

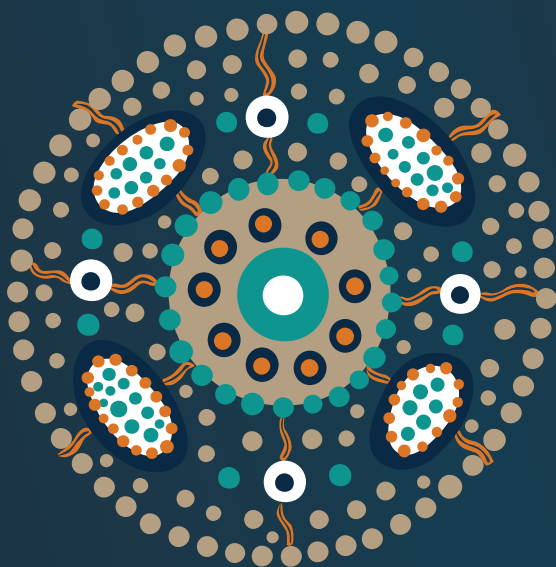


Australian Government



Aboriginal and
Torres Strait Islander **Voice**

Recognising Aboriginal and Torres Strait Islander peoples through a Voice



Information Booklet

We acknowledge the Traditional Owners and Custodians of Country throughout Australia and acknowledge their continuing connection to land, waters and community.

We pay our respects to the people, the cultures and the Elders past and present.

Referendum to enshrine a Voice

In late 2023, Australians will have their say in a referendum to recognise Aboriginal and Torres Strait Islander peoples as the First Peoples of Australia through an Aboriginal and Torres Strait Islander Voice enshrined in our Constitution.



What is the constitution?

The Australian Constitution is the set of rules by which Australia is governed.

The only way to change the Constitution is by holding a referendum. It is up to the Australian people to decide if the Constitution should change.

What is a referendum?

A federal referendum is a national vote on a question about whether part of the Constitution should change.

Just like a federal election, all Australian citizens aged 18 and over must vote.

Did you know?

To be eligible to vote you must be enrolled with the AEC. Enrol here: www.aec.gov.au/referendums/enrolling.htm

How is the result decided?

For a referendum to be successful, a majority of voters need to vote 'yes' nationally, plus a majority of voters in at least 4 out of 6 states. This is known as a double majority.

Referendum question and constitutional amendment

On 30 March 2023, the referendum question and constitutional amendment were introduced into Parliament through the Constitution Alteration Bill.

Both the question and terms of the constitutional amendment may change as a result of consideration in Parliament.

Referendum question

On referendum day, voters will be asked to vote ‘yes’ or ‘no’ on a single question. Subject to the Parliament’s approval, the question on the ballot paper 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?”

Constitutional amendment

The ‘Proposed Law’ that Australians are being asked to vote upon is set out in the Constitution Alteration Bill and is subject to Parliament’s approval. If approved at the referendum, the Bill would add the following words to the Constitution:

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:

- i. there shall be a body, to be called the Aboriginal and Torres Strait Islander Voice;
- ii. 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;
- iii. 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.

What is the Voice and what will it do?

There has been a lot of work over many years to define what a Voice could look like. The following Voice design principles were agreed by the First Nations Referendum Working Group and were drawn from this work.

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.

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 would be 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 would 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 a successful referendum?

Did you know?

After a successful referendum, the Voice won't exist until legislation is enacted. There will be a process to consult on and finalise the Voice with the steps outlined below.



Referendum

In late 2023, Australians will vote in a referendum to recognise Aboriginal and Torres Strait Islander peoples in the Constitution by establishing an Aboriginal and Torres Strait Islander Voice.



Consultation

After the referendum, there will be a process with Aboriginal and Torres Strait Islander communities and the broader public to design the Voice.



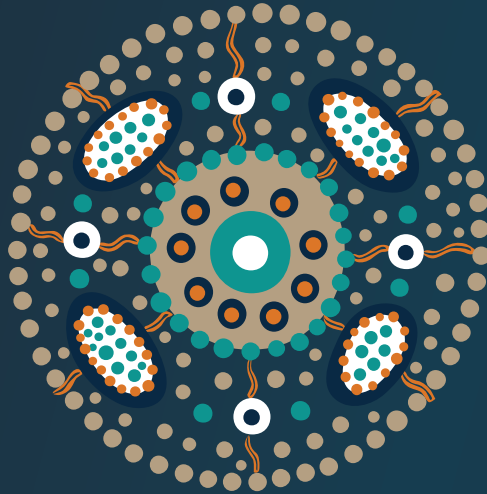
Introduce Voice establishment legislation to Parliament

A bill will then be developed to establish the Voice. This would be introduced to Parliament and may be referred to a parliamentary committee to suggest ways to improve it. Parliament decides if it becomes law.



Implementation

Once Parliament approves the legislation to establish the Voice, the legislation comes into effect and the work to set up the Voice begins.



About the artist and cover artwork

The Voice logo is a section of the artwork 'Working together for a future of equality' by Jordana Angus for the Australian Government Department of the Prime Minister & Cabinet – Indigenous Affairs. This section of the work represents the well-being of Indigenous and non-Indigenous people being equal.



For more information, visit
voice.gov.au