This is a model drawn for this section.

Try it. If your class has not held a vote like this, ask your teacher about running one. After the vote, ask: which of the key values from part 2 did we use?

4. From your classroom to Canberra: how representation works

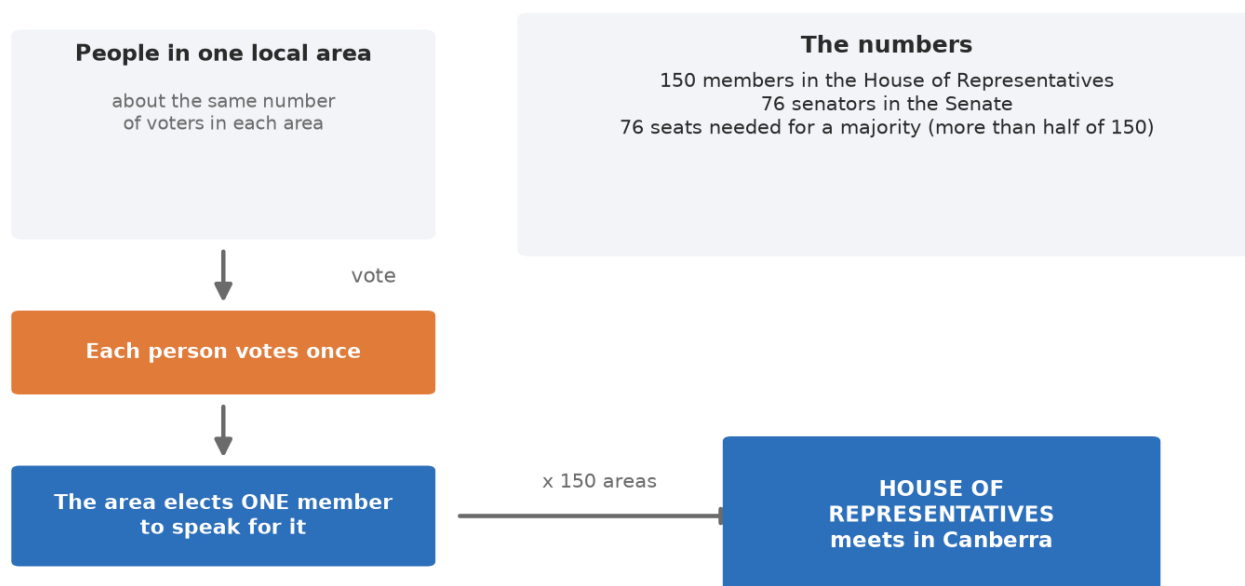
Now let's scale up from your classroom to the whole country. Australia's federal parliament meets at Parliament House in **Canberra**. It has two parts, called houses.

- **The House of Representatives** has **150 members**. Australia is split into 150 areas with about the same number of voters in each, and each area elects one member to speak for it. That is representation: your local member speaks for you in parliament.
- **The Senate** has **76 senators** — 12 for each of the six states, and 2 each for the Australian Capital Territory and the Northern Territory.

After a federal election, the party (or group of parties) with the most members in the House of Representatives forms the government. To form the government on its own, a party needs at least **76 of the 150 seats** — that is more than half, which is called a **majority**. The leader of that party becomes the **Prime Minister**, who leads the government. Members who are not part of the government check the government's work and bring in ideas of their own.

How representation works

People lend their power to representatives by voting



Numbers: Australian Electoral Commission. Retrieved 26 August 2026.

A flow diagram showing how representation works in Australia. People in one local area vote, their votes elect one local member, and the local members from all 150 areas meet in the House of Representatives in Canberra. A side panel gives the numbers: 150 members in the House of Representatives, 76 senators in the Senate, and 76 seats needed for a majority.

Figure 3. How votes become representation. Numbers: Australian Electoral Commission. Retrieved 26 August 2026.

5. Three features that make Australian elections Australian

Australia's electoral system has three famous features. Together they make sure elections are open, free and fair.

Feature 1 — the secret ballot

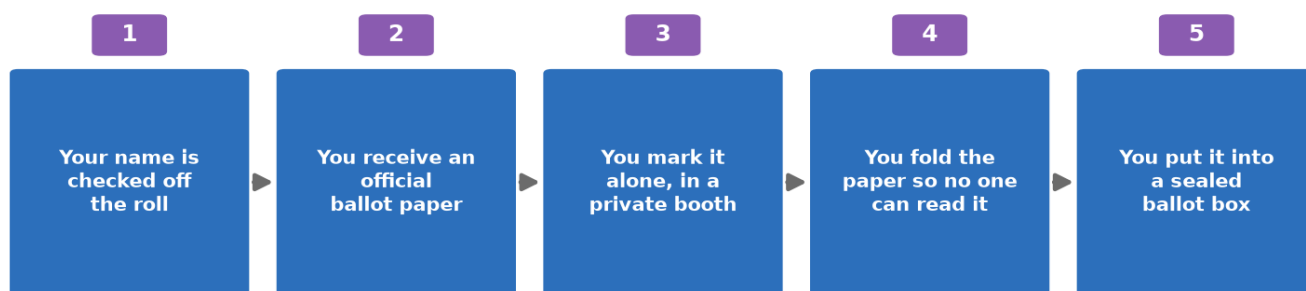
A **secret ballot** is a vote that nobody else can see. You mark your ballot paper yourself, in a private booth, and fold it so no one can read it. Then you put it into a sealed box.

This was a world-first idea from Australia. Before the 1850s, people in the Australian colonies voted in front of others — so bosses, landlords and politicians could watch how you voted and pressure you. Tasmania changed that on 7 February 1856, Victoria on 19 March 1856 and South Australia on 2 April 1856. The idea spread around the world, and people in other countries called it **the Australian ballot**. (Sources: ‘Secret ballot’, Wikipedia, en.wikipedia.org; Australian Electoral Commission, aec.gov.au. Retrieved 26 August 2026.)

Why does it matter? Because your vote is secret, no one can check how you voted. No one can reward you for it, and no one can threaten you over it. Your choice is truly yours.

The secret ballot: how your vote stays secret

Nobody can see how you vote — so nobody can pressure you



Why it matters

Because no one can see your vote, no one can check it —
no one can reward you for it or threaten you over it

The Australian colonies led the world: Tasmania 7 February 1856, Victoria 19 March 1856, South Australia 2 April 1856. Around the world, people called it 'the Australian ballot'.

A labelled diagram of the steps of a secret ballot. Step 1, a voter's name is checked off the roll. Step 2, the voter receives an official ballot paper. Step 3, the voter marks the paper alone in a private booth. Step 4, the voter folds the paper so the marks cannot be seen. Step 5, the voter puts the folded paper into a sealed ballot box.

Figure 4. The steps of a secret ballot. The drawing is a model for this section; the real process is run by the electoral commissions in part 6.

Feature 2 — compulsory voting

Compulsory means ‘you must’. In Australia, **compulsory voting** means that if you are enrolled to vote, you must vote. (Being **enrolled** means your name is on the official list of voters, which is called the **roll**.)

It became federal law in 1924. Before that law, only about 47 to 78 out of every 100 enrolled voters actually voted. Since the law was made, about 91 to 96 out of every 100 enrolled voters vote. If someone who is enrolled does not vote, they may have to pay \$20 the first time — and up to \$180 if the matter goes to court. (Source: Australian Electoral Commission, ‘Compulsory voting’, aec.gov.au. Retrieved 26 August 2026.)

Why does it matter? When almost everyone votes, the result reflects almost everyone. Leaders are chosen by the whole country, not just the people who feel like voting.

Two views. Some people say: voting is a duty, like obeying the law, and compulsory voting keeps the result fair because everyone's voice is in. Others say: choosing whether to vote is itself a freedom, and

people should not be made to take part. Both sides are trying to protect something important — fairness on one side, freedom on the other. You will weigh these views yourself in task U2.

Feature 3 — preferential voting

In Australia, you do not just tick one name. In a **preferential voting** system, you number **all** the candidates in the order you prefer them: 1 for your first choice, 2 for your second choice, 3 for your third choice, and so on.

Here is how the counting works. First, all the number-1 votes are counted. If a candidate has **more than half** of the votes, they win. If no one has more than half, the candidate with the **fewest** votes drops out. Their ballot papers move to each voter's next preference — the candidate marked 2. Then the count happens again. This keeps going until one candidate has more than half.

A model ballot paper

Number ALL the candidates, in the order you prefer them

MODEL BALLOT PAPER
House of Representatives election

1

Sam Nguyen

2

Priya Sharma

3

Jordan Lee

1 = your first choice

2 = your second choice

3 = your third choice

Model drawn for this section. A real federal ballot paper lists more candidates and is handed out by the electoral commission.

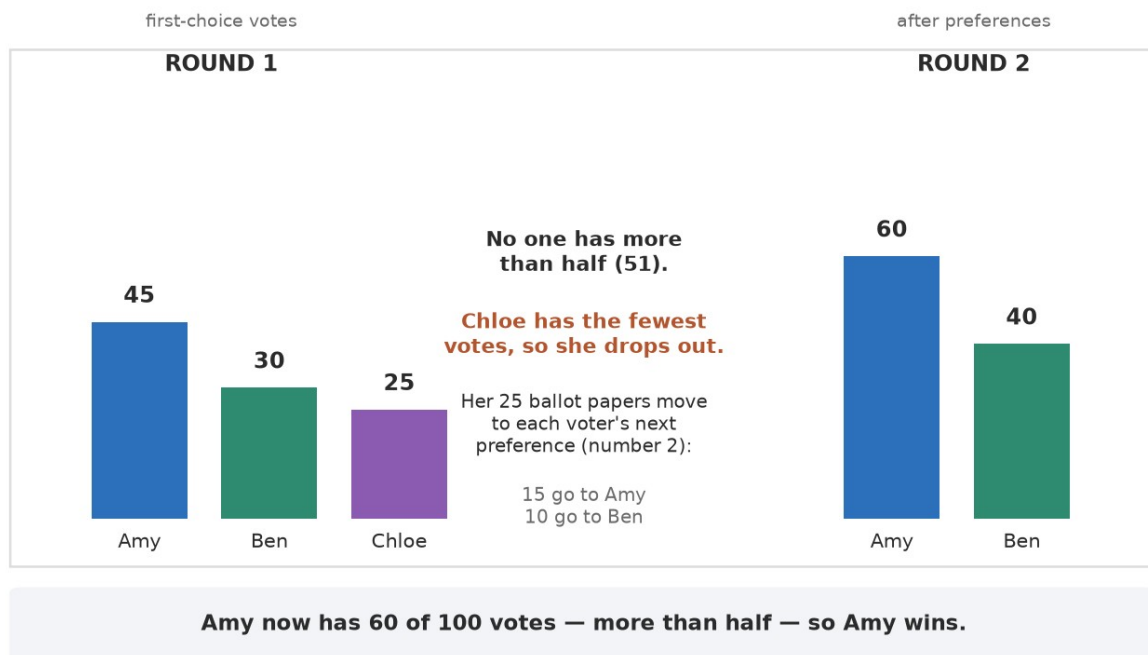
A model ballot paper with three candidates, showing how to number preferences. The voter has written 1 next to one candidate, 2 next to another, and 3 next to the third. Notes show that 1 is the first choice, 2 is the second choice, and 3 is the third choice.

Figure 5. A model ballot paper drawn for this section. A real federal ballot paper looks similar but lists more candidates. Example ballot papers: Australian Electoral Commission, aec.gov.au. Retrieved 26 August 2026.

Let's watch a count with 100 voters and three candidates: **Amy**, **Ben** and **Chloe**.

How preferential voting is counted

Model count: 100 voters, three candidates — Amy, Ben and Chloe



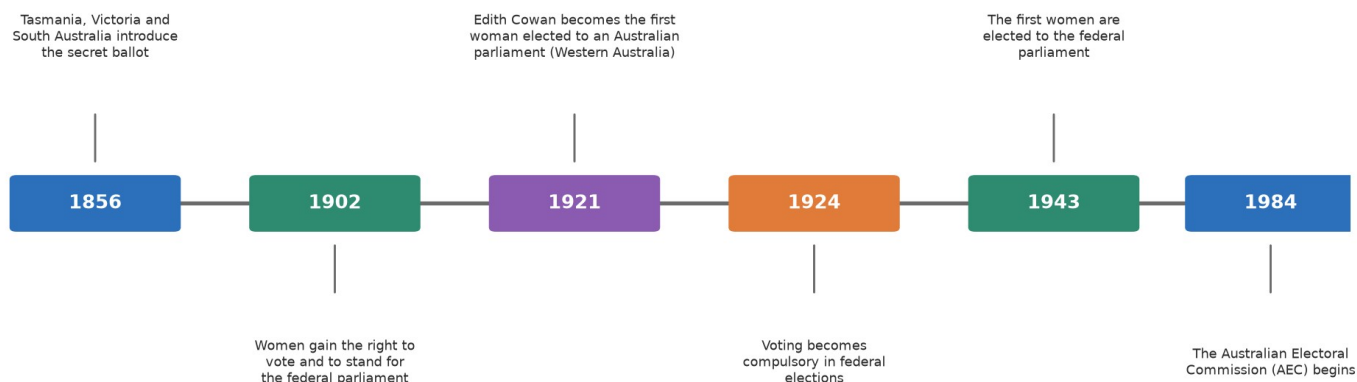
A bar chart showing a model preferential count. Round 1 shows first-choice votes out of 100: Amy 45, Ben 30, Chloe 25. Chloe has the fewest votes and drops out. Round 2 shows her 25 votes shared by the next preferences on her ballot papers: Amy now has 60 and Ben has 40, so Amy has more than half and wins.

Figure 6. A model preferential count, made for this section. Numbers: 100 voters, first-choice votes 45–30–25, then preferences from the dropped candidate give 60–40.

Why does it matter? Preferential voting means the winner has support from **more than half** the voters — not just the biggest single group. It also means you can vote for your favourite candidate first, while still saying who you would choose after that.

Australia's voting story

Six big steps in Australia's electoral history



Sources: 'Secret ballot', Wikipedia; Commonwealth Franchise Act 1902 (Cth); Parliament of Western Australia; Australian Electoral Commission. Retrieved 26 August 2026.

A horizontal timeline of voting milestones in Australia. 1856, Tasmania, Victoria and South Australia introduce the secret ballot. 1902, women gain the right to vote and to stand for the federal parliament. 1921, Edith Cowan becomes the first woman elected to an Australian parliament, in Western Australia. 1924, voting becomes compulsory in federal elections. 1943, the first women are elected to the federal parliament. 1984, the Australian Electoral Commission begins.

Figure 7. Australia's voting story. Sources: 'Secret ballot', Wikipedia; Commonwealth Franchise Act 1902 (Cth); Parliament of Western Australia, 'Edith Dircksey Cowan'; Australian Electoral Commission, 'Compulsory voting' and other pages, aec.gov.au. Retrieved 26 August 2026.

6. Who runs the elections? The independent electoral commissions

Think about a big football match. You would not want one of the teams to also be the umpire! Elections work the same way. The people running the election must not be on anyone's team. They must be **independent** — free from the government of the day.

An **electoral commission** is an independent body set up to run elections. Australia has one for each job:

- **The Australian Electoral Commission (AEC)** runs federal elections — like the one on Saturday 3 May 2025. The AEC began on 21 February 1984. Its job is set out in a federal law, the Commonwealth Electoral Act 1918.
- **The Victorian Electoral Commission (VEC)** runs Victorian state elections and local council elections. The VEC is an independent body created under Victoria's Electoral Act 2002. It began in 1989 and got the name VEC in 1995.

(Sources: Australian Electoral Commission, aec.gov.au; Victorian Electoral Commission, 'About us', vec.vic.gov.au. Retrieved 26 August 2026.)

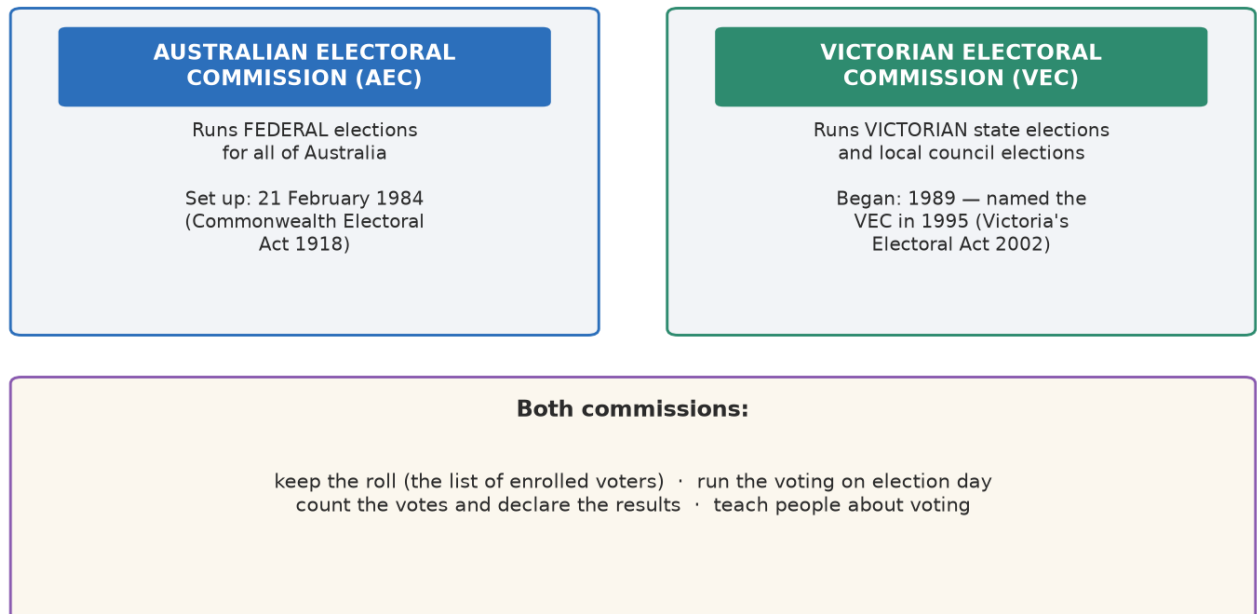
Both commissions do the same kinds of jobs:

- keep the **roll** — the official list of enrolled voters;
- run the voting on election day, including the booths;
- count the votes and declare the results;
- teach people about voting.

Because the commissions are independent, governments cannot tell them what to do. That is how elections stay **open, free and fair** — the team in charge of counting is not one of the teams playing.

Who runs the elections? Two independent commissions

Like an umpire: the body counting the votes is not one of the teams playing



Both are INDEPENDENT: the government of the day cannot tell them what to do. That is how elections stay open, free and fair.

A two-panel diagram comparing Australia's two electoral commissions. The left panel is the Australian Electoral Commission, AEC, which runs federal elections and began in 1984. The right panel is the Victorian Electoral Commission, VEC, which runs Victorian state and local council elections and began in 1989. A banner underneath says both keep the roll, run the voting, count the votes and teach people about voting, free from the government of the day.

Figure 8. The two electoral commissions that run elections for this book's readers. Sources: Australian Electoral Commission, aec.gov.au; Victorian Electoral Commission, vec.vic.gov.au. Retrieved 26 August 2026.

7. Becoming a citizen: the pledge and Australian values

When people from other countries become Australian citizens, they make a promise at a special ceremony. The promise is called the **Australian citizenship pledge**. It is written in an Australian law, the Australian Citizenship Act 2007.

Here is the pledge. There are two versions — one with the words 'under God' and one without — and new citizens can choose either.

The Australian citizenship pledge

New citizens say this pledge at their citizenship ceremony



Source: Australian Citizenship Act 2007 (Cth), Schedule 1, pledge no. 1. Retrieved 26 August 2026.

A card showing the Australian citizenship pledge: 'From this time forward, under God, I pledge my loyalty to Australia and its people, whose democratic beliefs I share, whose rights and liberties I respect, and whose laws I will uphold and obey.' A note says the words 'under God' are optional.

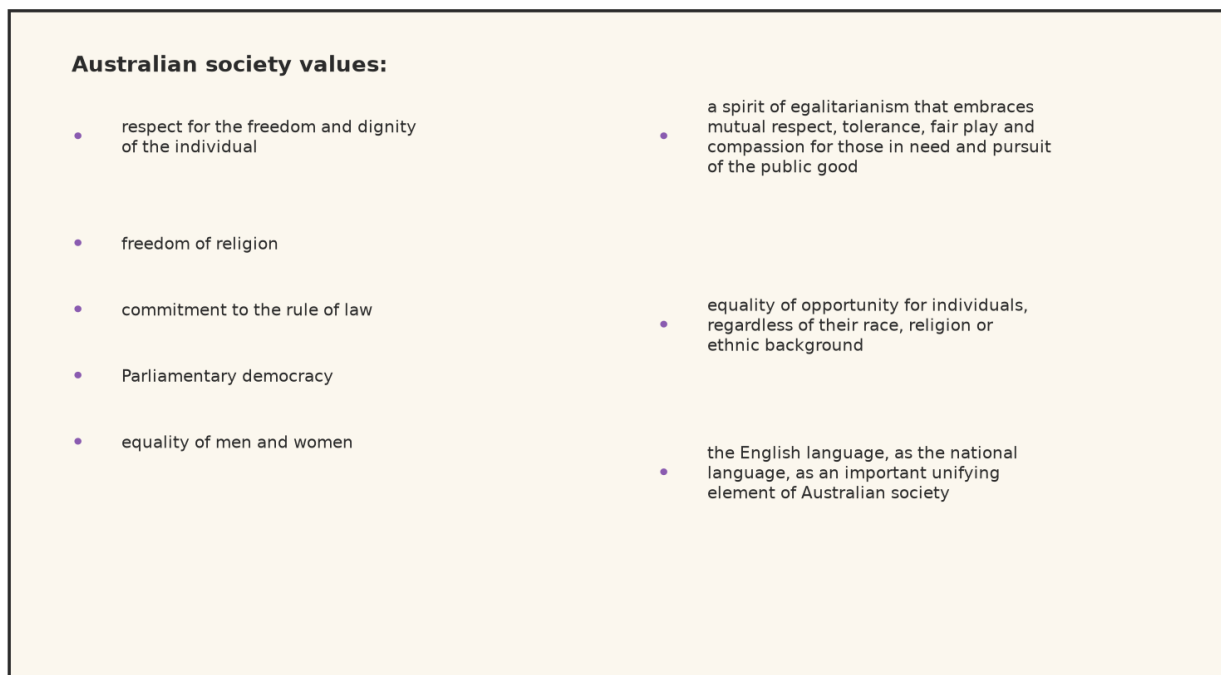
Figure 9. The Australian citizenship pledge, Australian Citizenship Act 2007 (Cth), Schedule 1, pledge no. 1. The words 'under God' are optional (pledge no. 2 is identical without them). Retrieved 26 August 2026.

The pledge is short, but it is packed with the values from part 2: democratic beliefs, rights and liberties, and the laws. When new citizens say it, they are promising to share in Australia's democracy and to follow its laws — the rule of law.

The federal government also publishes the **Australian Values Statement**. It names the values that hold Australian society together, such as respect for each person's freedom and dignity, freedom of religion, the rule of law, democracy, equality of men and women, a spirit of fair play and compassion for people in need, and a fair chance for everyone no matter where they come from. You can read the statement in Figure 10.

The Australian Values Statement

Published by the Australian Government (Department of Home Affairs)



Source: Australian Government Department of Home Affairs, 'Australian values'. Retrieved 26 August 2026.

A card showing the Australian Values Statement published by the federal government. It lists the things Australian society values: respect for each person's freedom and dignity, freedom of religion, the rule of law, democracy, equality of men and women, fair play and compassion for people in need, and a fair chance for everyone no matter where they come from. The full official wording is printed on the card.

Figure 10. The Australian Values Statement, published by the Australian Government Department of Home Affairs, 'Australian values'. Retrieved 26 August 2026.

What can we learn from these two texts? Both say, in their own way, what Australia asks of its citizens: share the democratic beliefs, respect the rights of others, follow the law, and treat people in a fair way. Democracy is not just a set of rules for elections — it is also a set of values that citizens promise to live by.

The whole picture

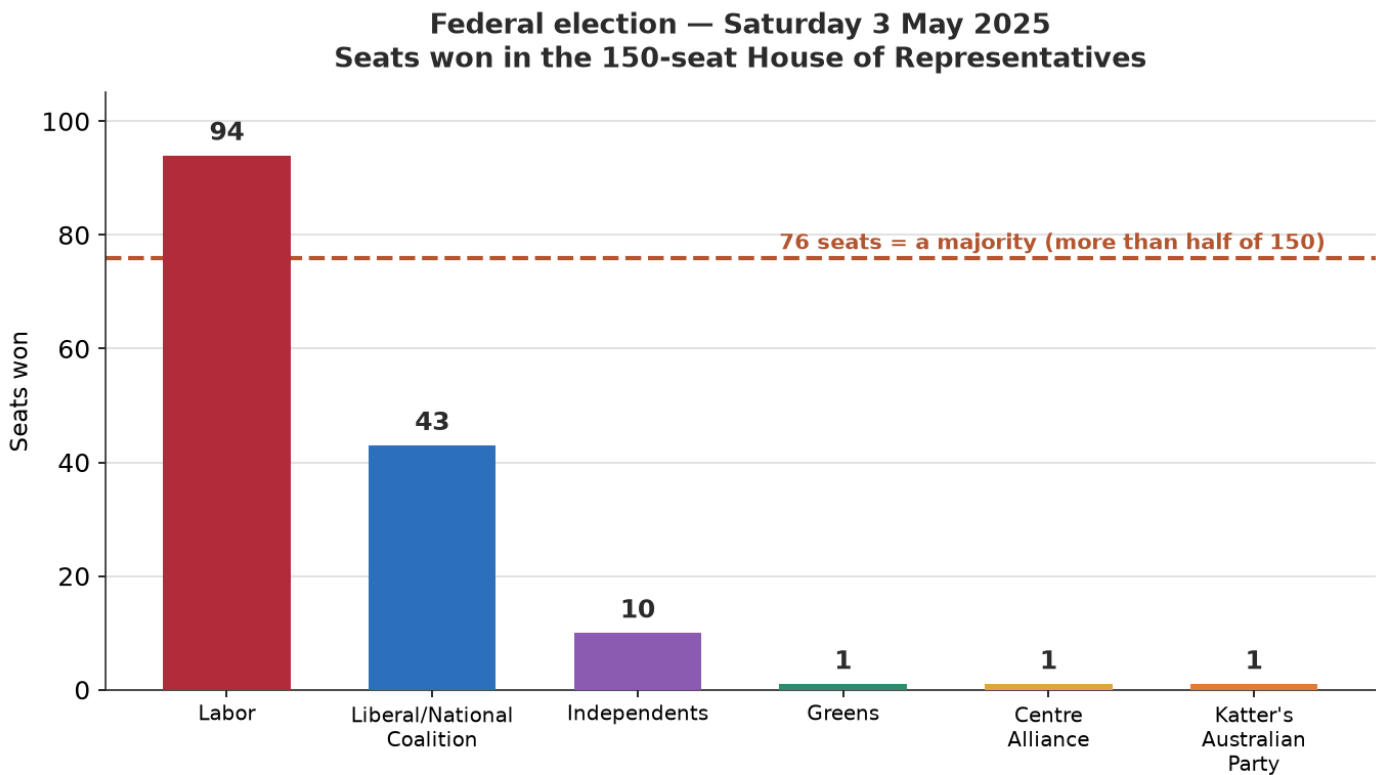
Look back at what you have met in this section:

- **Democracy** means the people have a say. In Australia, they have it by voting.
 - **Representation** means Australians choose members and senators to speak and decide for them in parliament.
 - The **key values** — the rule of law, freedom to vote and to stand for election, freedom to meet and take part in public life, freedom of speech and religious belief, and basic human rights for everyone — hold democracy up.
 - Three famous features keep elections open, free and fair: voting by **secret ballot**, with **compulsory voting** and **preferential voting**.
 - **Independent electoral commissions** — the AEC for federal elections and the VEC for Victorian elections — run the elections without taking sides.
 - New citizens promise to share these values in the **citizenship pledge**.
-

Worked examples

Example 1 — with help

Reading a real election result. Use the bar chart below and the questions that follow.



Source: Australian Electoral Commission, 2025 federal election tally room (results.aec.gov.au). Retrieved 26 August 2026.

A bar chart of the results of the Australian federal election held on Saturday 3 May 2025. The bars show seats won in the 150-seat House of Representatives: Labor 94, the Liberal and National parties together 43, independents 10, the Greens 1, Centre Alliance 1 and Katter’s Australian Party 1. A dashed line marks 76 seats, the number needed for a majority.

Figure 11. The 2025 federal election: seats won in the House of Representatives. Source: Australian Electoral Commission, 2025 federal election tally room, results.aec.gov.au. Retrieved 26 August 2026.

Working	Comment
Step 1. What was this election? It was a federal election for the House of Representatives, held on Saturday 3 May 2025 and run by the AEC. There were 150 seats to win.	Federal elections choose the members of the House of Representatives (part 4). The AEC runs them (part 6).
Step 2. How many people voted? More than 18 million people were enrolled to vote (18,098,797), and more than 9 out of every 10 of them voted.	So many voted because voting is compulsory (part 5, Feature 2).
Step 3. Read the chart. Who won the most seats? Labor won 94 seats. The Liberal and National parties work together as one team, and their seats are counted together: 43. Independents won 10 seats; the Greens, Centre Alliance and Katter’s Australian Party won 1 seat each.	In the chart, find the tallest bar. Adding the others: 43 + 10 + 1 + 1 + 1 = 56, and 94 + 56 = 150 seats in total.
Step 4. How many seats make a majority? More than half of 150 is 76. So a party needs at least 76 seats.	A majority means more than half (part 4).
Step 5. Who formed the government? Labor won 94 seats, which is more than 76. So Labor won enough seats to form the government on its own.	The party with the majority in the House of Representatives forms the government, and its leader becomes the Prime Minister (part 4).

Working	Comment
Step 6. What about everyone else? The other 56 members are not part of the government. Their job includes checking the government's work.	Members outside the government still represent their voters — representation does not stop at the election (parts 1 and 4).

Example 2 — with help

A real election is coming to Victoria: the **Victorian state election on Saturday 28 November 2026**. Answer the questions one step at a time.

(Sources: Victorian Electoral Commission, 'State election 2026', vec.vic.gov.au; Victorian Electoral Commission, 'Enrolling to vote', vec.vic.gov.au. Retrieved 26 August 2026.)

Working	Comment
Step 1. Who runs this election — the AEC or the VEC? The VEC. This is a Victorian state election, and the VEC runs Victorian state elections.	The AEC runs federal elections; the VEC runs state and council elections in Victoria (part 6).
Step 2. What will voters choose? All 88 seats in Victoria's lower house (the Legislative Assembly) and all 40 seats in the upper house (the Legislative Council).	State parliaments have two houses too, like the federal parliament (part 4).
Step 3. Who can vote? People who are 18 or older, are Australian citizens, and have lived in Victoria for more than one month.	These are the rules for the Victorian roll.
Step 4. Can Mei vote? Mei is an Australian citizen. She has lived in Geelong for two years, and she turns 18 on 20 November 2026. The election is on 28 November 2026, so she will be 18 by election day. Yes — Mei can vote.	Mei must enrol in time. The roll closes at 8:00 pm on Tuesday 10 November 2026, so she must get on the roll before then.
Step 5. How will Mei vote? By secret ballot, with preferential voting — and because voting is compulsory, she must take part once she is enrolled.	All three features from part 5 apply to Victorian state elections too.

Practice tasks

With help

S1. Fill the gaps using the word bank: *democracy · electoral system · parliament · representation · rule of law*

- In Australia, voters choose people to speak and decide for them. This is called _____.
- The whole set of rules for how elections are run is the _____.
- The _____ means the law applies to everyone, even leaders.
- _____ means the people have a say, usually by voting.
- The elected people who make laws meet in _____.

S2. Match each key value (1–4) to the example that shows it (A–D).

Value	Example
1. Freedom to vote and to stand for election	A. Students meet after school to start a club and plan a fundraiser.
2. Freedom to meet and take part in public life	B. A candidate speaks at the school assembly, and students ask her hard questions.
3. Freedom of speech and religious belief	C. Any student in Year 6 can put their name forward for class captain.
4. The rule of law	D. The class captain must follow the school rules, just like everyone else.

S3. Put the steps of a class captain election in order, from 1 to 5.

- (a) The votes are counted openly.
- (b) Students vote in secret.
- (c) Candidates tell the class what they would do.
- (d) Students nominate for the job.
- (e) Everyone accepts the result.

S4. True or false? If false, correct the statement.

- (a) In a secret ballot, other people can see who you vote for.
- (b) Tasmania introduced the secret ballot in 1856.
- (c) People in other countries called the secret ballot ‘the Australian ballot’.
- (d) The secret ballot lets politicians check that you voted for them.

S5. Use the model ballot paper in Figure 5. The voter marked Sam with 1, Priya with 2 and Jordan with 3.

- (a) Who is this voter’s first choice?
- (b) Who is their second choice?
- (c) If Sam drops out of the count, whose name will this ballot paper count for next?

S6. Complete each sentence using the word bank: *AEC · fair · independent · roll · VEC*

- (a) The _____ runs federal elections.
- (b) The _____ runs Victorian state and council elections.
- (c) Electoral commissions are _____ — they do not take sides.
- (d) The commissions keep the _____, the official list of enrolled voters.
- (e) Their job is to keep elections open, free and _____.

On your own

U1. Explain why the secret ballot is important. In your answer, say what could happen to voters if other people could see how they voted.

U2. ‘Compulsory voting means everyone must vote.’ Give one strong reason someone could **agree** with this law, and one strong reason someone could **disagree** with it. Then give your own view, with a reason. (You are showing you understand both sides — you are marked on your reasons, not on which side you pick.)

U3. Look at Figure 11. Labor won 94 of the 150 seats.

- (a) How many more seats is 94 than the 76 needed for a majority?
- (b) If Labor lost 20 of its seats at the next election, could it still form the government on its own? Explain your answer using the number 76.

U4. Give two ways the AEC or the VEC keeps elections open, free and fair. For each one, explain why it helps.

Source task

Source 1 — the Australian citizenship pledge (shown in Figure 9)

From this time forward, under God, I pledge my loyalty to Australia and its people, whose democratic beliefs I share, whose rights and liberties I respect, and whose laws I will uphold and obey.

Source 1. Australian Citizenship Act 2007 (Cth), Schedule 1, pledge no. 1. The words ‘under God’ are optional — pledge no. 2 is identical without them. Retrieved 26 August 2026.

Source 2 — the Australian Values Statement (shown in Figure 10)

Read the values card in Figure 10. It is the Australian Values Statement, published by the federal government.

Use Sources 1 and 2 and what you learned in this section to answer the questions.

- (a) Source 1 says new citizens pledge their loyalty. To whom, and to what, do they pledge it?
 - (b) Copy the exact words from Source 1 that are about democratic beliefs.
 - (c) What does Source 1 promise about the law? Which key value from part 2 does that show?
 - (d) Source 1 has two versions — one with the words ‘under God’ and one without. Why do you think new citizens can choose?
 - (e) Name two key values from part 2 that you can also find in Source 2.
 - (f) ‘From this time forward’ means ‘from now on’. Why do you think new citizens say the pledge out loud at a ceremony, rather than just signing a paper quietly?
-

Answers

S1. (a) representation; (b) electoral system; (c) rule of law; (d) Democracy; (e) parliament.

S2. $1 \rightarrow C$; $2 \rightarrow A$; $3 \rightarrow B$; $4 \rightarrow D$.

S3. (d) $1 \rightarrow (c)$ $2 \rightarrow (b)$ $3 \rightarrow (a)$ $4 \rightarrow (e)$ 5.

S4. (a) False — no one can see who you vote for. (b) True. (c) True. (d) False — because the ballot is secret, no one can check how you voted.

S5. (a) Sam; (b) Priya; (c) Priya — the ballot paper moves to the voter's next preference, which is 2.

S6. (a) AEC; (b) VEC; (c) independent; (d) roll; (e) fair.

U1. Sample answer: The secret ballot keeps voting free. If other people could see how you voted, they could pressure you, threaten you, or try to pay you to vote a certain way. Because no one can see your vote, no one can check it — so your choice is truly yours.

U2. Sample answer: Someone could agree because when everyone votes, the result reflects the whole country, not just the people who feel like voting — that is fair. Someone could disagree because choosing whether to vote is itself a freedom, and people should not be made to take part. Own view (any reasoned view): for example, I agree, because voting is how we lend power to representatives, so everyone should help choose. (Give one clear reason for each side, then a view with a reason.)

U3. (a) $94 - 76 = 18$ seats more than a majority. (b) If Labor lost 20 seats it would have $94 - 20 = 74$ seats. That is fewer than 76, so it could not form the government on its own.

U4. Sample answer: First, the commissions keep the roll, the official list of voters, so the right people vote once each — this keeps the count honest. Second, they are independent of the government, so the body counting the votes is not one of the teams playing — like an umpire who is not on either team. (Accept any two accurate points linked to parts 5 and 6, such as running secret ballots and counting votes openly.)

Source task. (a) They pledge loyalty to Australia and its people. (b) 'whose democratic beliefs I share'. (c) 'whose laws I will uphold and obey' — they promise to uphold and obey the laws. This shows the rule of law. (d) Sample answer: so people of different religious beliefs can both make the pledge honestly — freedom of religious belief is one of the values that hold up Australian democracy. (e) Any two of: democracy (Source 2 lists democracy among its values); the rule of law (Source 2 says 'commitment to the rule of law'); freedom of religious belief (Source 2 says 'freedom of religion'). (f) Sample answer: Saying it out loud in front of others makes the promise public and serious, and the community hears the new citizens join — it welcomes them into Australia's democracy.

What holds up Australia's democracy: values, principles and institutions

Civics and Citizenship 5 · Chapter 1 — Government and democracy · Section 1B

Owns

VC2HC6K02

Draws on

VC2HC6K02.E01 VC2HC6K02.E02

VC2HC6K02.E03 VC2HC6K02.E04 (VCAA's examples for teachers, listed here for links — D7)

Before we start — agreeing on the big words

Look at a big building. It stands up because of what is *under* it — its foundations. To **underpin** something means to hold it up from underneath. Australia's democracy is like that building. It stands because strong ideas and strong groups hold it up.

Some of the words in this section are big words that people sometimes use in slightly different ways. The Victorian Curriculum uses them but does not give them one fixed meaning, so this section tells you the meaning it uses. Every question in this section can be answered with these meanings. Other meanings exist, and they are not the same as these.

Word	How this section uses it
democracy	a way of choosing leaders and making decisions in which citizens have a say, usually by voting
freedom	being able to do or say something without anyone stopping you unfairly; every freedom has limits, because the law stops people harming others
fair	treating people in a way that is right and even, without leaving anyone out unfairly
equality	everyone counts the same way before the law and in public life
rule of law	the idea that the law applies to everyone — including the government — and that no one is above the law

Now the three building blocks named in the title. Each one is defined here the first time it is used, and each one appears again and again through the section.

- **Values** are ideas about what is right and important. Sharing values helps people live and work together.
- **Principles** are ideas about how something should work. A principle is like a rule for how a system behaves.
- **Institutions** are groups set up to do an important public job. Parliaments, courts and the groups that run elections are all institutions.

In Section 1A you met the key values of Australia's democracy, such as freedom of speech and expression, freedom of religious belief, and the right to vote and to stand for election. This section looks at what holds those values up.

1. Where our system comes from: the Westminster system

Australia's way of running the country did not just appear. Much of it comes from Britain, where the parliament has met at a place called **Westminster** in London for hundreds of years. Ways of running a country that follow Britain's example are called the **Westminster system**.

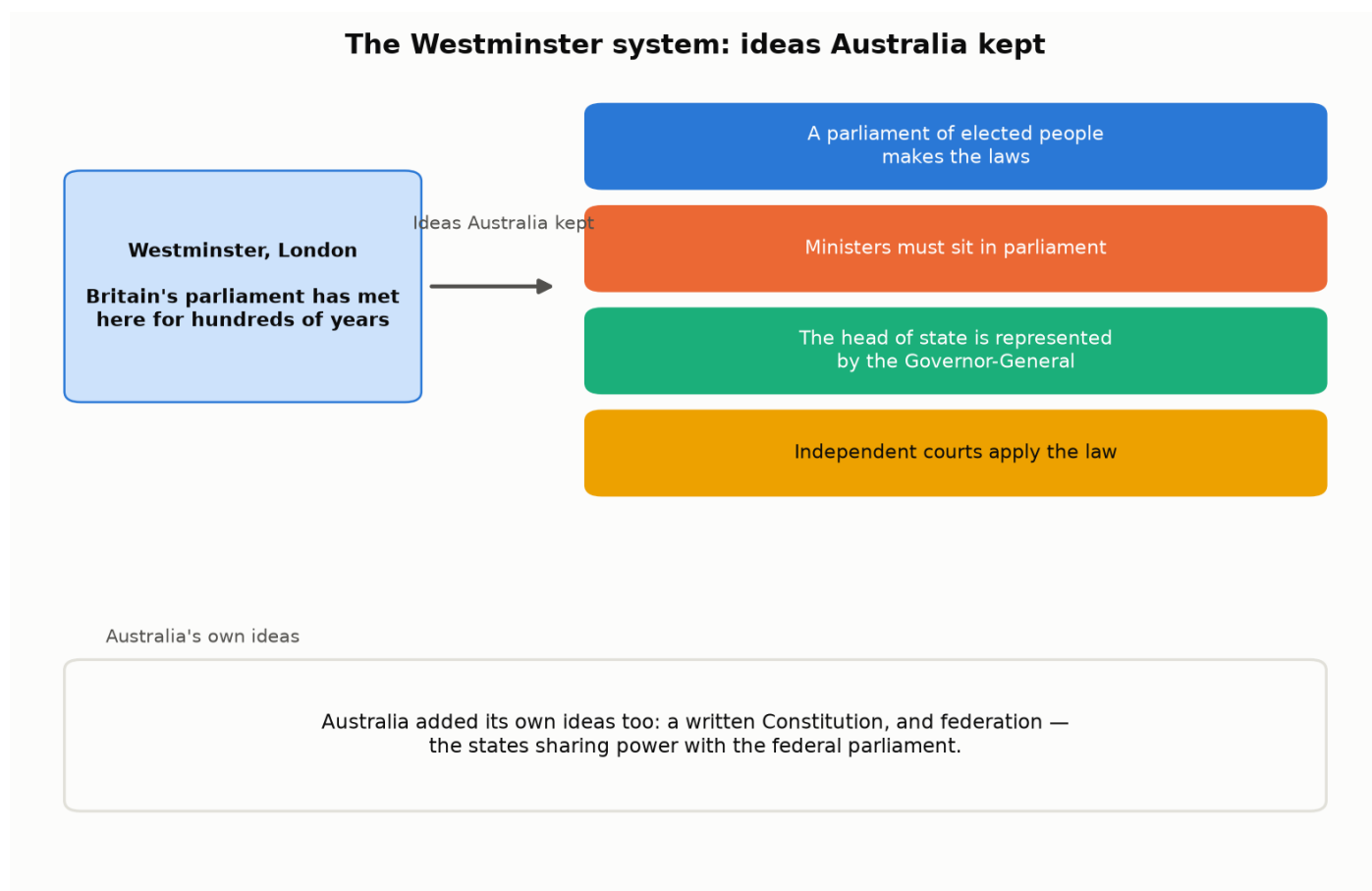
Here are four ideas Australia kept from Westminster:

1. **A parliament makes the laws.** A *parliament* is a group of people chosen by voters to make laws and decisions for a place.

2. **Ministers must sit in parliament.** A *minister* is the person in charge of a part of the government, such as health or schools. In a Westminster system, ministers must be members of parliament. The government can only keep leading while parliament supports it.
3. **A head of state is represented by a governor.** Australia's head of state is the King, and he is represented by the Governor-General. The Governor-General opens parliament and formally agrees to new laws.
4. **Independent courts apply the law.** A *court* is where judges settle disagreements and decide what the law means. Judges are not part of the government, so they can decide without the government telling them what to say.

Australia also added ideas of its own. It wrote down one rule book — a **constitution**, which is the set of rules about how the country is run. And it joined the six colonies into one nation in 1901, with the states keeping some powers and the new **federal** (meaning national) parliament taking others. This sharing of power between the states and the nation is called **federation**.

So Australia's democracy is a mix: Westminster ideas sit underneath, and Australian ideas sit on top of them.



A labelled diagram showing the Westminster system. A box for the parliament in Britain points across to four boxes listing the ideas Australia kept from Westminster.

Figure 1. Four ideas Australia kept from the Westminster system, and two ideas Australia added of its own.

2. Four key institutions you can visit — even from your classroom

Let's meet four institutions that underpin Australia's democracy. Two are national and sit in **Canberra**. Two belong to Victoria and sit in **Melbourne**.

Four institutions that underpin Australia's democracy

Institution	City	Level	Job	Key date
Parliament House, Canberra	Canberra	National	Where the federal parliament makes laws for Australia	Opened 9 May 1988
High Court of Australia	Canberra	National	Australia's highest court; decides what the Constitution means	Created 1903; building opened 1980
Parliament of Victoria	Melbourne	State (Victoria)	Where Victoria's laws are made	Building opened 1856
Supreme Court of Victoria	Melbourne	State (Victoria)	Victoria's highest court	Set up 1852

Sources: Parliament of Victoria; Supreme Court of Victoria; Judiciary Act 1903 (Cth); Parliament House, Canberra. Retrieved 26 August 2026.

A table of four democratic institutions. The columns are the institution, its city, its level, its job and a key date.

Figure 2. Four institutions that underpin Australia's democracy. Sources: Parliament of Victoria; Supreme Court of Victoria; Judiciary Act 1903 (Cth); Parliament House, Canberra. Retrieved 26 August 2026.

Parliament House, Canberra. This is where the federal parliament of Australia meets to make laws for the whole country. The building was opened on 9 May 1988. Anyone can walk in and watch parliament work — and schools can take an online tour from the classroom too.

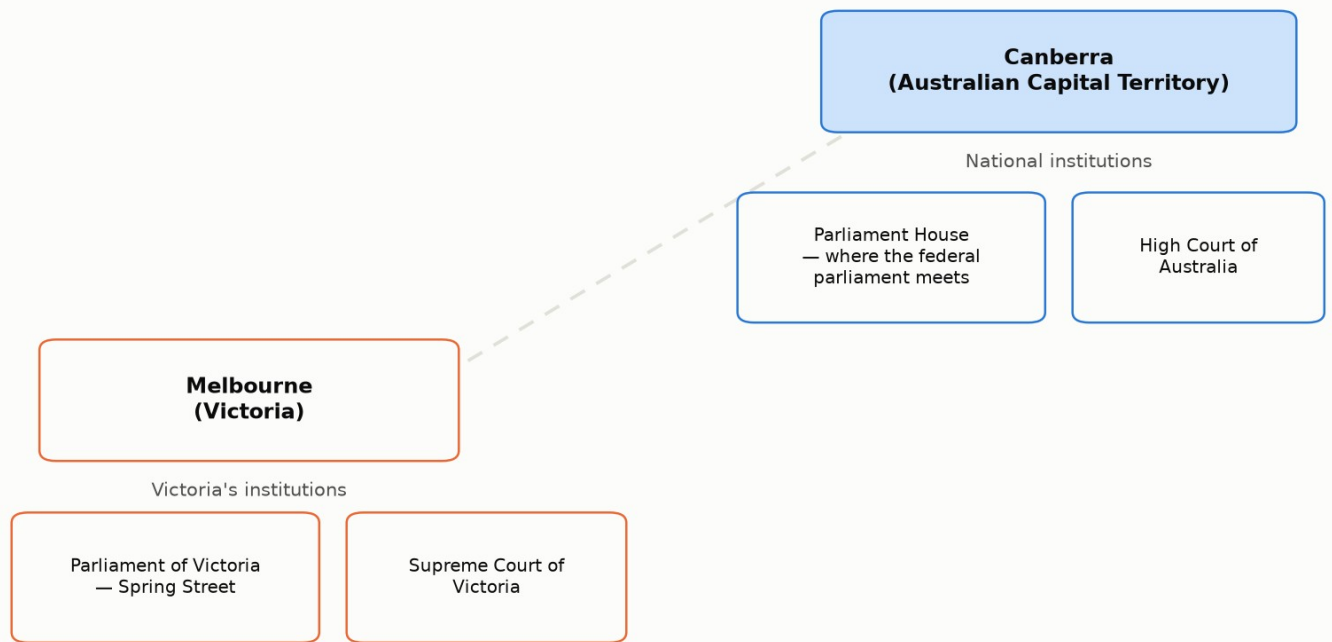
The High Court of Australia, Canberra. This is Australia's highest court. It was created in 1903, and its building opened in 1980. Its big job is to decide what the Australian Constitution means. Its decisions apply to everyone — even the government. That is the rule of law at work.

The Parliament of Victoria, Melbourne. Victoria's parliament meets in Parliament House on Spring Street. The building first opened in 1856, which makes it one of the oldest parliament buildings in Australia. Here is a surprise: from 1901 to 1927, the new federal parliament of Australia met in this very building, before it moved to Canberra.

The Supreme Court of Victoria, Melbourne. This is Victoria's highest court. It was set up in 1852. It hears serious cases and decides what Victorian laws mean.

Where are the four institutions?

A simple position diagram — not a map

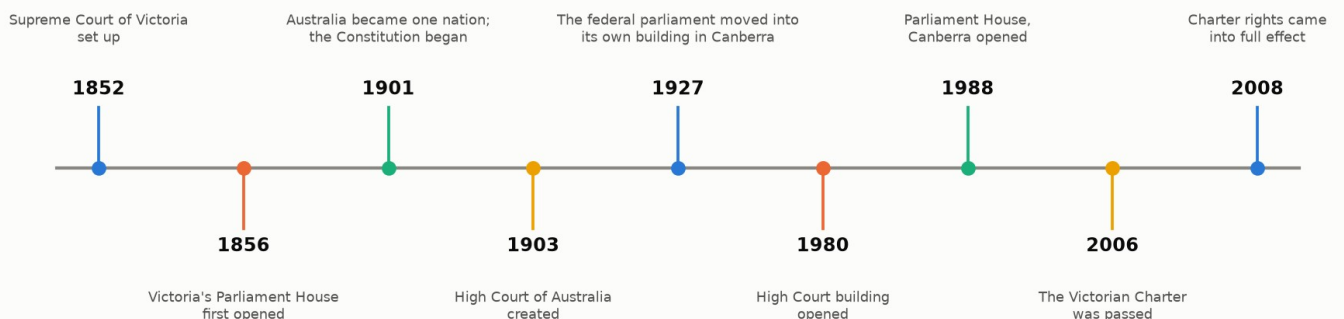


A labelled diagram showing where the four institutions are. Canberra holds Parliament House and the High Court of Australia. Melbourne holds the Parliament of Victoria and the Supreme Court of Victoria.

Figure 3. Where the four institutions are: Canberra (national) and Melbourne (Victoria). This is a simple position diagram, not a map.

Try investigating. Both parliaments let you visit online or in person, through their education pages. The federal parliament's education pages are run by the Parliamentary Education Office. Pick one of the four institutions and visit it online, or in person if you can. As you look, note down: *Who meets here? What do they do? How does this help democracy?*

When these institutions began



Events are spaced for easy reading, not by exact time gaps. Sources: Supreme Court of Victoria; Parliament of Victoria; Judiciary Act 1903 (Cth); Parliament House, Canberra; Charter of Human Rights and Responsibilities Act 2006 (Vic). Retrieved 26 August 2026.

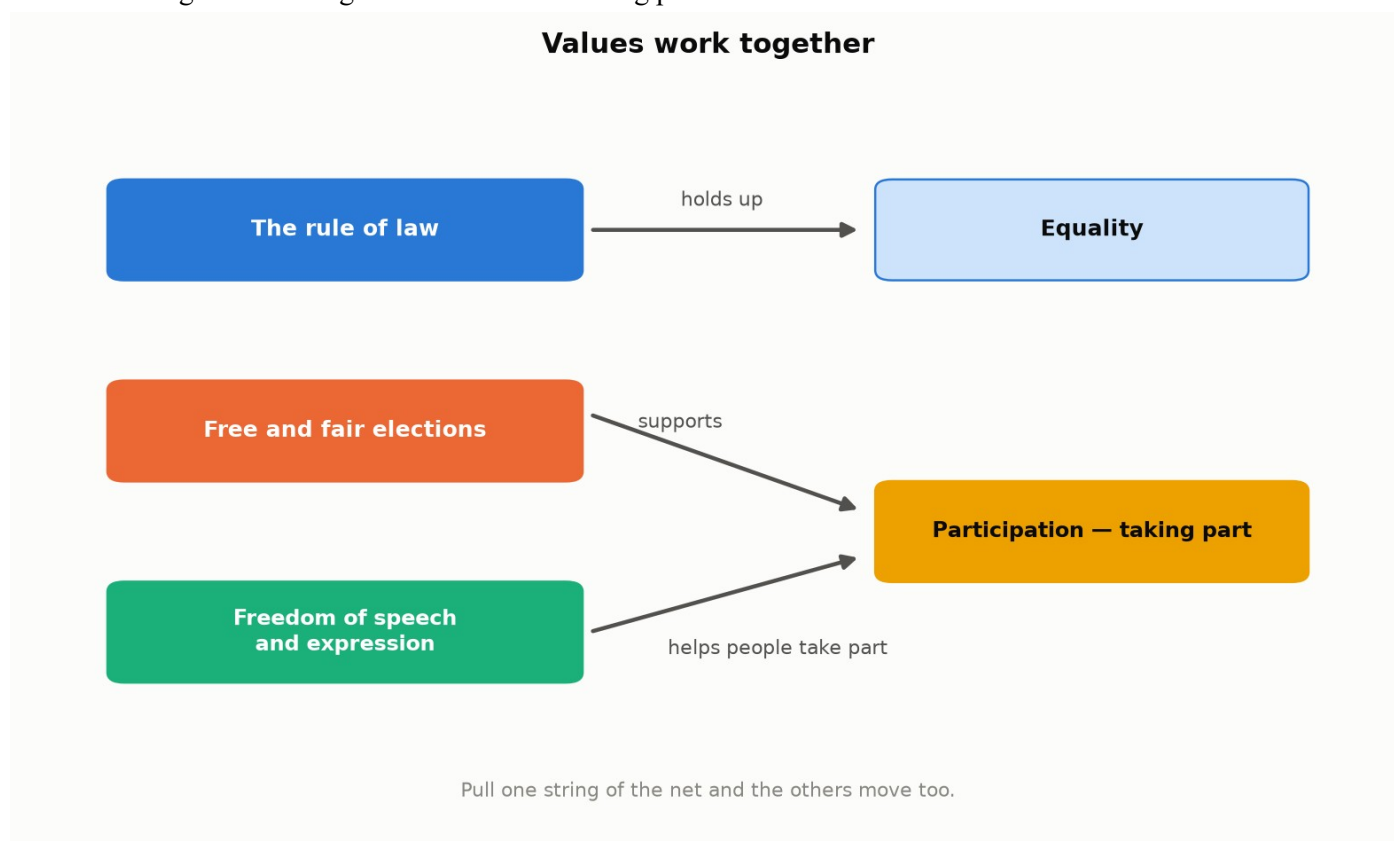
A timeline of key dates for Australian democratic institutions, from 1852 to 2008.

Figure 4. When these institutions began. Sources: Supreme Court of Victoria; Parliament of Victoria; Australian Constitution (1901); Judiciary Act 1903 (Cth); High Court of Australia; Parliament House, Canberra; Charter of Human Rights and Responsibilities Act 2006 (Vic). Retrieved 26 August 2026.

3. Values work together

Values do not work alone. They hold each other up. Here are three ways they connect.

- **The rule of law holds up equality.** The law applies to everyone in the same way. The person who leads the government and a Year 5 student both have to follow it. Because no one is above the law, everyone is equal before it.
- **Free and fair elections support participation.** When people trust that an election is fair, more of them join in: they vote, they talk about the issues, and they stand for office. Participation means taking part.
- **Freedom of speech and expression helps people take part.** People can share their views, ask hard questions, and disagree with the government without being punished for it. That makes elections and debates more real.



A labelled diagram of democratic values holding each other up. Arrows connect rule of law to equality, free and fair elections to participation, and freedom of speech to participation.

Figure 5. Values at work together: each value holds another one up.

Think of it like a net: pull one string and the others move too. If elections were not fair, people would stop taking part. If the government did not have to follow the law, equality would slip away.

4. Human rights: what Australians have, and who keeps them safe

Human rights are rights that every person has simply because they are human. Australians get their rights from a few places:

- **The Constitution** protects a small number of rights directly.
- **Laws made by parliaments** protect many more.
- **Independent courts** make sure those laws are actually followed.

Victoria has its own famous list. The **Charter of Human Rights and Responsibilities** is a Victorian law, passed by the Parliament of Victoria in 2006. A *charter* is a written list of rights and duties that the law protects. The Charter protects 20 human rights. These rights came into full effect on 1 January 2008. Here are five of them as examples.

Five of the 20 rights in the Victorian Charter

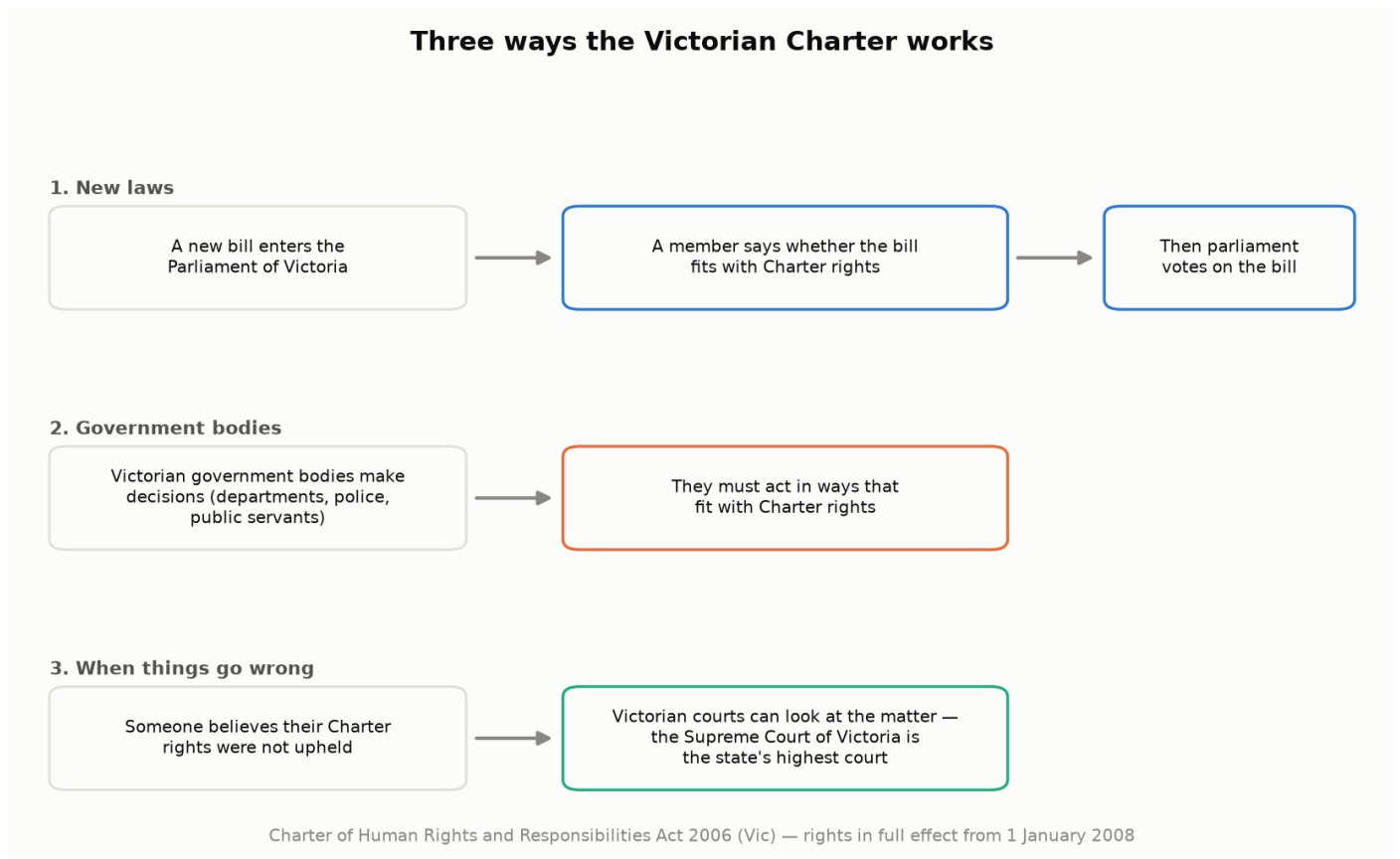
Section	The right	In plain words
Section 8	Recognition and equality before the law	The law treats you as a person, and treats everyone equally
Section 9	Right to life	Every person has the right to live
Section 12	Freedom of movement	You are free to move around and come and go in Victoria
Section 15	Freedom of expression	You are free to say and share what you think (within the law)
Section 18	Taking part in public life	Adults can vote and stand for election

From Part 2 of the Charter of Human Rights and Responsibilities Act 2006 (Vic). Retrieved 26 August 2026.

A table of five examples of rights in the Victorian Charter of Human Rights and Responsibilities, with the section number, the right and what it means in plain words.

Figure 6. Five of the 20 rights in the Victorian Charter (Charter of Human Rights and Responsibilities Act 2006 (Vic), Part 2). Retrieved 26 August 2026.

How does the Charter keep these rights safe? Three ways.



A flow diagram showing how the Victorian Charter of Human Rights and Responsibilities works. One path shows parliament checking new bills. One path shows government bodies following Charter rights. One path shows courts helping when rights are not upheld.

Figure 7. Three ways the Victorian Charter works.

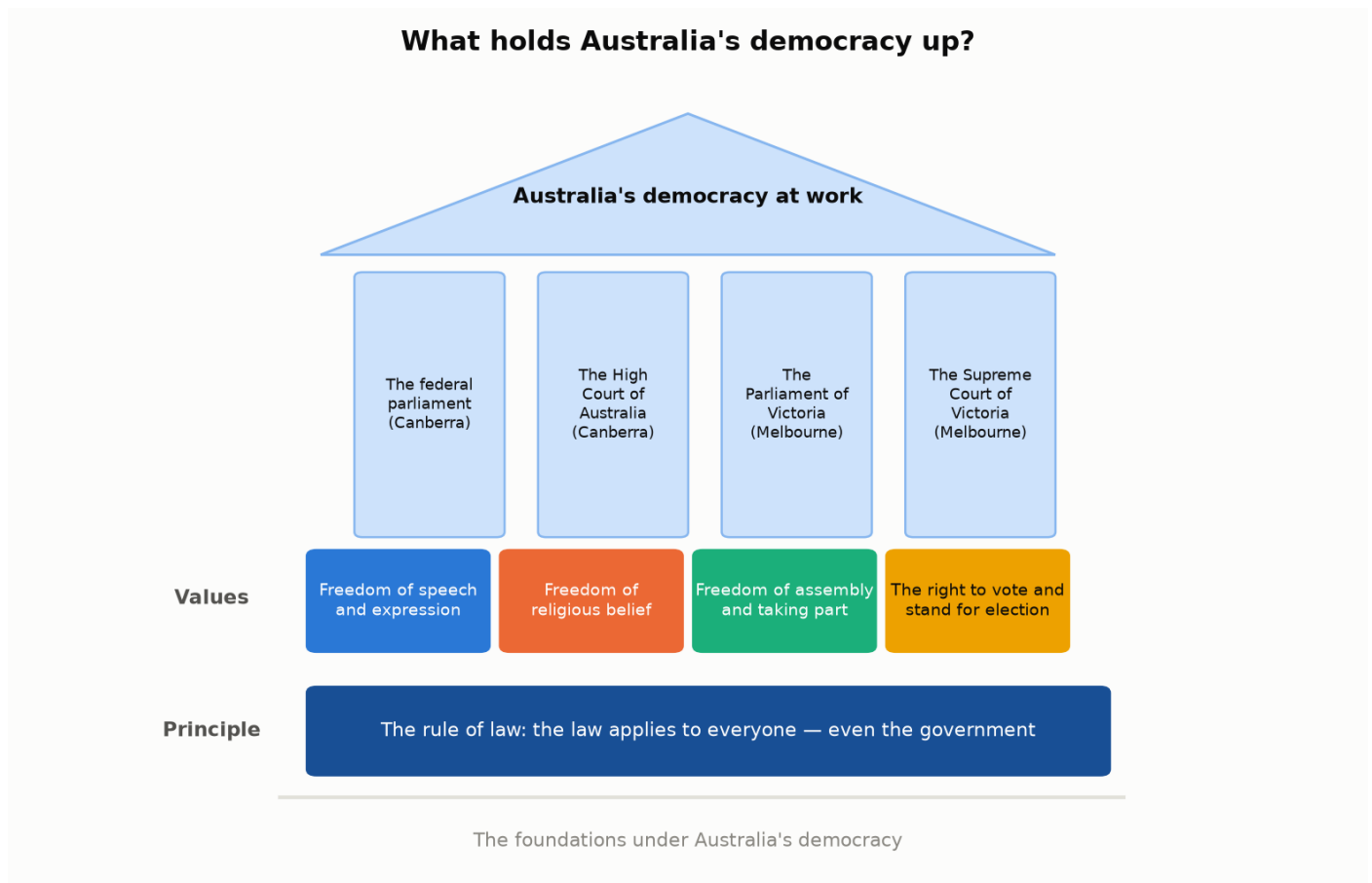
1. **Parliament checks new laws.** When a new bill is introduced into the Parliament of Victoria, a member must say whether the bill fits with Charter rights. (A *bill* is a proposed new law that parliament is thinking about.)
2. **Government bodies must follow Charter rights.** Victorian government departments, the police and public servants must act in ways that fit with the Charter when they make decisions.
3. **Courts help when things go wrong.** If someone believes their Charter rights have not been upheld, Victorian courts — including the Supreme Court of Victoria, the state’s highest court — can look at the matter.

Two views — how should rights be protected? People who both want rights protected disagree about the best way to do it, and both sides have real points.

- **One view:** rights are best protected by parliaments making laws, like Victoria’s Charter. Elected people can see what is going wrong, and they can change or add laws as times change.
- **Another view:** rights are best protected by being written into the Constitution. Then a government cannot remove them with an ordinary law — changing the Constitution needs a vote by the people.

Australia actually uses a bit of both: some rights sit in the Constitution, and more are protected by laws like the Charter. When you answer questions about this debate, what matters is the strength of your reasons, not which side you pick.

The whole picture



A labelled diagram of Australia's democracy drawn like a building. The foundation blocks are democratic values, four pillars are democratic institutions, and the roof is democracy at work.

Figure 8. The whole picture: values as the foundation, institutions as the pillars, democracy as the roof.

Worked examples

Example 1 — with help

Match each situation below to (a) the value or principle at work, and (b) the institution that helps hold it up.

Working	Comment
Situation 1. The Parliament of Victoria is deciding on a new bill. Members ask: does this bill treat all Victorians equally?	The value is equality . The institution is the Parliament of Victoria — it checks new bills against Charter rights before they become law.
Situation 2. Two groups disagree about what the Australian Constitution means for a new law.	The principle is the rule of law — even arguments about the Constitution are settled by law, not by power. The institution is the High Court of Australia , which decides what the Constitution means.
Situation 3. A person in Victoria believes a government body has not upheld their Charter right to be treated equally before the law.	The value is human rights (Charter rights). Victorian courts can look at the matter — the Supreme Court of Victoria is the state's highest court.

Example 2 — with help

Read the Charter right below and answer three questions about it: *What does it mean? Who must keep it safe? Which value does it hold up?*

The right (Charter of Human Rights and Responsibilities Act 2006 (Vic), section 18): Every adult in Victoria has the right to take part in public life, including the right to vote and to stand for election.

Working	Comment
What does it mean? Adults in Victoria can vote in elections and can stand to be chosen themselves.	The plain meaning of the right — in your own words.
Who must keep it safe? Victorian government bodies and public servants must act in ways that fit with this right, and the Parliament of Victoria must check new bills against it.	The two Charter paths from Figure 7: government bodies follow the rights, and parliament checks new laws.
Which value does it hold up? Participation — and through participation, representation too. When people vote, their views get a say in who makes the laws.	Connecting a right to a democratic value is a key skill in this section.

Practice tasks

With help

S1. Fill the gaps using the word bank: *institutions · principles · underpin · values*

- (a) To _____ something means to hold it up from underneath.
- (b) _____ are ideas about what is right and important.
- (c) _____ are ideas about how a system should work.
- (d) _____ are groups set up to do an important public job.

S2. Match each institution (1–4) to its job (A–D).

Institution	Job
1. Parliament House, Canberra	A. Victoria's highest court
2. High Court of Australia	B. Where the federal parliament makes laws for Australia
3. Parliament of Victoria	C. Australia's highest court; decides what the Constitution means
4. Supreme Court of Victoria	D. Where Victoria's laws are made

S3. Put these events in order from first to last. The years are in Figure 4.

- (a) The Charter of Human Rights and Responsibilities was passed by the Parliament of Victoria.
- (b) The Supreme Court of Victoria was set up.
- (c) Parliament House in Canberra was opened.
- (d) Australia became one nation and the Constitution came into effect.

S4. Sort each idea into the correct column: *From Westminster* or *Australia's own idea*.

- (a) Ministers must be members of parliament.
- (b) A written constitution sets out how the country is run.
- (c) A parliament of elected people makes the laws.
- (d) The states and the federal parliament share the job of running the country.

S5. Complete each sentence using the word bank: *equality · participation · rule of law*

- (a) Free and fair elections support _____, because people join in when they trust the result will be fair.
- (b) The _____ holds up equality because the law applies to everyone, even the government.
- (c) Because no one is above the law, everyone has _____ before it.

S6. True or false? If false, correct the statement.

- (a) The Westminster system is named after a place in London.
- (b) The High Court of Australia sits in Melbourne.

- (c) The federal parliament met in Victoria's Parliament House from 1901 to 1927.
- (d) The Victorian Charter protects five human rights.

On your own

- U1.** Explain, in one or two sentences, how the rule of law holds up equality.
- U2.** "Free and fair elections support participation." Explain what this means in two or three sentences. Include one example of how someone can take part.
- U3.** Choose one of the four institutions in this section. Explain two ways it holds up the values of Australia's democracy.
- U4.** Some people say rights are best protected by parliaments making laws. Others say rights are best protected by being written into the Constitution. Give one strong reason for **each** view. (Remember: you are showing you understand both sides, not choosing one.)
-

Source task

Source 1 — The right to equality before the law, in plain words

Source 1

The right to equality before the law, in plain words

- Every person has the right to be treated as a person by the law.

- Every person has the right to enjoy their human rights without being left out.

- Every person has the right to be treated equally before the law.

Retold in plain words from section 8 of the Charter of Human Rights and Responsibilities Act 2006 (Vic), passed by the Parliament of Victoria.

A source card showing the right to equality before the law in plain words, based on section 8 of the Victorian Charter of Human Rights and Responsibilities.

Source 1. Retold in plain words from section 8 of the Charter of Human Rights and Responsibilities Act 2006 (Vic). Retrieved 26 August 2026.

Use Source 1 and what you learned in this section to answer the questions.

- (a) Where does this source come from? Name the law and the year it was passed.
- (b) In your own words, what does this right mean?
- (c) Name one Victorian institution that helps keep this right safe, and say what it does.
- (d) How does this right show the rule of law holding up equality?

Answers

S1. (a) underpin; (b) Values; (c) Principles; (d) Institutions.

S2. 1 → B; 2 → C; 3 → D; 4 → A.

S3. (b) 1852 → (d) 1901 → (c) 1988 → (a) 2006.

S4. From Westminster: (a), (c). Australia's own idea: (b), (d).

S5. (a) participation; (b) rule of law; (c) equality.

S6. (a) True. (b) False — the High Court of Australia sits in Canberra. (c) True. (d) False — the Victorian Charter protects 20 human rights.

U1. Sample answer: The rule of law says the law applies to everyone in the same way, including the government. Because no one is above the law, a minister and a student are equal before it.

U2. Sample answer: When people trust that an election is fair, they are more likely to take part — by voting, by talking about the issues, or by standing for office. If an election were not fair, people might stay home, and fewer views would be heard. More participation means the elected people better show what citizens think.

U3. Sample answer (Parliament House, Canberra): First, it is where the elected representatives of all Australians meet to make laws, so citizens' views get a say (representation). Second, ministers must sit in parliament and keep its support, so the government has to answer for what it does. (Accept any accurate pairing of institution, role and value.)

U4. Sample answer: Laws made by parliament can be changed when times change, so elected people can fix problems as they see them. Rights written into the Constitution are harder for a government to remove, because changing the Constitution needs a vote by the people. (Give one clear, correct point for each view; the student does not need to pick a side.)

Source task. (a) The Charter of Human Rights and Responsibilities Act 2006 (Vic), passed in 2006. (b) Sample answer: Every person has the right to be treated as a person by the law, and everyone has the right to enjoy their human rights without being left out. (c) Sample answer: The Supreme Court of Victoria — Victoria's highest court — can look at a matter when someone believes their Charter rights have not been upheld; the Parliament of Victoria also checks new bills against Charter rights. (d) Sample answer: The right means the law treats everyone the same way and does not leave people out unfairly. That is equality held up by law — which is what the rule of law means in action.

Who does what: Australia's 3 levels of government

You are learning: VC2HC6K03. Links: .E01 .E02 .E03 .E04.

Theory

Three levels, not one. Australia is a big country, so no one group looks after everything. The jobs of government are split between **3 levels of government**: the **federal** government, the **state and territory** governments, and **local** government (councils). Each level has its own **roles and responsibilities** — its own list of jobs it is responsible for.

Australia's 3 levels of government

Each level has its own jobs (roles and responsibilities)



Three coloured bands stacked from widest to closest: federal (whole country, meets in Canberra), state and territory (one state, Victoria's meets in Melbourne), and local councils (your local area).

The federal government looks after the **whole country**. It meets at Parliament House in Canberra. Its jobs include protecting Australia (the army, navy and air force), money (the dollar), deciding who can come to live in Australia, marriage, and the post.

The state and territory governments look after **one state or territory**. Australia has 6 states and 2 territories. Victoria's parliament meets in Melbourne. State jobs include schools, hospitals, police, and roads and trains.

Local government (councils) looks after **your local area**. If it is new to you: your local council is the level of government closest to where you live. Council jobs include collecting rubbish and recycling, looking after local parks and gardens, libraries, and footpaths.

Who looks after what? Sorting the 3 levels

Real services in Australia and the level responsible for them (E01)

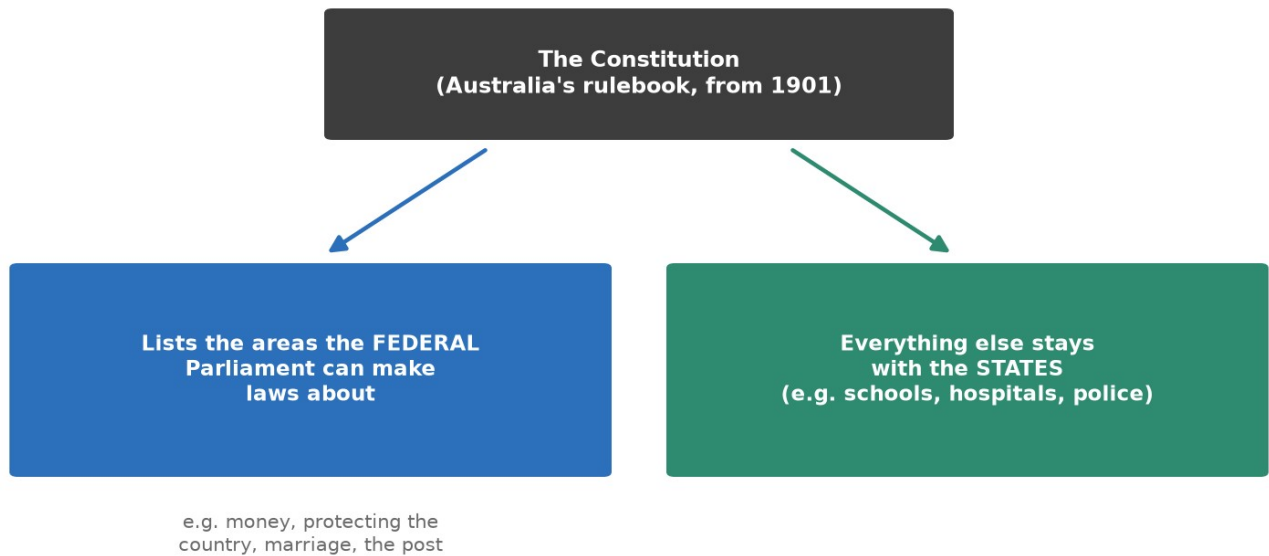
Federal (whole country)	State (Victoria) (one state)	Local (council) (your area)
• Protecting the country • Money (the dollar) • Who can move to Australia • Marriage • The post	• Schools • Hospitals • Police • Roads, trains and trams	• Rubbish and recycling • Local parks and gardens • Libraries • Footpaths

A sorting table with three columns — Federal, State (Victoria) and Local — listing real services under each, such as protecting the country, schools and hospitals, and rubbish and local parks.

The Constitution divides the power. The rulebook that says *who* can make laws about *what* is called **the Constitution**. In this section, *Constitution* is used in the sense given by Australian law: it is the set of rules Australia has followed since 1901, and other meanings of the word are not used here. The Constitution gives the federal Parliament a list of areas it can make laws about (like money and protecting the country). All the **leftover** areas stay with the states (like schools, hospitals and police). This split is called the **division of powers**.

The Constitution splits the law-making power

Australia's rulebook, in force since 1901



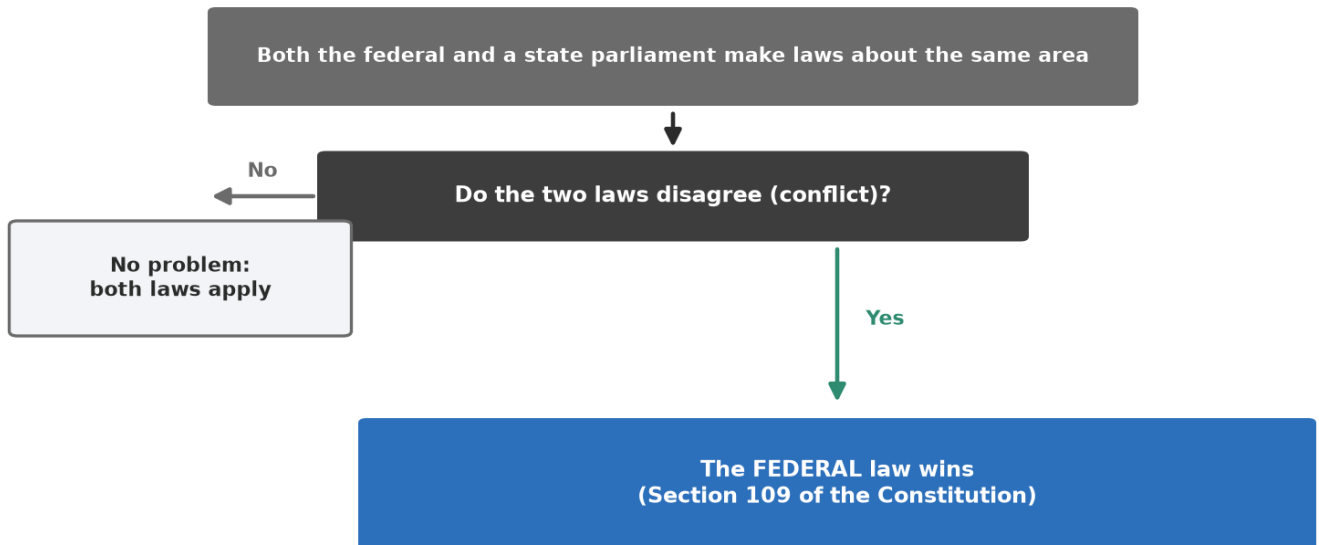
This split is called the division of powers.

The Constitution shown as a rulebook branching into two boxes: a federal list of law-making areas, and everything else staying with the states.

What if both levels make a law, and the two laws disagree? Some areas are **shared** — both the federal and a state parliament can make laws about them. If the two laws **disagree** (conflict), the **federal law wins**. This rule is written in the Constitution, in **Section 109**.

When two laws disagree, who wins?

The rule for shared law-making areas



This is part of the division of powers.

A flow chart: both levels make laws about the same area; if the laws do not disagree both apply; if they disagree, the federal law wins under Section 109.

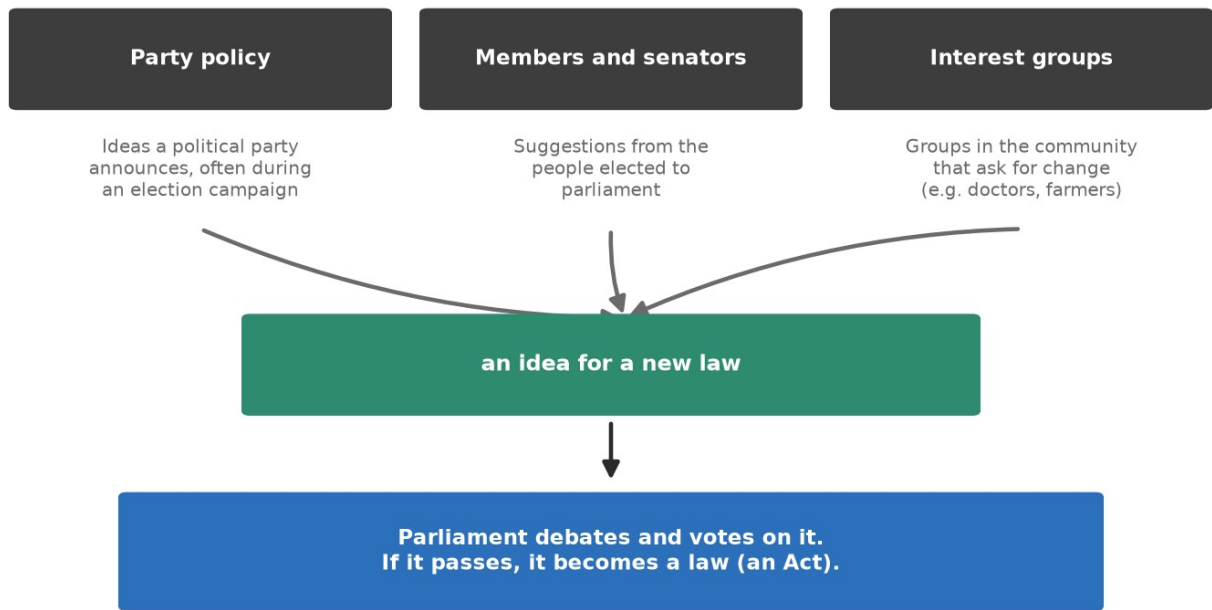
Where do new laws come from? An idea for a new law often starts in one of three places:

- a **party policy** — ideas a political party announces, often during an election campaign;
- **members and senators** — the people elected to parliament can suggest a law;
- **interest groups** — groups in the community that ask for change, like doctors or farmers.

The idea is then turned into a **bill** (a proposed law). Parliament debates it and votes. If most members vote yes, the bill becomes a law (an **Act**).

Where do new laws come from?

Three common starting points for a new law (E03)



Three starting points — party policy, members and senators, and interest groups — with arrows joining into an idea for a new law, which parliament then votes on.

Laws in your community. Different laws are made and enforced by different levels. **Car parking laws** are made by your local council (plus state road rules) and enforced by council parking officers. **Health laws** are made by the state (Victoria) and the federal parliament, and enforced by the state. **Pollution laws** are made by the state and the federal parliament, and enforced by the state's environment group (the EPA in Victoria).

Community laws: who makes them and who enforces them?

Sort three real kinds of law (E04)

The law	Which level makes it?	Who enforces it?
Car parking laws	Local council (plus state road rules)	Council parking officers (and police)
Health laws	State (Victoria) and federal	State health agencies
Pollution laws	State (Victoria) and federal	Environment agencies (e.g. EPA)

A table sorting three kinds of law — car parking, health and pollution — by which level makes them and who enforces them.

Worked examples

Worked example 1 — with help

Sort these four real jobs to the right level of government: (a) collecting the rubbish; (b) running public hospitals; (c) protecting Australia; (d) looking after the local library.

Method: for each job, ask “Is this for the whole country, one state, or just my local area?”

Job	Ask the question	Level
(a) collecting the rubbish	Only my local area needs it.	Local (council)
(b) running public hospitals	One state (Victoria) runs its public hospitals.	State
(c) protecting Australia	The whole country is protected as one.	Federal
(d) looking after the local library	Only my local area uses it.	Local (council)

Worked example 2 — with help

Who won in the Franklin River case (1983)? Use the steps below.

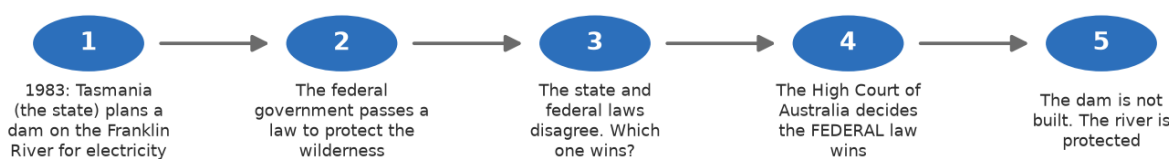
Step	What happened	Which level?
1	Tasmania (a state) planned to build a dam on the Franklin River for electricity.	State
2	The federal parliament made a law	Federal

Step	What happened	Which level?
	to protect the wilderness.	
3	The state plan and the federal law disagreed (conflict).	Both
4	The High Court of Australia used the Constitution and decided the federal law wins (Section 109).	Federal wins
5	So the dam was not built, and the river was protected.	—

Because the Constitution divides the power, and the federal law won, the state's dam plan could not go ahead.

A real case: the Franklin River dam (1983)

Commonwealth v Tasmania — how the federal law can win



Because the Constitution divides the power, and the federal law won, the state's dam plan could not go ahead.

A five-step timeline of the 1983 Franklin River case: Tasmania planned a dam, the federal government protected the wilderness, the laws disagreed, the High Court decided the federal law wins, and the dam was not built.

Practice questions

With help

Q1. Name Australia's 3 levels of government.

Q2. Match each job to its level (use the word bank: federal, state, local). (a) the post; (b) schools in Victoria; (c) your local park.

Q3. What is the name of the rulebook that divides the law-making power between the federal and state parliaments?

Q4. True or false, then correct the false ones: If a state law and a federal law disagree, the state law wins.

Q5. Name **two** of the three places where an idea for a new law can start.

Q6. Which level of government collects your rubbish and recycling?

On your own

Q7. Sort these jobs into the correct level: hospitals, the army, footpaths, marriage.

Q8. A state parliament makes a law about an area. The federal parliament also makes a law about the same area, and the two laws disagree. Which law wins, and which section of the Constitution says so?

Q9. Your class wants to know who enforces car parking laws in your town. Which level makes those local laws, and who enforces them?

Q10. Using one real example for each level, explain how the jobs of government are split in Australia.

Source task

Read the short source in the picture (the Australian Constitution, Section 109), then answer in your own words.

Source: the Australian Constitution, section 109

Read this short primary source carefully

Commonwealth of Australia Constitution Act 1900, section 109

When a law of a State is inconsistent with a law of the Commonwealth, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid.

In everyday words: if a state law and a federal law disagree, the FEDERAL law wins.

The exact words of Section 109 of the Australian Constitution in a document panel, with a plain-English gloss below: if a state law and a federal law disagree, the federal law wins.

S1. In your own words, what does the source say happens when a state law and a federal law disagree?

S2. The source uses the word *inconsistent*. Give a simpler word that means the same here.

S3. Why does the Constitution need a rule like this one? Give one reason.

Answers

Q1. Federal, state (and territory), and local (councils). **Q2.** (a) federal; (b) state; (c) local. **Q3.** The Constitution. **Q4.** False — the *federal* law wins. **Q5.** Any two of: party policy; members and senators; interest groups. **Q6.** Local (your council). **Q7.** Hospitals = state; the army = federal; footpaths = local; marriage = federal. **Q8.** The federal law wins; Section 109. **Q9.** The local council makes them; council parking officers enforce them. **Q10.** Any correct set of three examples, one per level. **S1.** The federal law wins (the state law does not count where they disagree). **S2.** “Disagree” (or “do not match / clash”). **S3.** So there is one clear winner and everyone knows which law to follow.

Answers explained

Q1. The three levels are the **federal** government (whole country), the **state and territory** governments (one state or territory each), and **local** government (councils).

Q2. (a) the post → **federal**; (b) schools in Victoria → **state**; (c) your local park → **local**. Each matches the level whose job list it appears on.

Q3. The **Constitution** — Australia's rulebook since 1901 — divides the law-making power (the division of powers).

Q4. False. Under Section 109 of the Constitution, when a state law and a federal law disagree, the **federal** law wins.

Q5. Two of: **party policy** (announced in an election campaign); **members and senators** (elected people suggest laws); **interest groups** (community groups ask for change).

Q6. Local government — your council collects rubbish and recycling.

Q7. hospitals → **state**; the army → **federal**; footpaths → **local**; marriage → **federal**.

Q8. The **federal law wins**, because Section **109** of the Constitution says that when the two disagree, the federal law is the one that counts.

Q9. The **local council** makes local parking laws, and **council parking officers** enforce them (police also enforce state road rules).

Q10. A full answer gives one real job per level, e.g. protecting the country (**federal**), running public hospitals (**state**), and collecting the rubbish (**local**), and says each level is responsible for its own list of jobs.

S1. The source says that when a state law and a federal law disagree (are inconsistent), the **federal law wins** and the state law does not count.

S2. A simpler word is **disagree** (the two laws do not match).

S3. The rule is needed so that, when two laws clash, there is **one clear winner** — so people, police and courts all know which law to follow.