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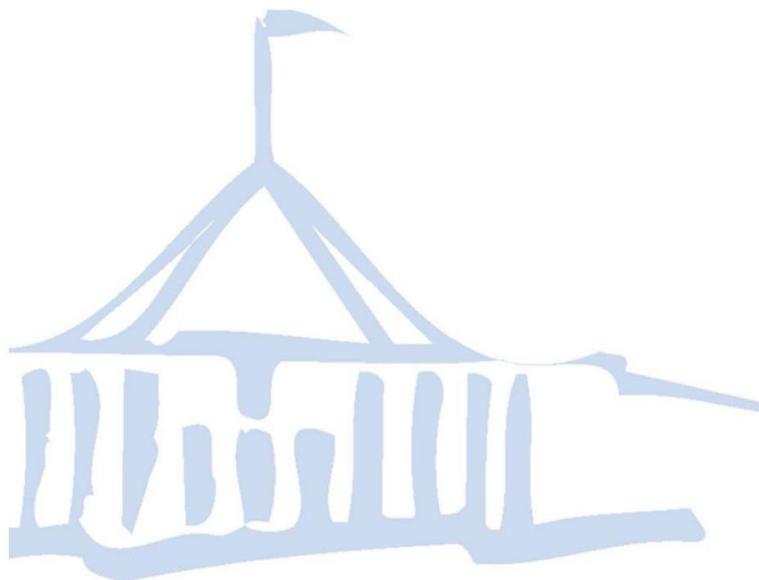
# Communiqué

## TOPIC -

Should Section 53 of the Constitution be amended to prevent the Senate from blocking supply (rejecting money bills)?

**The Museum of Australian Democracy  
at Old Parliament House, Canberra**

24 to 26 March 2026



**31ST NATIONAL SCHOOLS  
CONSTITUTIONAL CONVENTION**

## Introduction

The 31st National Schools Constitution Convention (NSCC) convened at the Museum of Australian Democracy at Old Parliament House, Canberra, from 24 to 26 March 2026. Fifty years after the dismissal of the Whitlam government, 113 students from diverse schooling backgrounds across Australia engaged in discussions on whether Section 53 of the Constitution should be amended to prevent the Senate from blocking supply (appropriation) bills.

## Convention Process

Under the guidance of Emeritus Professor Clement Macintyre, and following a Welcome to Country by Ngunnawal Kamilaroi custodian and the Cultural Director of the Traditional Owners Aboriginal Corporation, Richie Allan, delegates embarked on a comprehensive examination of section 53 of the constitution. Professor Macintyre opened the convention by emphasising the importance of civic engagement and the value of having a voice in Australia's democracy. In recognising that approximately 3000 young Australians have benefited from the program over more than 30 years of conventions, he acknowledged the support of the Department of Education and the work of National Curriculum Services in organising and managing the event. Keynote speakers, including Professor Gabrielle Appleby, Professor Emerita Anne Twomey, Professor Alan Fenna, and the Honourable Nick Minchin AO and Honourable John Fawkner, explored the tensions that exist within Australia's bicameral system in ensuring elected governments have guarantee of funding, while the Upper House stayed true to its role as a house of review representing the interests of the states and state-based concerns.

## Delegate Deliberations

In a series of workshops, delegates were introduced to and explored how the Constitution was written to provide checks and balances on the executive power of the Federal government. This was done to protect the interests of States within the Federation. Section 53 of the Constitution has a role in exercising these checks and balances, and delegates discussed in detail both the constitutional and political implications of applying Section 53, including the Whitlam government dismissal of 1975.

Discussions from delegates through the process of small group discussion and soapbox sessions highlighted:

- The uniqueness of the Australian bicameral Parliament that, unlike the UK, has a democratically elected Upper House.
- The Senate is seen as a House of Review with a role to scrutinise an elected government and maintains a reserve power to block appropriation Bills.
- The compromise at Federation to include the provision of the Senate to block supply was seen as important to protect the rights of smaller States.
- Section 53 in allowing the Senate to block supply, creates a tension between denying the mandate of a duly elected government with a majority in the House of Representatives and an elected Upper House with equal representation of the states to act to protect the interests of its citizens.
- In contemporary Australia, with a more diverse population than at Federation, the Upper house now includes more minor parties, aided by the introduction of proportional voting. It is less likely that a coalition of diverse parties would come together and this reduces the possibility of Section 53 being used as partisan tool to force an elected government back to the ballot box.
- The circumstances of 1975 were unique and are unlikely to occur again. However, is that sufficient reason to remove the ability of the Senate to block supply?

- The provision contained in Section 53 should only be used in exceptional circumstances due to the negative economic and welfare impacts on Australian Citizens.
- Is there need for an amendment to Section 53 that prevents the Senate from not passing or deferring appropriation bills, so the government is guaranteed supply?
- By retaining Section 53 in its current form it places greater responsibility on the government to prepare and submit fiscally responsible budget to Parliament, which is not outside the expectations of an elected upper house.

## The Vote

Facilitated by Lisa Wyllie from the Australian Electoral Commission, delegates voted on the question.

|                              | Formal Yes votes | Formal No votes | Is the majority in favour? |
|------------------------------|------------------|-----------------|----------------------------|
| New South Wales              | 14               | 9               | YES                        |
| Victoria                     | 13               | 12              | YES                        |
| Queensland                   | 9                | 14              | NO                         |
| Western Australia            | 5                | 10              | NO                         |
| South Australia              | 9                | 3               | YES                        |
| Tasmania                     | 1                | 4               | NO                         |
| Australian Capital Territory | 1                | 4               |                            |
| Northern Territory           | 4                | 1               |                            |
| <b>National total</b>        | <b>56</b>        | <b>57</b>       | <b>NO</b>                  |

There is no change to the Constitution as the voting results did not satisfy a double majority as included in the requirements of Section 128.

## Convention Outcome

The communiqué summarising the convention's discussions, deliberations, and the vote's outcome will be presented to Senator Sue Lines, President of the Senate, for incorporation into Hansard. This document serves as a testament to the thoughtful engagement of Australia's youth with the foundational aspects of their government and their collective deliberations about the use of Section 53 to deal with government Appropriation Bills.

The convention was distinguished by lively and engaged debate from all delegates and a high level of commitment to critically evaluate the role of Australia's constitution in the lives of Australian citizens and future voters was evident in the workshop and soapbox sessions.

The full version of the 2026 NSCC communiqué will be available at the following link from May 2026:  
<https://ncsonline.com.au/projects/national-schools-constitutional-convention>