

Constitutional Entrenchment in Victoria

[Extracted from the Constitution Act 1975, as amended to 1 July 2010]

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Referendum Required		
Subsection (1A), (1B), (1BA), (1C) or (3) of Section 18	Power of Parliament to alter [Constitution] Act	
	18(1A)	[Definition of referendum and 'special majority']
	18(1B)	[List of entrenched constitutional provisions for which a referendum is required]
	18(1BA)	[No implied repeal of constitutional statutes]
	18(1C)	[Date of holding constitutional referendums]
	18(3)	[Constitutional statutes to be void if enacted contrary to provisions requiring referendum]
Subdivision 1 of Division 5 of Part II	[Legislative Council] Regions and members	
	26	Number of members of the Council
	27	Division of Victoria into 8 regions
	27A	Filling of casual vacancies in the Council
	28	Duration of the Council
	29	Member of Assembly not capable of being member of Council
	29A	Title of members
	30	Resignation of members
Subdivision 2 of Division 5 of Part II	Proceedings of the Council	
	31	Election of President 52
	32	Quorum of Legislative Council
Subdivision 1 of Division 6 of Part I	[Legislative Assembly] Districts and members	
	34	Constitution of Assembly
	35	Division of Victoria into electoral districts
	36	Member of Council not capable of being member of Assembly
	37	Resignation of members
Subdivision 2 of Division 6 of Part II	Duration of the Assembly	
	38	Duration of Assembly
	38A	Date of general election
Subdivision 3 of Division 6 of Part II	Proceedings of the Assembly	
	39	Election of Speaker
	40	Quorum of Assembly
Section 41	Provisions applicable to both the Council and the Assembly	
	41	Sessions of Council and Assembly
Division 9 of Part II	Provisions relating to Appropriation Bills	
	62	Appropriation Bills

	63	Appropriation to be in pursuance of message
	64	Appropriation Bills
	65	Annual Appropriation Bills
Division 9A of Part II	Provisions relating to disputes [between Legislative Council and Legislative Assembly] concerning Bills	
	65A	Definitions
	65B	Dispute Resolution Committee
	65C	Dispute Resolution
	65D	Consideration of Dispute Resolution by Assembly and Council
	65E	Provisions applying if dispute not resolved
	65F	Provisions applying to Deadlocked Bills.
	65G	Joint Sitting
Part IIA	Local Government	
	74A	Local Government
	74B	Local Government Laws
Section 75(1)	The Supreme Court of the State of Victoria	
	Subsection (1) of Section 75	[Establishment of] Supreme Court of the State of Victoria
Part IIIA	Director of Public Prosecutions	
	87AA	Definition
	87AB	Appointment
	87AC	Terms and Conditions
	87AD	Resignation
	87AE	Suspension and Removal from Office
	87AF	Pension of Director and of his or her spouse and children
Part IV	The Executive	
	87A	Executive Council
	87B	Members of the Executive Council
	87C	Meetings of the Executive Council
	87D	Rules of Executive Council
	87E	Advice to Governor
	88	Appointment to Public Offices
	88AA	Oath of Office
	88A	Governor in Council may order that Ministers exercise duties etc concurrently
Division 3 of Part V	Auditor-General	
	94A	Auditor-General
	94B	Independence of Auditor-General
	94C	Tenure of Office
Part VA	Special Provisions	
	94E	Independence of the Ombudsman
	94F	Independent of the Electoral Commissioner
	94G	Electoral Boundaries
	94H	Access to Information

3/5th Majority in both Houses Required		
Section 1A	1A	Recognition of Aboriginal people
Part I	The Crown	
	6	The Governor
	6A	Lieutenant-Governor and Administrator
	6B	Administration by Lieutenant-Governor or Administrator
	6C	Deputy for Governor during short illness or absence
	6D	Oath or Affirmation
	6E	Offices are not agencies under Freedom of Information Act 1982
	7	Appropriation of staff and other expenses of the Governor
	7A-7J	Governor's Pension etc
	8	Convocation, prorogation and dissolution [of Parliament]
	8A	Dissolution of Assembly after a no confidence motion
	9	Demise of the Crown not to dissolve Parliament
	10	Certain acts not to be affected by a demise of the Crown
	11	All appointments etc by the Governor to continue in force notwithstanding demise of the Crown
	12	Exercise by the Governor of powers given to and reservation in favour of Her Majesty
	13	Contracts on behalf of Her Majesty
	14	Governor's amendments
Division 1 of Part II	[Parliament] Constitution and Powers	
	15	Parliament
	16	Legislative power of Parliament
	16A	The principle of Government mandate
	17	Waste lands of the Crown
	18(2)	[List of entrenched constitutional provisions for which a 3/5ths majority is required]
	18(4)	[Constitutional statutes to be void if enacted contrary to provisions requiring 3/5 ^{ths} majority]
	18(6)	[Certain exceptions relating to organization of public authorities delivering water supplies]
Subdivision 1 of Division 7 of Part II	Membership of the Council and the Assembly	
	44	Membership of the Council and the Assembly
	45	Avoidance of election of unqualified person
	46	Avoidance of election of unqualified person

	47	Member of Victorian Parliament elected to Federal Parliament
Subdivision 2 of Division 7 of Part II	Qualification of electors for the Council and the Assembly	
	48	Qualification of electors for the Council and the Assembly
Section 61A	Offices and places of profit	
	61A	Power to Houses to relieve from consequences of alleged defaults
Part IIIAA	The Judiciary	
	87AAA	Definitions
	87AAB	Removal from Judicial Office
	87AAC	Judicial Panel
	87AAD	Appointment of Investigating Committee
	87AAE	Role of Investigating Committee
	87AAF	Powers of Investigating Committee
	87AAG	Procedure and Evidence at an Investigation
	87AAH	Report of Investigating Committee
	87AAI	Retirement
	87AAJ	Abolition of Judicial Office
Part VII	Delivery of Water Services	
	96	Definitions
	97	Delivery of Water Services
Absolute Majority Required		
Subsections (2A), (2AA) or (5) of Section 18.	Power of Parliament to alter [Constitution] Act	
	18(2A)	[List of entrenched constitutional provisions for which an absolute majority is required; and constitutional statutes to be void if enacted contrary to provisions requiring absolute majority]
	18(2AA)	
18(5)		
Part III (other than section 75(1))	The Supreme Court of the State of Victoria	
	75(2)	
	75A	Divisions of Court
	75B	Qualification and Appointment of Judges
	76	Court to be a Court of Record and to have a Seal
	77	Commissions of Judges
	78	Chief Justice
	78A	Chief Justice and Judges of Court of Appeal
	78B	Seniority
	79	Governor-in-Council may appoint Acting Chief Justice
	79A	Governor-in-Council may appoint acting President
	80	Filling Vacancies
	80B	Additional Judges of Appeal

	80C	Additional Judges of Trial Division
	80D	Appointment of Acting Judges
	80E	Transitional Provisions – Reserve Judges
	82	Salaries, allowances and pensions of Judges of the Supreme Court
	83	Pensions of Judges of the Supreme Court and their partners and children
	83AA-AI	[Further provisions on judicial pensions etc]
	83A	Salaries of Associate Judges
	84	Judges not to hold any other place of profit
	85	Powers and jurisdiction of the Court
	86	Power of judges to award habeas corpus
	87	Court not to be required to exercise jurisdiction where jurisdiction conferred on other bodies.