



New South Wales

Constitution Amendment (Rights and Freedoms—Referendum) Bill 2023

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

This Bill is cognate with the *Constitution Amendment (Rights and Freedoms) Bill 2023*.

Overview of Bill

Under the *Constitution Act 1902*, section 7A, it is necessary for the *Constitution Amendment (Rights and Freedoms) Bill 2023* to be submitted to a referendum and be approved by a majority of electors before that Bill is presented to the Governor for assent.

The object of that Bill is to amend the *Constitution Act 1902* to limit the power of the Legislature to make laws restricting certain rights and freedoms.

The object of this Bill is to appoint the date of the next general election as the date for taking the votes of electors at the referendum on the *Constitution Amendment (Rights and Freedoms) Bill 2023*.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Clause 3 provides that the *Constitution Amendment (Rights and Freedoms) Bill 2023* must be submitted to the electors for approval at a referendum.

Clause 4 appoints the day of the next general election as the date for the referendum.

Clause 5 provides that the referendum must be conducted in accordance with the *Constitution Further Amendment (Referendum) Act 1930*. That Act makes general provision for the conduct of referendums on proposed constitutional laws.



New South Wales

Constitution Amendment (Rights and Freedoms—Referendum) Bill 2023

Contents

| | Page |
|-----------------------------------------------------------------------------------|------|
| 1 Name of Act | 2 |
| 2 Commencement | 2 |
| 3 Referendum to be held on Constitution Amendment (Rights and Freedoms) Bill 2023 | 2 |
| 4 Date of referendum | 2 |
| 5 Manner of taking votes at referendum | 2 |