

CONSTITUTION AMENDMENT (DEMISE OF THE CROWN) BILL 2017
EXPLANATORY MEMORANDUM

OVERVIEW OF THE BILL

The Constitution Amendment (Demise of the Crown) Bill 2017 proposes an amendment to the Constitution Act 1889 (WA) to make express provision for the demise of the Crown.

The purpose of the proposed amendment is to clarify that the demise of the Sovereign only has the effect of transferring all functions, duties, powers, authorities, rights, privileges and dignities belonging to the Crown to the Sovereign's successor and has no other legal effect.

NOTES ON CLAUSES

1. Short Title

This Clause sets out the title of the proposed Act.

2. Commencement

This Clause cites the commencement of the Act.

Sections 1 and 2 of the Act come into operation on the day it receives Royal Assent.

The rest of the Act comes into operation on the day after the day this Act receives Royal Assent.

3. Act amended

This clause states which Act this Bill amends, being the Constitution Act 1889 (WA).

4. Section 75A inserted

This clause inserts a new section 75A into the Constitution Act 1889 (WA).

This new section 75A makes express provision for the legal consequences of the demise of the Crown, and clarifies that the demise of the Sovereign only has the effect of transferring all functions, duties, powers, authorities, rights, privileges and dignities belonging to the Crown to the Sovereign's successor and has no other legal effect.