

THREE LEVELS OF LAW-MAKING

Australia has three levels of law-making – often referred to as the three levels of government – that work together to provide Australians with the services they need.

The three levels are:

- federal (or national) Parliament, in Canberra
- state/territory parliaments, in each state/territory capital city
- local councils (also called shires or municipalities), across the nation.

Australia has one federal Parliament, six state and two territory parliaments, and over 560 local councils.

Responsibilities

Representatives are elected to federal and state/territory parliaments and local councils, so that all Australians have someone to represent them at each level of government. Parliaments and councils make laws; governments put these laws into action.

Some of the responsibilities of federal, state/territory and local governments overlap, but generally each level of government provides different services to Australians:

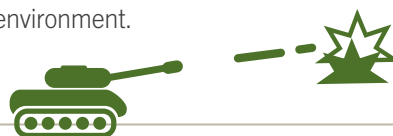
- The federal government has broad national powers. Among other things, it administers (puts into action) laws in relation to defence, immigration, foreign affairs, trade, postal services and taxation.
- State/territory governments have the power to look after laws not covered by the federal government; for instance, hospitals, schools, police and housing services.
- The powers of local councils are defined by Acts of Parliament passed by state parliaments and include responsibility for building regulations, rubbish collection, local roads and pet control.

All levels of government raise money, through collecting taxes, to pay for services provided to Australians. State/territory and local governments also receive some money from the federal government, and states fund local councils.

FEDERAL



The federal government raises money to run the country by collecting taxes on incomes, goods and services and company profits and spends it on national matters: for example, trade, defence, immigration and the environment.



STATE/TERRITORY



State/territory governments also raise money from taxes but receive more than half their money from the federal government and spend it on state/territory matters: for example, schools, housing and hospitals, roads and railways, police and ambulance services.

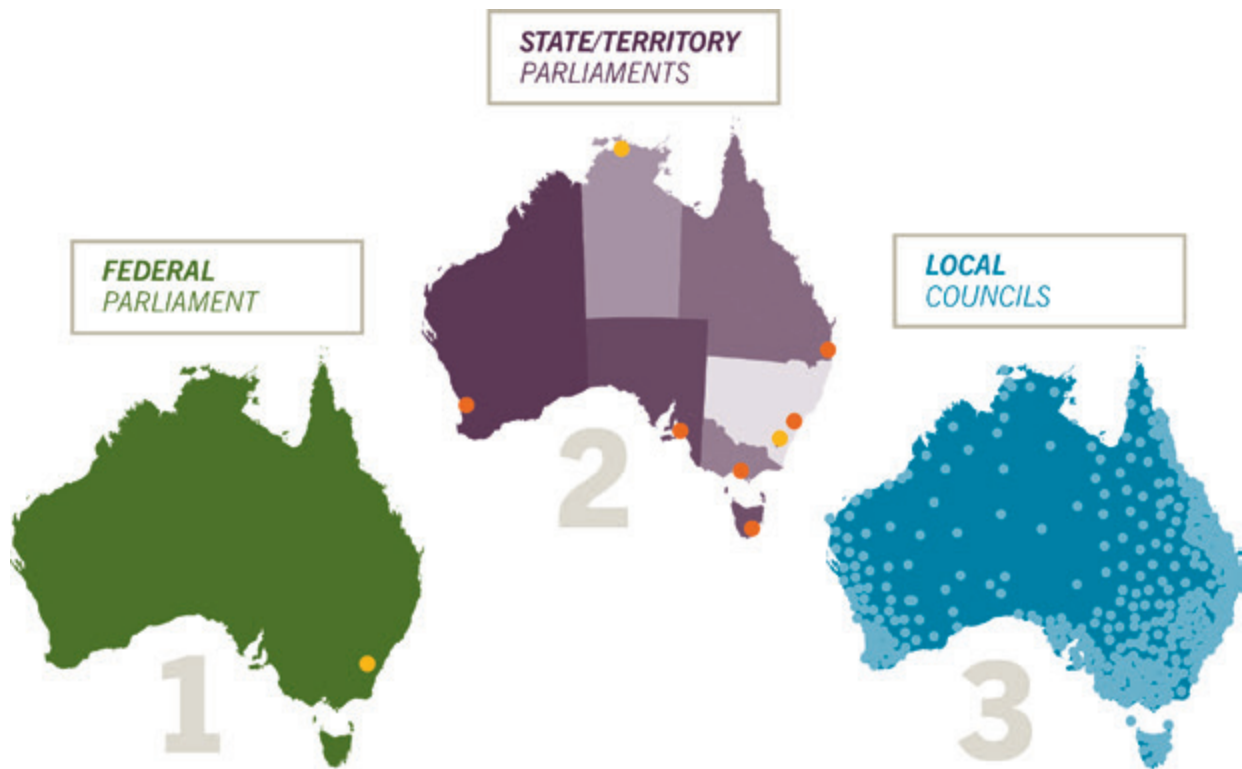


LOCAL



Local councils collect taxes (rates) from all local property owners and receive grants from federal and state/territory governments and spend this on local matters: for example, town planning, rubbish collection, water and sewage, local roads and pet control.





Territories

Local councils in the Northern Territory (NT) are established by the NT Legislative Assembly under a local government law. The Australian Capital Territory (ACT) does not have local councils, as the ACT Legislative Assembly combines both state and local government functions.

The Australian Constitution

Section 51 of the Australian Constitution details the powers of the federal Parliament to make laws in relation to national matters. These laws are administered by the federal government. Issues not listed in section 51 are the responsibility of state governments. Under section 109 of the Constitution, if a state Parliament and the federal Parliament pass conflicting laws on the same subject, then the federal law overrides the state law. Section 122 of the Constitution allows the federal Parliament to override a territory law at any time.

LINKS

PEO website

Closer Look: *Governing Australia: three levels of law-making*
www.peo.gov.au/learning/closer-look/governing-australia.html

Other websites

Australian Government: How Government Works
www.australia.gov.au/about-government/how-government-works