



Essential information about the Constitutional Referendum

On 23 March 2023 Prime Minister Anthony Albanese announced the Referendum Question. The Referendum Question will be:

“A Proposed Law: to alter the Constitution to recognise the First Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice. Do you approve this proposed alteration?”

This will put to Australians that the Constitution be amended to include a new Chapter titled “Recognition of Aboriginal and Torres Strait Islander Peoples”. This is what the new Chapter will say:

Chapter IX Recognition of Aboriginal and Torres Strait Islander Peoples 129 Aboriginal and Torres Strait Islander Voice

In recognition of Aboriginal and Torres Strait Islander peoples as the First Peoples of Australia:

1. There shall be a body, to be called the Aboriginal and Torres Strait Islander Voice;
2. The Aboriginal and Torres Strait Islander Voice may make representations to the Parliament and the Executive Government of the Commonwealth on matters relating to Aboriginal and Torres Strait Islander peoples;
3. The Parliament shall, subject to this Constitution, have power to make laws with respect to matters relating to the Aboriginal and Torres Strait Islander Voice, including its composition, functions, powers and procedures.

Design principles of the Voice to Parliament

The following are the **Design principles of the Voice to Parliament** agreed by the First Nations Referendum Working Group (<https://ulurustatement.org/education/design-principles/>).

The Voice will give independent advice to the Parliament and Government

- » The Voice would make representations to the Parliament and the Executive Government on matters relating to Aboriginal and Torres Strait Islander peoples.
- » The Voice would be able to make representations proactively.
- » The Voice would be able to respond to requests for representations from the Parliament and the Executive Government.
- » The Voice would have its own resources to allow it to research, develop and make representations.
- » The Parliament and Executive Government should seek representations in writing from the Voice early in the development of proposed laws and policies.



cpsu.org.au/UnionsForYes



The Voice will be chosen by Aboriginal and Torres Strait Islander people based on the wishes of local communities

- » Members of the Voice would be selected by Aboriginal and Torres Strait Islander communities, not appointed by the Executive Government.
- » Members would serve on the Voice for a fixed period of time, to ensure regular accountability to their communities.
- » To ensure cultural legitimacy, the way that members of the Voice are chosen would suit the wishes of local communities and would be determined through the post-referendum process.

The Voice will be representative of Aboriginal and Torres Strait Islander communities, gender balanced and include youth

- » Members of the Voice would be Aboriginal and/or Torres Strait Islander, according to the standard three part test.
- » Members would be chosen from each of the states, territories and the Torres Strait Islands.
- » The Voice would have specific remote representatives as well as representation for the mainland Torres Strait Islander population.
- » The Voice will have balanced gender representation at the national level.

The Voice will be empowering, community-led, inclusive, respectful and culturally informed

- » Members of the Voice would be expected to connect with – and reflect the wishes of – their communities.
- » The Voice would consult with grassroots communities and regional entities to ensure its representations are informed by their experience, including the experience of those who have been historically excluded from participation.

The Voice will be accountable and transparent

- » The Voice would be subject to standard governance and reporting requirements to ensure transparency and accountability.
- » Voice members would fall within the scope of the National Anti-Corruption Commission.
- » Voice members would be able to be sanctioned or removed for serious misconduct.

The Voice will work alongside existing organisations and traditional structures

- » The Voice would respect the work of existing organisations.

The Voice will not have a program delivery function

- » The Voice would be able to make representations about improving programs and services, but it would not manage money or deliver services.

The Voice will not have a veto power

What happens after the Referendum?

After the referendum, there will be a process with Aboriginal and Torres Strait Islander communities, the Parliament, and the broader public to settle the Voice design. Legislation to establish the Voice will then go through standard parliamentary processes to ensure adequate scrutiny by elected representatives in both houses of Parliament.

