



**Senator Malcolm Roberts**  
One Nation Senator for Queensland

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## MEDIA RELEASE – CONSTITUTIONAL QUESTIONS RAISED OVER REFERENDUM BALLOT PAPER

Senator Malcolm Roberts has raised serious concerns over the Voice Referendum ballot paper, indicating it could be subject to challenge in the High Court.

The controversy centres around the words relating to the proposed law to be included on the ballot paper. Senator Roberts said:

“With the writs for the referendum being issued today, the Government cannot afford to potentially make a \$364 million mistake getting the ballot paper wrong.”

Section 128 of the Constitution requires that the ‘proposed law’ shall be submitted to the electors, the proposed law being the insertion of a new Chapter IX to the constitution. Senator Roberts also said:

“The Australian Electoral Commission has confirmed to my office that they intend to not include the full text of the proposed changes on the ballot paper.”

“Instead, the ballot paper will read ‘A proposed law: To alter the Constitution to recognise First Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice.’”

“This has the potential to mislead voters, and could very likely be subject to challenge in the High Court for not complying with Section 128. A short description of the proposal is not the proposed law.”

“While inconvenient for the Yes campaign, the full text of the proposed law needs to be included on the ballot paper. I am calling on the Government and the Australian Electoral Commission to do so.”

“The Minister’s [answer in question time](#) that he has ‘some assurance’ is not enough.”

“In the middle of a cost of living crisis, we cannot afford to hold a \$364 million referendum that may be challenged.”

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