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Some of the strengths of Australian democracy include: All these checks spread power across different groups, preventing one person or group from dominating the nation. Australia has not always been a democratic society. The law has not always given all people in society the same rights and opportunities. Examples of people who have not enjoyed equal opportunities and rights have been the Aboriginal and Torres Strait Islander people and women. Today however, all people in Australia are protected by the Australian Constitution, regardless of their gender, race or background. Australia has been a leader in many important democratic steps such as granting women the right to vote and introducing the secret ballot. European settlement During the first few decades of European settlement in Australia, power lay in the hands of the governors who ruled on behalf of Britain. The early colony of New South Wales did not have its own government and could not make its own laws. In the early s a council was created which could advise the governor. Its members were appointed by the British Parliament, which had ultimate power over any decisions the council or the governor made. A proper court system was also set up in New South Wales. South Australia had a small government from the mid s but its members were chosen by the British Government. The governor could suggest laws for the colony but they had to be approved by Britain. The development of representative government Around , people in New South Wales began to push for a representative government, one with members who were elected to represent the people. Finally, in , the people got their chance to vote but only for some members of the new parliament. The other members were chosen by the British. The governor still had most of the power and the only people who could vote were wealthy landowners. By the mid s New South Wales, Victoria and Tasmania had elected governments but it was still only men who owned a lot of property that could vote. Poorer men felt it was unfair that they had no vote - and therefore no say in government - but they still had to pay taxes. This was one of the complaints that led to the Eureka Stockade in Victoria in , where miners rebelled against government authorities. The authorities responded harshly but most people sympathised with the miners. Not long after this event both Victoria and South Australia extended the vote to all men over 21 regardless of how much property they owned. See image 1 Democratic initiatives Victoria and South Australia introduced the secret ballot, where people placed their votes in an enclosed box so that no one else knew who they had voted for. This meant that people could not be bullied by others into voting for a particular person. Secret ballots, which were later called Australian ballots in the United States, are now considered to be one of the most important features of true democracy. See image 12 In the mid s South Australia also brought in the one man, one vote principle, which meant that men could only vote in the area in which they lived. Until then a man who owned property in more than one place could vote for local representatives in each of those places. This meant that wealthier people got to cast more votes than others so they had more of a say in who was elected to parliament. The one man, one vote principle meant that all voters had an equal influence on elections. Another initiative that came from Australia was payment for members of parliament. Victoria introduced this system in . Because of the time demands involved with being a member of parliament, only rich men had the luxury to stand for election. Payment for members meant that poorer men could afford to give up their jobs to become involved with government. This in turn meant that poor sections of the community could have representatives in parliament who understood their needs. Federation When Federation took place on 1 January , the young nation of Australia had a new constitution and a new federal government. These institutions had been created through discussions, conferences, conventions and referenda with the input and consent of people in all the Australian colonies. The only right which is clearly stated in the Australian Constitution is freedom regarding religion. The

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Australian government is not allowed to force people to take up or abandon a religion. A democratic feature of the Constitution is that it cannot be changed unless Australian voters agree by voting for the change in a referendum. The federal government Because the number of members of parliament each State could elect depended on the size of its population, the smaller colonies were concerned there would be more representatives from the more populated States. The smaller colonies worried that decisions could be made favouring the bigger States over the smaller ones. This was one reason why the Senate was created, which has the same number of representatives from each State. The Senate the upper house and the House of Representatives the lower house have almost the same amount of power. Through this system, a law has to be approved by the majority of representatives in the lower house and a majority of States in the upper house in order to be passed. Another democratic feature of the new system was a responsible government, where ministers who are in charge of certain areas for example defence or transport have to be members of parliament. This means ministers can be voted out if the population is unhappy with how they do their job. In America, ministers who are called secretaries in the United States are chosen by the President, not the people. Conclusion The Australian system of government was not entirely democratic in the early years of Federation. Not all sections of the Australian population had a say in how the system was set up. Some people were locked out of government, particularly through not being able to vote. Britain also still had some authoritarian control over aspects of Australian governance. In many ways however, Australia led the modern world in the development of democracy. The structures and processes put in place by Australian colonies made government fairer and more accessible and slowly spread power across society.

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Chapter 2 : The Australian Legal System - Law - LibGuides at The Australian National University

Law, history, and politics of the Australian two airline system: 1. Law, history, and politics of the Australian two airline system Law, history and politics of.

Qantas The Qantas Airways Group has extensive commercial and ownership links with a number of regional carriers. Qantas also has code-sharing 4 and alliance arrangements with international carriers through the One World Alliance. The Ansett group was a member of the largest alliance, the Star Alliance. Qantas also has strong international equity links with British Airways, which owns over Qantas has a Virgin Blue Virgin Blue Airlines is the Brisbane-based subsidiary of the Virgin group of companies and began operation in The Virgin Group owns 46 per cent of the equity in Virgin Blue company while Patrick Corporationâ€™the large, diversified Australian transport and logistics companyâ€™acquired 50 per cent of the airline in â€™ Senior staff of Virgin Blue hold the remaining four per cent. Virgin Blue is not a member of any of the international airline alliances. In October , however, Virgin Blue began to code-share with a Star Alliance member, United Airlines, somewhat compensating the latter for the loss of its Australian Star Alliance partner, the Ansett group. Since the winding-up of the Ansett group in early , Virgin Blue has provided the main trunk route competition for Qantas. Virgin Blue operates mainly on the busiest portions of the trunk network, offering single-class, no-frills, low-cost air travel, mainly between selected capital cities and other centres. To contain costs, Virgin Blue operates only one aircraft type, a Boeing jet fleet, while crew costs are minimised through work arrangements which require crew to have a relatively wide range of skills and to perform a relatively broad array of work tasks. However, as its route network and service frequencies have expanded, it has shown an increasing marketing orientation towards travellers who are more concerned about travel times and service frequencies and less concerned about fare levels, such as business travellers. Virgin Blue has taken over much of the domestic terminal space that the Ansett group occupied at the major airports. For example, on 6 November , Virgin Blue announced that it had entered an agreement with Sydney Airports Corporation Limited Industry Finance Revenue for domestic operators derives chiefly from the business sector and domestic and inbound tourism. It has been estimated that domestic tourism which includes visiting relatives and friends contributes 40 per cent of revenue, with the business sector contributing 35 per cent and inbound tourism 25 per cent. These gave the incumbents decided advantages over potential entrants in terms of long term contractual access to terminals and landing and take-off slots. In addition, Virgin Blue operates mainly new generation aircraft that are very fuel efficient, while Qantas has progressively withdrawn those aircraft types that are less fuel efficient. Aviation war-risk insurance has become a significant issue since the September 11 terrorist events in the United States in War-risk insurance covers losses arising from acts of war, including acts of terrorism, strikes, riots and sabotage. Because existing aviation third-party war-risk insurance was withdrawn from the global marketplace after the September 11 attacks, the Australian Government, like those of many countries, agreed to provide third-party war, terrorist and hijacking indemnity cover for damage on the ground to airlines, airports and other service and facilities providers. The Commonwealth indemnity covers the gap between the insurance available in the market and the level of insurance held prior before the September 11 attacks, and recipients of the Commonwealth indemnity are required to hold commercial war-risk insurance to the extent it is available. The Commonwealth indemnity is currently being extended at three monthly intervals until such time as a more permanent solution is found. The Government has recently announced its intention to charge for this cover, although details of the charging are still to be finalised. Services, Structure and Prospects A regional airline has traditionally been defined as: An airline performing regular public transport services and whose fleet contains exclusively low capacity aircraft, defined as aircraft with 38 seats or less, or with a payload of 4 kg or less. The Bureau of Transport and Regional Economics therefore defines a regional airline as: An airline performing regular public transport services and primarily servicing regional centres. The aircraft used vary in size from those seating eight to ten

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passengers to small jets or turboprop aircraft seating and with capacity for up to two tonnes of cargo. The accompanying map depicts some of the main regional air service routes. Regional Airline Services in Australia Note: This figure displays all routes with an average of three or more return services per week over A Bureau of Transport and Regional Economics study found that regional airlines served centres in They used about aircraft and employed about people directly. About 80 per cent of these shorter routes were also serviced by land-based transport. Over the ten years to , regional airline passenger movements grew at an average annual rate of Still, regional services account for about only 7 per cent of all domestic passengers. Constitutionally, the states have implicit sole responsibility for the economic regulation of intra-state air services. Over the past decade, most states have deregulated airline operations to varying degrees. Impulse operates a fleet of Boeing aircraft in the QantasLink livery and these are used on major regional routes as well as leisure-oriented trunk routes. Regional Express or Rex is one of the newest regional airlines. Regional Express is the operating name of Australiawide Airlines Limited, which was formed through the acquisition of former Ansett subsidiaries, Hazelton and Kendell Airlines, by a consortium including a group of Canberra-based businesses and former Ansett group-employee interests. South Australia and western New South Wales are important markets. Rex is presently seeking official support for a greater share of Government travel business on its services to and from the National Capital; Qantas has dominated this market since the collapse of the Ansett group. Australian International Airline Industry: Services, Structure and Prospects During , 50 international airlines including dedicated freight operators operated scheduled services to and from Australia. The concentration of companies in this segment of the aviation industry in can be described as medium. In , the top ten airlines accounted for 83 per cent of international passenger trips and the top four for 61 per cent. The relative importance of each of the main international airlines serving Australia is illustrated in the accompanying pie chart depicting relative market shares as measured by international passenger numbers by airline inbound to Australia and outbound from Australia for the year ended June Qantas operates international services to 75 destinations including code-share flights by other airlines on behalf of Qantas in 32 countries. On some routes, Qantas is the dominant operator, while on other routes, it faces strong competition. The airline was established to serve markets from which Qantas and other airlines had withdrawn and to service inbound tourists from Asia. Australian Airlines began with a fleet of four Boeing aircraft, but proposes to increase this to 12 aircraft within the next two years. The airline also plans to provide outbound services, with flights from a second base in a southern Australian capital city to a number of ports in Asia late in On 28 October , Qantas initiated Jetconnect, a wholly owned subsidiary which commenced operations on domestic services in New Zealand, effectively taking over the role of the former franchised Qantas New Zealand operation. Sydney KSA is the main hub for international air transport to and from Australia. In , it accounted for 48 per cent of international passenger traffic and 49 per cent of international freight traffic. Melbourne was the next busiest airport with 20 per cent of international passenger traffic and 28 per cent of freight traffic. First, Commonwealth policy is that there are no restrictions on freedom of entry to domestic trunk routes by domestic airlines. However, federal cabotage restrictions. Individual States impose some restrictions on entry to intra-state routes. Some state governments control route entry for example Western Australia and New South Wales with a view to ensuring financial viability and stability in service provision, but in other states for example South Australia , there is freedom of entry and exit. The former Ansett group subsidiary, Perth-based regional airline, Skywest, has been granted a monopoly on some of its internal Western Australia routes subject to it securing finance to upgrade its aircraft fleet. The review was undertaken by the Centre for Asia-Pacific Aviation and Tourism Futures International; it recommended that the WA Government not allow more competition because it risked the loss of regular air services to many towns in the State Second, Commonwealth policy is that there is no industry-specific economic regulation. In the area of competition policy, for example, despite calls for industry-specific legislation, the ACCC is responsible for the regulatory oversight and enforcement of competition. This raises the question of what effect deregulation has had on fare levels. The Bureau of Transport and Regional

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Economics found the following: Compared to domestic fare levels in when the BTRE [Bureau of Transport and Regional Economics] started reporting on domestic air fares, real discount fares in the September quarter were almost 18 per cent below the December quarter. However, in real terms the fully flexible full economy and business fare series were almost 9 per cent and. The BTRE notes that the business and full economy fare series diverged significantly in the mids with the change from three classes to two classes on domestic services. Today, more Australians can afford to fly because incomes are higher relative to the level of fares. However, this does not necessarily mean that the competitiveness of air travel has improved relative to other transport modes; the continued rapid improvement in inter-capital and inter-regional road links, the trend decline in real motoring costs and improvements in regional rail services in some areas have served to make inter-modal competition more vigorous. The viability of some regional air services is dependent on Commonwealth and state government subsidies. The Commonwealth subsidises parts of the regional and general aviation sectors. This will be discussed below. Taxes and Charges The fare analysis undertaken by the Bureau of Transport and Regional Economics did not include the various taxes on air fares which the Commonwealth imposes nor did it include charges that the airports levy on airlines which they, in turn, add on to passenger air fares. Foreign Investment Foreign investment guidelines allow foreign airlines to acquire up to per cent of the equity in an Australian domestic airline or to start a new domestic airline, unless this is contrary to the national interest. Under this policy, Air NZ acquired its initial 50 per cent stake in Ansett Australia in and full ownership of the airline in. However, it had to confine its equity in Ansett International to 50 per cent in order for the international entity to retain its Australian nationality status under the bilateral air service system. Under the Qantas Sale Act, the Commonwealth Government restricts foreign investment in Qantas through the following provisions: Qantas has argued that the 49 per cent foreign ownership restriction should be lifted so that it can fund expansion. First, there is the bilateral air services agreements system. These arrangements usually comprise an Air Services Agreement and there are some registered treaties within this framework. The Howard Government has taken the stance that, for efficiency reasons, it is essential to move away from the bilateral system of international air services agreements towards a free world in aviation. In addition, the international airlines of both countries can operate dedicated freight operations from any international airport in Australia and New Zealand to third countries. Australia and New Zealand endorsed the agreement in August thus formalising the memorandum of understanding in place since November. Regional open skies policies incorporated into air services agreements enable regional gatewayssuch as Cairns, Darwin and Adelaideto market themselves as attractive destinations without concern about bilateral restrictions on local market access. This allows more than one Australian carrier to operate international air services. So far, Ansett has been the only passenger carrier to have taken advantage of this liberalisation. Although there have been proposals for other new Australian flag international airlines, these have never materialised. In, Air NZ and Qantas announced their plans to establish a joint strategic relationship entailing: Qantas taking a. Qantas has argued that the strategic partnership would assist both airlines to retain their independence in an industry facing considerable and continuing difficulties. It would also allow both airlines to compete more effectively in an increasingly tough global aviation market. Virgin Blue has expressed strong concerns over the proposal arguing that:

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Chapter 3 : Australian democracy: an overview Â· Museum of Australian Democracy at Old Parliament House

Australia is a parliamentary democracy. The Australian Constitution of established a federal system of government in Australia. Under this system, powers are distributed between a national government (the Commonwealth) and the six States.

Parliament of Australia Under the Australian constitution, the legislative power of the Commonwealth of Australia is vested in the Parliament of the Commonwealth, which consists of the monarch, the Senate the upper house and the House of Representatives the lower house. The Senate comprises 76 senators, 12 from each of the six states, and two from each of the two territories. Senators are directly elected for six years; half the Senate retires every three years. The House of Representatives comprises members directly elected; elections “ using the preferential voting system ” for both houses are held simultaneously at a maximum of three-year intervals. There is compulsory universal suffrage for all Australians over the age of All amendments to the constitution must be passed by absolute majority in both houses. There must then be a referendum in every state. Each of the states also has its own government, with a Governor representing the Queen. Five states have bicameral legislatures, and Queensland has a single chamber. The federal government is responsible for administration of the Australian Federal Territory and, since , Northern Territory has had a degree of self-government. The October election which had been thought too close to predict was again won comfortably by the Liberal“National coalition and Howard was returned to government, winning 85 seats Liberal Party 73, National Party 12 while the Labor Party took Kevin Rudd became the Labor Party leader in December In the fiercely fought contest, in November , the Labor Party took 84 seats, the Liberal“National coalition 64 and independent candidates two; Rudd became Prime Minister and immediately signalled a significant shift in domestic and foreign policy by ratifying the Kyoto Protocol on climate change. In the early general election in August neither Labor winning 72 out of seats in the lower house nor the Liberal“National coalition led by Tony Abbott 73 seats was able to secure a parliamentary majority. The remaining seats were won by the Green Party one and independents four. After several weeks of negotiations with these members, Gillard was successful in winning the support of the Green Party member and three of the independents, giving the Labor party a narrow overall majority. In June , when polls suggested the Labor Party would lose the election due in September, Rudd ousted Gillard in a Labor Party leadership election On 27 June he was sworn in as Prime Minister. The Labor government was ousted in the federal election of 7 September He was re-elected following the election in July.

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Chapter 4 : Australian ballot | politics | calendrierdelascience.com

Australia's Political System Australia's system of government is based on the liberal democratic tradition, which includes religious tolerance and freedom of speech and association.

Download these notes as a Powerpoint presentation PPT Like Australia, the United States has a system of government that enshrines the idea of indirect democracy. Like Australia, the American system is based on principles of political equality, majority rule and the preservation of minority rights. The United States is the oldest continuing democracy in the world today and one of the first to embrace the idea of popular sovereignty. However, it is relatively unique in the world with its emphasis on ideas of personal liberty.

Similarities Both are Federal systems Federal and State governments. Both have a parliament called a congress in the US composed of two houses – a House of Representatives and a Senate. Both have a House that is popularly elected with electorate size determined by voting population. Both have a Senate that represents the States equally – 2 senators per state in the US, 12 per state in Australia. Senators in both countries serve 6 year terms. All legislation must be passed by both houses of parliament. Both have written constitutions which delineate the powers of the Federal Government. Both have an independent judiciary Supreme Court in US, High Court in Australia which interprets the constitution and acts as a final court of appeals.

Differences The US is a republic, whereas Australia is a constitutional monarchy. The US president is both head of state and head of government and is directly elected by the people. In Australia, the government ministry, cabinet, executive is drawn from the parliament and responsible to it, whereas in the US the Executive branch of government is independent of the congress and no person may be a member of congress and a minister simultaneously. Members of the Australian House of Representatives serve a 3-year term whereas US members of the House serve a 2-year term. Half of the members of the Australian Senate face election every three years, whereas one-third of the US Senate is elected every two years. In the event of a deadlock with the House, the Australian Senate can be dissolved and new senators chosen in a double dissolution election. The US Senate can never be dissolved. Elections in the US are on set days for fixed terms, whereas an Australian Prime Minister may dissolve Parliament and call an early election. Electoral enrolment and voting is compulsory in Australia, but voluntary in the US. Party discipline is not as tight in the US as it is in Australia, leading to a situation where members of both parties will often form changing voting alliances on legislation. In the US the Congress can over-ride a presidential veto.

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Chapter 5 : Law of Australia - Wikipedia

The Australian political and legal systems, which operate on a two-tiered basis at both federal and state levels, are partly a function of history. Our English heritage, for example.

The Parliament of Australia, also known as the Commonwealth Parliament or Federal Parliament, is the legislative branch of the government of Australia. It is bicameral, and has been influenced both by the Westminster system and United States federalism. Under Section 1 of the Constitution of Australia, Parliament consists of three components: Voting within each electorate utilizes the instant-runoff system of preferential voting, which has its origins in Australia. The party or coalition of parties which commands the confidence of a majority of members of the House of Representatives forms government. The six states return twelve senators each, and the two mainland territories return two senators each, elected through the single transferable voting system. Senators are elected for flexible terms not exceeding six years, with half of the senators contesting at each federal election. The Senate is afforded substantial powers by the Australian Constitution, significantly greater than those of Westminster upper houses such as those of the United Kingdom and Canada, and has the power to block legislation originating in the House as well as supply or monetary bills. As such, the Senate has the power to bring down the government, as occurred during the Australian constitutional crisis. Because legislation must pass successfully through both houses to become law, it is possible for disagreements between the House of Representatives and the Senate to hold up the progress of government bills indefinitely. Such deadlocks are resolved under section 57 of the Constitution, under a procedure called a double dissolution election. Such elections are rare, not because the conditions for holding them are seldom met, but because they can pose a significant political risk to any government that chooses to call one. Of the six double dissolution elections that have been held since federation, half have resulted in the fall of a government. Only once, in 1977, has the full procedure for resolving a deadlock been followed, with a joint sitting of the two houses being held to deliberate upon the bills that had originally led to the deadlock. The most recent double dissolution election was on 2 July 2016, which resulted in the government of the day retaining a one-seat majority in the House of Representatives. The two pieces of legislation that triggered the election did not figure prominently in the eight-week election campaign. Executive[edit] This section needs to be updated. Please update this article to reflect recent events or newly available information. August Main articles: The role of head of state in Australia is divided between two people: The functions and roles of the Governor-General include appointing ambassadors, ministers, and judges, giving Royal Assent to legislation also a role of the monarch, issuing writs for elections and bestowing honours. These posts are held under the authority of the Australian Constitution. In practice, barring exceptional circumstances, the Governor-General exercises these powers only on the advice of the Prime Minister. As such, the role of Governor-General is often described as a largely ceremonial position. The office of Prime Minister is, in practice, the most powerful political office in Australia. Despite being at the apex of executive government in the country, the office is not mentioned in the Constitution of Australia specifically and exists through an unwritten political convention. Barring exceptional circumstances, the prime minister is always the leader of the political party or coalition with majority support in the House of Representatives. The only case where a senator was appointed prime minister was that of John Gorton, who subsequently resigned his Senate position and was elected as a member of the House of Representatives Senator George Pearce was acting prime minister for seven months in 1968 while Billy Hughes was overseas. The strictly private Cabinet meetings occur once a week to discuss vital issues and formulate policy. Outside of the cabinet there are a number of junior ministers, responsible for a specific policy area and reporting directly to any senior Cabinet minister. The Constitution of Australia does not recognise the Cabinet as a legal entity, and its decisions have no legal force. All members of the ministry are also members of the Executive Council, a body which is "in theory, though rarely in practice" chaired by the Governor-General, and which meets solely to endorse and give

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legal force to decisions already made by the Cabinet. For this reason, there is always a member of the ministry holding the title Vice-President of the Executive Council. Reflecting the influence of the Westminster system, Ministers are selected from elected members of Parliament. Individual ministers who cannot undertake the public defence of government actions are expected to resign. Such resignations are rare; and the rarity also of public disclosure of splits within cabinet reflects the seriousness with which internal party loyalty is regarded in Australian politics. Judiciary of Australia and Australian court hierarchy High Court building, view from the lake The High Court of Australia is the supreme court in the Australian court hierarchy and the final court of appeal in Australia. It has both original and appellate jurisdiction, has the power of judicial review over laws passed by the Parliament of Australia and the parliaments of the States, and interprets the Constitution of Australia. The High Court is mandated by section 71 of the Constitution, which vests in it the judicial power of the Commonwealth of Australia. The High Court is composed of seven Justices: Susan Kiefel AC, and six other Justices. The state supreme courts are also considered to be superior courts, those with unlimited jurisdiction to hear disputes and which are the pinnacle of the court hierarchy within their jurisdictions. Appeals may be made from state supreme courts to the High Court of Australia. Inferior Courts are secondary to Superior Courts. Their existence stems from legislation and they only have the power to decide on matters which Parliament has granted them. Decisions in inferior courts can be appealed to the Superior Court in that area, and then to the High Court of Australia.

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Chapter 6 : Politics of Australia - Wikipedia

Common law in Australia, like in other former British colonies is the body of law developed from thirteenth century England to the present day, as case law or precedent, by judges, courts, and tribunals.

The Australian Constitution has operated since the federation of the Australian colonies in 1901. It establishes the framework of the main political institutions – legislature, executive and judicature – the relationships between them, and the powers of the Federal Parliament in relation to the States. The Constitution is technically an act of the British Parliament passed in 1901. The last vestiges of British legislative influence in Australia were eliminated with the passage of the Australia Act in 1986. The Constitution operates in two ways: Literally – some sections of the Constitution are taken literally and followed to the letter. Conventionally – other sections operate through a series of constitutional conventions which vest real power in the hands of elected politicians. This mix of interpretation has led to some notable constitutional conflicts over the years, most notably in 1976 when the Governor-General, Sir John Kerr, dismissed the Whitlam Government. The role of the High Court has also been pivotal, especially since the 1960s. It is widely believed that the difficult process of changing the Constitution has been compensated for by rulings of the Court, particularly in relation to Commonwealth-State powers. A referendum process is the only means of changing the Constitution, although constitutional referendums are relatively infrequent. There have been only 44 attempts on 19 separate occasions to change the Constitution. Only 8 of these have been successful, the most recent in 1999. Only 4 referendums have succeeded in the past 50 years. The Constitution consists of a Preamble, 8 Chapters, and a Schedule. It originally contained 128 sections. The first 8 sections of the Act record that the people of the Australian colonies have agreed to unite in a federal commonwealth and that the new system of government was not imposed on the Australian people by the British Parliament. Part 1 establishes its legislative power in Australia and provides for a Governor-General, representing the Queen, with power to summon Parliament. Part 2 provides for the composition and election of the Senate, and the filling of Senate vacancies. It details quorums, voting arrangements and the procedure for election of a President of the Senate. Part 3 provides for the composition and election of the House of Representatives and the filling of House vacancies. It details quorums, voting arrangements and the procedure for election of a Speaker of the House of Representatives. Part 4 deals with matters applicable to both houses of Parliament, particularly the qualification of members and the privileges of the Parliament. Part 5 deals with the powers of the Parliament and provides a list of 40 paragraphs of specific powers. This part also deals with the joint powers of the houses and the means of resolving disagreements between the houses. Chapter 2 – The Executive Government This chapter deals with the Executive Government, the branch of government which carries out and enforces the laws. It provides for the exercise of executive power by the Governor-General advised by an Executive Council. Section 64 stipulates that Ministers are to be Members of Parliament, the only section of the Constitution that refers to the system of Responsible Government. Chapter 3 – The Judicature This chapter provides for the establishment of the Judicature, the branch of government dealing with the courts of law. Section 71 provides that the judicial power of the Commonwealth is vested in the High Court of Australia and other federal courts established by the Parliament. Other sections deal with the appointment, tenure and removal from office of judges of the High Court and other courts. Section 76 gives power to the Parliament to determine the jurisdiction of the High Court. Chapter 4 – Finance and Trade This chapter deals with finance and trade. One of the most important sections is Section 83 which provides that no money is to be drawn from the Treasury except under an appropriation by law. Other sections deal with customs duties, requiring that they be uniform throughout the Commonwealth. Section 92 requires that trade and commerce amongst the states shall be absolutely free. Section 96 empowers the Commonwealth Parliament to grant financial assistance to the States. Chapter 5 – The States This chapter deals with the States, providing for the continuance of their constitutions, parliamentary powers and laws. Section 106 provides for Commonwealth law to

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prevail over State law, but only in those cases where State law is inconsistent with Commonwealth law. Other sections prohibit the States from coining money, raising armed forces or discriminating against the residents of other States. This section also requires that the Commonwealth is to protect the states against invasion or domestic violence.

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Chapter 7 : Australian Airline Industry – Parliament of Australia

The Australian airline industry is heavily import-dependent, especially, in relation to purchases of fuel, aircraft and spare parts. The depreciation of the Australian dollar over the past two to three years increased costs in the aviation industry.

This Infosheet is about the national or central government, usually called the Federal Government or the Commonwealth Government. However, State and Territory governments are also based on the same principle of parliamentary government. Readers of this Infosheet are also recommended to read Infosheets No. Parliamentary government means that the Executive Government comes from within the Parliament; responsible government means that the Executive Government is responsible to the Parliament. This is the central feature of a Westminster-style government following the United Kingdom model – in contrast to other systems of government where the Executive is quite separate and not directly answerable to the Legislature – for example, in the United States of America. The separation of powers Political theory recognises three powers of government – the legislative power to make laws; the executive power to carry out and enforce the laws; and the judicial power to interpret laws and to judge whether they apply in individual cases. The principle of the separation of powers is that, in order to prevent oppressive government, the three powers of government should be held by separate bodies – the Legislature, Executive and Judiciary – which can act as checks and balances on each other. With parliamentary government the legislative and executive functions overlap, as the members of the Executive Government – the Ministers – are drawn from the Parliament. However, in the Australian system there are still checks and balances between the Executive and Legislature – Ministers are subject to the scrutiny of other Members of the Parliament led by an officially recognised opposition. In addition, the Executive does not necessarily control both Houses of the Parliament see below. The Parliament The Constitution gives the legislative power of the Commonwealth – the power to make laws – to the Parliament. The Parliament passes legislation. Proposed laws have to be agreed to by both Houses of Parliament to become law. The two Houses have equal powers, except that there are restrictions on the power of the Senate to introduce or directly amend some kinds of financial legislation. The Governor-General has a role in the legislative process by assenting to Acts. See later in this Infosheet for more information about the role of the Governor-General. The Parliament also authorises the Executive Government often simply called the government or the Executive to spend public money by agreeing to government proposals for expenditure and taxation, scrutinises the administrative actions of the government and serves as a forum for the debate of public policy. Another function of the Parliament under our system is to provide from its membership the members of the Executive Government. After a general election the political party or coalition of parties with the support of a majority of members in the House of Representatives becomes the governing party and its leader becomes the Prime Minister. The composition of the House also determines who will form the official opposition. The party or coalition of parties which has the most non-government Members in the House of Representatives becomes the opposition party and its leader becomes the Leader of the Opposition. The opposition has the officially recognised function, established by convention, of opposing the government. This subject is discussed in more detail in Infosheet No. While the government has, by definition, the support of a majority of Members in the House of Representatives, the system of voting used for Senate elections gives greater opportunity to minority parties and independents, and the government often does not have majority support in the Senate. Neither the Prime Minister nor the Cabinet are mentioned in the Constitution – the framers of the Constitution took their existence for granted, as they did the various conventions of the Westminster system of government inherited from the United Kingdom. Table 1 below gives a comparison of the constitutional provisions and the actual practice according to the conventions which have operated in Australia. He or she achieves this position by being the elected leader of the party in government in the case of a coalition government, the major party. Major policy and legislative proposals are decided by the Cabinet. The Prime Minister selects Ministers for Cabinet positions. Ministers Ministers are

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selected by the Prime Minister. Legislation currently allows for up to 30 Ministers. About 19 or so senior Ministers administer the major departments and are, usually, members of Cabinet. Other Ministers are responsible for particular areas of administration within a major department, or may be in charge of a small department. Ministers are appointed from both Houses of Parliament, although most about two thirds are Members of the House of Representatives. Parliamentary Secretaries Up to 12 Members and Senators are appointed by the Prime Minister as Parliamentary Secretaries also referred to as Assistant Ministers to assist or represent Ministers in their administrative responsibilities. The role of the Governor-General The Governor-General performs the ceremonial functions of head of state on behalf of the Queen. While Executive Government powers are exercised by the Governor-General or in his or her name, such actions are carried out as advised by the Prime Minister and Ministers. Under the Constitution the Governor-General: Appoints and dismisses Executive Councillors Appoints and dismisses Ministers to administer the public service departments and agencies Appoints judges the dismissal of judges can only be initiated by the Parliament Is the commander in chief of the defence forces Decides when the Parliament meets subject to some constitutional requirements , and may prorogue suspend or dissolve it Issues writs for general elections.

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Chapter 8 : Democracy in Australia | AustralianCollaboration

Like Australia, the United States has a system of government that enshrines the idea of indirect democracy. Like Australia, the American system is based on principles of political equality, majority rule and the preservation of minority rights.

At that time, the industry resembled a public utility, with a government agency, the Civil Aeronautics Board CAB , determining the routes each airline flew and overseeing the prices they charged. Today, it is a market-driven industry, with customer demand determining the levels of service and price. The turning point was the Airline Deregulation Act, approved by Congress on October 24, and signed into law four days later by President Jimmy Carter. Pressure for airline deregulation had been building for many years, particularly among economists who pointed out, in numerous studies, that unregulated intrastate airfares were substantially lower than fares for interstate flights of comparable distances. However, it was a series of developments in the mids that intensified the pressure and brought the issue to a head. Events Leading to Deregulation One of those developments was the advent of widebody aircraft, which significantly boosted airline capacity on many routes. Another was the Middle Eastern oil embargo in , which led to skyrocketing fuel costs and contributed generally to price inflation. Both coincided with an economic downturn that put severe strain on the airlines. Business was falling at the same time that capacity and fuel prices were rising. In line with its mandate to ensure a reasonable rate of return for the carriers, the CAB responded to this crisis by allowing carriers to increase fares. It also embarked on a four-year moratorium on authorizing new services and approved a series of agreements among the carriers to limit capacity on major routes. None of these moves were popular with the public. It cost more to fly. Earnings were poor throughout the mids, despite these fare increases and capacity constraints. In , the Ford Administration began to press for government regulatory reforms, in response to a growing public sentiment that government regulations were overly burdensome to U. Edward Kennedy chaired hearings of the Senate Subcommittee on Administrative Practice and Procedure that concluded airline prices in particular would fall automatically if government constraints on competition were lifted. The staff of the CAB reached the same conclusion in a report issued in The report said the industry was "naturally competitive, not monopolistic," and that the CAB itself could no longer justify entry controls or public utility-type pricing. On its own, the board began to loosen its grip on the industry, acting at first under the leadership of John E. Robson, and later under Alfred E. Kahn, who became CAB chairman in Kahn, an economist, was persuasive in arguing that the board should give the airlines greater pricing freedom and easier access to routes. Air Cargo Deregulation Congress took the first legislative steps toward airline economic deregulation in November of , when it gave cargo carriers freedom to operate on any domestic route and charge whatever the market would bear. Congress also declared that one year following enactment of the bill, the CAB could certify new domestic cargo carriers as long as they were found "fit, willing, and able. Express Package Delivery There was another important development following cargo deregulation - the rapid expansion of overnight delivery of documents and small packages. Deregulation produced dramatic results for all aspects of the cargo business, but particularly express package delivery. Overnight delivery of high-value and time-sensitive packages and documents began in the early s. However, it was deregulation that really opened the door to success for such services. Deregulation gave express carriers the operating freedom such high-quality services demand, and the result was outstanding growth for that segment of the aviation industry over the next decade. Passenger Deregulation The same principle of free-market competition was next applied to the passenger side of the business in the Airline Deregulation Act of Restrictions on domestic routes and schedules were eliminated along with government controls over domestic rates. Eventually, the CAB itself was disbanded. Congress mandated that domestic route and rate restrictions be phased out over four years. It provided for complete elimination of restrictions on routes and new services by December 31, , and the end of all rate regulation by January 1, The CAB actually moved much more quickly than that. The CAB ceased to

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exist on January 1, 1980, although several board functions shifted to other government agencies, primarily the Department of Transportation. What Remains Regulated International Among the CAB functions shifted to other parts of the government were the responsibility for awarding landing rights and other privileges in foreign countries to U.S. International air services are usually governed by air-transport service agreements, referred to as bilaterals, between two nations. In the 1970s, the United States made a concerted effort to liberalize its international aviation markets, in view of strong airline traffic growth, more liberal trade policies by many partners and the increasing importance of global airline alliances. This effort has been very successful, and as of April 1980, the U.S. In cases where the agreements are less liberal and some restrictions exist, it is the task of the DOT to decide which U.S. Antitrust Exemption The CAB, because of its comprehensive regulatory jurisdiction over the airline industry, had the authority to approve agreements between airlines and to grant antitrust immunity to those transactions that it approved. With the sunset of the CAB, DOT received authority to approve and immunize agreements affecting international air transportation; however, the authority over domestic transactions lapsed. With carriers free to go wherever they want, Congress anticipated that some of the lightly traveled routes would lose service. To assure appropriate service, it established the Essential Air Service program, which provides subsidies to carriers willing to serve domestic locations that otherwise would be economically infeasible to serve. DOT administers the program, determining subsidy levels and soliciting bids from carriers. Safety As Chapter 6 explains in greater detail, the government continues to regulate the airlines on all matters affecting safety. The government has performed this regulatory role since 1926, and continues to do so through the Federal Aviation Administration. The Airline Deregulation Act ended government economic regulation of airline routes and rates, but not airline safety. Effects of Deregulation Hub and Spoke A major development that followed deregulation was the widespread development of hub-and-spoke networks, which existed on a more limited basis prior to 1980. Hubs are strategically located airports used as transfer points for passengers and cargo traveling from one community to another. They are also collection points for passengers and cargo traveling to and from the immediate region to other parts of the country or points overseas. Airlines schedule banks of flights into and out of their hubs several times a day. Each bank includes dozens of planes arriving within minutes of each other. Once on the ground, the arriving passengers and cargo from those flights are transferred conveniently to other planes, that will take them to their final destinations. Airlines developed hub-and-spoke systems because they enable them to serve far more markets than they could with the same size fleet, if they offered only direct, point-to-point service. At a hub, travelers can connect to dozens, sometime hundreds, of flights to different cities, and often can do so several times of day. An airline with a hub-and-spoke system, thus, has a better chance of keeping its passengers all the way to their final destination, rather than handing them off to other carriers. Travelers enjoy the advantage of staying with a single airline. The carriers also found that with hub-and-spoke systems they could achieve higher load factors percentage of seats filled on flights to and from small cities, which in turn lowered unit operating costs and enabled them to offer lower fares. A city of 100,000 residents, for example, is unlikely to generate enough passengers to any single destination to fill more than a handful of seats aboard a commercial jet. However, it may very well generate passengers going to a number of different destinations. Operating a jet into a hub, where passengers can connect to dozens of different cities, therefore, makes economic sense for small-city markets. Most of the major airlines maintain hub-and-spoke systems, with hubs in several locations across the United States. Geographic location, of course, is a prime consideration in deciding where to put a hub. Another is the size of the local market. Airlines prefer to locate their hub airports at cities where there already is significant "origin and destination" traffic to help support their flights. New Carriers Deregulation did more than prompt a major reshuffling of service by existing carriers. It opened the airline business to newcomers just as Congress intended. In 1980, there were 43 carriers certified for scheduled service with large aircraft. Today, the number of carriers has doubled. The number has fluctuated over the years, with changing market conditions. By 1990, however, the number again was on the rise as new airlines offering direct, low-cost, no-frills service began to emerge. The new airlines were a result of several factors, most notably low prices for

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used aircraft and the availability of pilots, mechanics and other airline professionals. Increased Competition The appearance of new airlines, combined with the rapid expansion into new markets by many of the established airlines, resulted in unprecedented competition in the airline industry. Today, 85 percent of airline passengers have a choice of two or more carriers, compared with only two-thirds in . The airlines compete intensely with one another in virtually all major markets. The growth of hub-and-spoke systems resulted in increasing competition in small markets that would not normally support competitive service with a linear route system. Proportionately, the biggest increase in competition occurred in the small- and medium-sized markets. Fares have declined more than 35 percent in real terms since deregulation in . They have become so low, in fact, that interstate bus and rail service has been hard pressed to compete with the airlines, which today provide the primary means of public transportation between cities in the United States. Fifty-five percent of the savings resulted from lower fares; 45 percent from increased service frequency, which helps reduce the number of nights travelers must spend on the road. More than 90 percent of air travel today involves a discount, with discounts averaging two-thirds off full fare. Growth in Air Travel With greater competition on the vast majority of routes, extensive discounting, and more available flights, air travel has grown rapidly since deregulation. In , the last full year of government regulation of the airline industry, U. By they were carrying nearly million. A recent Gallup survey revealed that 80 percent of the U. Frequent Flyer Programs Deregulation also sparked marketing innovations, the most noteworthy being frequent flyer programs, which reward repeat customers with free tickets and other benefits. Most major airlines have such a program, and many small carriers have their own programs, as well as tie-ins to larger programs. While the programs vary, the essential elements are the same. The rewards free tickets and upgrades that convert coach tickets to first class or business class tickets are pegged to certain point totals. A more recent development has been the marriage of frequent flyer programs with promotions in other industries in general, and the credit card industry in particular. It is now possible to build up frequent flyer points by purchasing things other than airline tickets, and in some cases to exchange miles for other goods and services. Programs Computer Reservation System CRS Another important development following deregulation was the advent of computer reservation systems. These systems help airlines and travel agents keep track of fare and service changes, which occur very rapidly today. The systems also enable airlines and travel agents to efficiently process the millions of passengers who fly each day. Several major airlines developed their own systems and later sold partnerships in their systems to other airlines. The systems list not only the schedules and fares of their airline owners, but also those of any other airline willing to pay a fee to have their flights listed. Travel agents using the systems to check schedules and fares for clients, as well as to print tickets, also pay various fees for those conveniences.

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Chapter 9 : Regulation and the Airline Industry : Past and Current Policy

universal adult suffrage: adult Australian citizens can vote regardless of their race, class, sex or religion, and ; the separation of powers - laws can be tested through a court system which is separate from the government and government departments employ citizens to put the government's laws into action.

The federal constitution was the product of nearly ten years of discussion, "with roots in both the British legal tradition and Australian democracy". The role of the Queen in the legislative process lies in her responsibility to grant Royal Assent, a power exercised on her behalf by the Governor-General. The Queen has the highest role in the Assent to legislation in contemporary Australia. Without the Royal Assent there can be no law created or amended within the dominion of the Commonwealth of Australia and its States and Territories. The legislative powers of the federal Parliament are limited to those set out under an enumerated list of subject matters in section 51 of the Constitution. These powers include a power to legislate on matters "incidental" to the other powers, [17] similar to the United States necessary and proper clause. The Parliament of the Commonwealth can also legislate on matters referred to it by the Parliament of one or more States. However, federal laws prevail over State laws where there is any inconsistency. Australian courts could permit an appeal to the Privy Council on constitutional matters. The right of appeal from the High Court to the Privy Council was only abolished in , [21] and from State courts in . However, certain indirect protections have been recognised by implication or as a consequence of other constitutional principles. For example, there is an implied guarantee of freedom of political communication. Human rights in Australia are generally protected through statutes and the common law. Play media "Making a Law" by the Parliamentary Education Office If the government agrees that the changes are worthwhile, a Bill is drafted, usually by Parliamentary Counsel. The Bill is read and debated in both houses of parliament before it is either rejected, changed, or approved. An approved Bill must then receive the assent then handed down to either the Governor State or the Governor-General Commonwealth. And then it must be put to the people through a Referendum and only a majority vote of all the States will ensure that law will be passed. Parliament often delegates legislation to local councils, statutory authorities and government departments, for sub or minor statute laws or rules such as Road Rules, but all law is answerable to the Commonwealth Constitution. Most statutes are meant to be applied in the main not by legal practitioners and judges but by administrative decision makers. Whilst the meanings presented to the court are often those that benefit the litigants themselves, [25] the courts are not bound to select one of the interpretations offered by the parties. The dominant approach is that rules are not to be applied rigidly because the overriding goal is to interpret the statute in accordance with the intentions of Parliament. They contain statutes, Acts of Parliament, criminal law and many major topic areas. They are all enacted in chronological order and are normally enacted in statute. The Commonwealth of Australia Consolidated Acts are all of the federal statutes and laws, including federal criminal law, enacted by the Parliament of Australia. Common law Common law in Australia, like in other former British colonies is the body of law developed from thirteenth century England to the present day, as case law or precedent, by judges, courts, and tribunals. However, after over a century of federation, there is a substantial divergence between English and Australian common law. This ensures there is a single uniform Australian common law. In , the High Court declared that it was no longer bound by decisions of the Judicial Committee of the Privy Council. International law , Treaty , and List of Australian treaties A bilateral treaty between two nations or a multilateral treaty among more than two nations, or organised by an International body can be a source of Australian law. Australia has entered into a substantial number of treaties. They are generally organised and administered by the Department of Foreign Affairs and Trade who advise "The general position under Australian law is that treaties which Australia has joined, apart from those terminating a state of war, are not directly and automatically incorporated into Australian law. Signature and ratification do not, of themselves, make treaties operate domestically. In the absence of legislation, treaties cannot impose obligations on

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individuals nor create rights in domestic law. Nevertheless, international law, including treaty law, is a legitimate and important influence on the development of the common law and may be used in the interpretation of statutes. Areas of law[edit] The main substantive areas of law in Australia include: Administrative law - which deals with the laws governing the lawful exercise of Executive power and the review of government decisions. Constitutional law - which governs issues arising under the Australian Constitution , such as the validity of laws and the separation of powers. Contract law - which governs agreements, and which is derived from and very similar to English contract law. Corporations law - which includes the incorporation and regulation of companies and other collective entities. Criminal law - which deals with crime and punishment, and is principally regulated by laws of the States and territories. Environment and planning law - which governs land use and planning, and environmental protection, and is largely regulated by the States. Equity - which is primarily concerned with unconscionable conduct, and supplements other areas of civil law such as contract and property law. Family law - which is regulated by federal legislation. Disputes are usually heard in the Family Court of Australia. Insolvency law - which governs the winding up of corporations, and is regulated largely by the federal Corporations Act Intellectual property law - which governs copyright , designs, and patents, and is regulated largely by federal statutes. Property law - which governs rights and obligations regarding personal and real property. Tax law - which arises from federal and State statutes regulating taxation in Australia. Tort law - which governs civil wrongs such as negligence , trespass , defamation , nuisance , conversion , and detinue. The Australian Law Reform Commission investigates suggestions for reform raised by attorneys-general and in some jurisdictions, by members of the public.