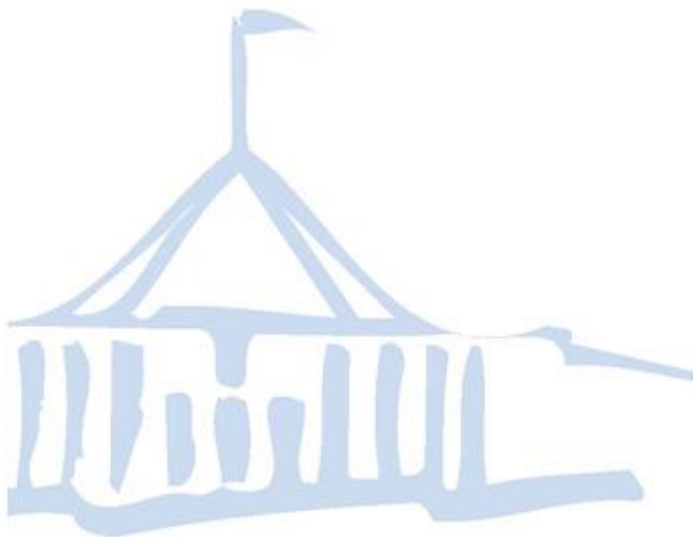

Communiqué

TOPIC -

Section 96 of the Constitution allows the Commonwealth to grant funds to areas that fall outside those prescribed in Section 51. Should Section 96 be amended to decentralise the power of the Commonwealth?

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

19 to 21 March 2024



29TH NATIONAL SCHOOLS
CONSTITUTIONAL CONVENTION

Introduction

The 29th National Schools Constitution Convention (NSCC) convened at the Museum of Australian Democracy at Old Parliament House, Canberra, from 19 to 21 March 2024. Ninety-four students from diverse schooling backgrounds across Australia engaged in discussions on whether Section 96 of the Constitution, allowing the Commonwealth to grant funds beyond Section 51's stipulations, should be decentralised. Victorian students were unable to attend the convention because usual procedures for selecting and approving Victorian students were not available this year.

Convention Process

Under the guidance of Emeritus Professor Clement Macintyre and Professor John Williams, and initiated with a welcome from Ngunnawal Emerging Elder Selina Walker, the delegates embarked on a comprehensive examination of Sections 51 and 96. The Hon Jason Clare MP, Minister for Education, opened the convention, emphasising the importance of civic engagement and the constitutional basis of Commonwealth-State financial relations. Keynote speakers, including Professor Kim Rubenstein, Professor Emerita Anne Twomey, Dr Andrew Banfield and Professor Alan Fenna, delved into the nuances of state versus federal law, fiscal imbalances, and the potential need for constitutional reform to address modern societal shifts and inefficiencies in the current system of Commonwealth funding to States.

Delegate Deliberations

In a series of workshops, delegates explored the complexities of state and federal laws, funding mechanisms, and the implications of residual powers in health and education. Discussions highlighted concerns over accountability, the political motivations behind conditional grants, and the impact of these issues on social justice and equity. Suggestions for reform included revising taxation systems, establishing independent bodies for grant review, and reconsidering the allocation of powers between Commonwealth and State governments to ensure more equitable and efficient governance.

The Vote

Facilitated by Georgia McInerney from the Australian Electoral Commission, delegates voted on a proposal to amend Section 96 to ensure a more equitable distribution of Commonwealth revenue to States, with conditions for redistribution subject to the majority agreement among States. Despite some reservations about the question's wording, there was a general consensus on the need to revisit current funding arrangements. The vote count for Victorian students was allocated as a proportion of the national average.

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 suggests a collective move towards reconsidering the balance of power and funding arrangements that underpin the Commonwealth-State relationship.

To explore a detailed analysis of the 2024 NSCC event, please follow this link: https://ncsonline.com.au/uploads/media/NSCC2024Communique_LongVersion_FINAL-1712705269.pdf