

CONSTITUTION AND PARLIAMENT

CONSTITUTION

Victorian Constitution

The Constitution of Victoria is now to be found in the *Constitution Act 1975*, an Act of the Victorian Parliament. The Bill was passed by the Victorian Parliament in May 1975 and reserved for the Royal Assent, which was given on 22 October 1975 and notified in the *Victoria Government Gazette* on 19 November 1975. The Act was proclaimed to come into operation on 1 December 1975. Details of the Act may be found in the *Victorian Year Book 1977* on pages 924–43.

During the first 120 years of responsible government in Victoria, the Constitution was contained in the Schedule to an Act of the United Kingdom Parliament passed in 1855. The Victorian Parliament has had at all times the power to adopt a Constitution for Victoria based upon an Act of the Victorian Parliament, and it is somewhat surprising that the Victorian Parliament waited until 1975 to exercise this power.

In the *Constitution Act 1975* there are to be found the basic laws governing the relationship of the Crown to the State, the constitution and powers of the Parliament, the constitution and powers of the Supreme Court, and the relationship of the Executive to the Parliament.

The Constitution is a flexible constitution and can be altered at any time by an Act of the Victorian Parliament, although in some cases an absolute majority in each House is required for a Bill which would alter some of the fundamental provisions in the Constitution.

The system in Victoria provides for responsible Cabinet government based on a legislature of two Houses, both elected upon adult franchise. The Constitution is affected by the Commonwealth Constitution enacted by the *Commonwealth of Australia Constitution Act 1900*, an Act of the Imperial Parliament, by which legislative and executive powers upon certain specified matters were granted to the Commonwealth Parliament and the Commonwealth Government, some of them exclusively, and provision was made that, in the case of inconsistency of valid laws, the Commonwealth law should prevail. In the result, the Victorian Parliament may now make laws in and for Victoria upon all matters not exclusively granted to the Commonwealth Parliament by the Commonwealth Constitution, but upon some of these matters the Victorian law may be superseded by the passing of a Commonwealth Act. Local government, that is, the control exercised by municipal councils within their respective districts, is a matter of State law and wholly within the legislative control of the Victorian Parliament.

Relation to Commonwealth Constitution

The Victorian Constitution must be understood in relation to the effect of the Commonwealth Constitution on the jurisdiction of the States. There are three main provisions in the Commonwealth Constitution which establish its relationships with State Constitutions in Australia. The first is section 51, which sets out most of the areas within which the Commonwealth Parliament may make laws. Matters outside the listed areas of power are the province of the States.

The second provision is section 109, which states that where the Commonwealth and a

State have made laws which are inconsistent with one another, the State law is, to the extent of the inconsistency, invalid. However, if the Commonwealth has exceeded its powers in making its law, it has not really made the law at all, so there is no inconsistency and the State law stands.

The operation of these two provisions leaves the States, including Victoria, with power to make laws in the following cases:

- (1) Where the Commonwealth has no power to make laws;
- (2) where the Commonwealth has power in a particular field but has not exercised it at all; and
- (3) where the Commonwealth has power which it has exercised, but not so as to cover the whole legislative field.

Where the Commonwealth has power over a particular field and has exercised that power to the full, any law a State passes will be inconsistent with the Commonwealth law and inoperative.

The third provision, section 96, provides that the Commonwealth may grant financial assistance to any State on such terms and conditions as the Commonwealth Parliament thinks fit. Section 96 has been used in conjunction with the taxing power of the Commonwealth to establish the economic supremacy of the Commonwealth over the States. The Commonwealth has done this since 1942 by levying income tax at a uniform rate and then giving a portion of this back to the States on the condition (attached under the power given by section 96) that the States refrained from levying income tax themselves.

This financial pre-eminence of the Commonwealth has led to the distinction between its province and the province of the State becoming blurred in practice. Nevertheless, some generalisations are possible. The Commonwealth exercises exclusive power in fields such as defence and foreign affairs where it is important to consider the nation as a whole. As the Commonwealth holds financial pre-eminence, it automatically assumes the task of economic planning. The Victorian Government, on the other hand, is primarily responsible for such things as health, education, law enforcement, the administration of justice, the control of resources, and the provision of roads, water, sewerage, power, and other services. Under Victorian law a complete system of local government has been established. The State has established a complete system of courts, a police force, a teaching service, and many public statutory bodies to provide services for the people.

Australian Constitutional Convention

*Outline of events 1973-1978**

The first plenary session of the Australian Constitutional Convention was opened in the Sydney Town Hall on Monday, 3 September 1973 by the then Governor-General, Sir Paul Hasluck.

Its overall objective was to achieve a consensus in constitutional matters among Federal and State politicians and representatives of local government which would eventually lead to significant constitutional reform. In practice it was thought that if consensus could be reached at all levels of government, then the prospects of referenda put to the electorate by the Federal Government would be more likely to be successful.

The Convention was considered a success by most observers and as a result four Standing Committees were established to discuss the agenda items referred from the Convention. These Committees met continually throughout 1974 and although hindered by the Double Dissolution in May, the reports of Standing Committees "B", "C", and "D" were essentially finalised. These reports were to be tabled at the next Convention planned in Adelaide from 4 to 8 November 1974.

However, the Commonwealth Parliament was unable to appoint a delegation because of the failure to resolve the composition of its membership. In addition, the Queensland Parliament was dissolved on 2 November and writs issued for a General Election on 7 December. As a consequence, no Queensland delegation would be represented and the Adelaide session was abandoned as it was considered that full representation of delegations would be necessary to ensure the Convention's ultimate success.

However, the Executive Committee was resolute in its intention that another full session

**Victorian Year Books 1974-1978* contain more detailed information about the Convention.

should reconvene to receive the reports of the four Standing Committees and discuss the agenda. Although Standing Committee "A" had not made any significant progress, the other Standing Committees had substantially completed their reports. Preparation for the next Convention in Melbourne in September 1975 continued amidst the growing constitutional crisis and with several States suggesting that the Convention be abandoned or deferred. The Queensland Government eventually withdrew its attendance and the other non-Labor States and the Commonwealth Liberal/National Country Parties suggested postponement in view of lack of representation of a full delegation.

The Convention went ahead without full representation and when the Victorian Government decided to withdraw facilities at Parliament House, it was decided to hold the Convention at the Hotel Windsor.

The Convention met from 24 to 26 September and discussed a variety of agenda items. Although the absence of a full representation of all delegates did detract from the goal of achieving a worthwhile consensus, observers considered that it was useful and more productive than anticipated. The Convention agreed that another session of the Convention should take place in Hobart in 1976 to discuss the remaining agenda items.

Standing Committees were reconstituted and delegations re-formed. Although the Federal Election in December 1975 and the request by the Federal Government that the further work undertaken by Standing Committee "A" be suspended, did hinder further progress, the Convention proceeded towards the full plenary session in Hobart.

The Convention met in the Convention Centre, Wrest Point, on 27 October 1976 and included a full representation from the Commonwealth and State Parliaments, Territorial assemblies, and local government. The agenda items passed at Melbourne were reconsidered as well as additional agenda items agreed to by the Executive Committee.

There was established amongst almost all levels of government a consensus over a range of items. Several of the resolutions adopted at Hobart formed the basis in essence of the Federal Government's four referenda proposals put to the Australian electorate on 21 May 1977.

The fact that three out of the four referenda were passed indicated the importance of establishing a bipartisan approach to constitutional questions using the Convention mechanism. Although the proposals put to the Australian electorate were not considered issues of far-reaching importance, the creation of a constitutional climate responsive to constitutional change was considered by observers to be a fundamental role of the Constitutional Convention.

The Hobart Convention finally decided to hold another plenary session in Perth in 1977, although at a later meeting of the Executive Committee it was decided to defer the Convention until July 1978. Any remaining agenda items would be discussed together with any new items emerging from outstanding work then being undertaken by Standing Committees "A" and "D".

It was thought that the progress and results of the referenda in 1977 would form the basis for parties at all levels of government to further a consensus on some of the more major controversial questions. If this were to eventuate, then a greater measure of success might be anticipated from any further proposals put to the Australian electorate.

EXECUTIVE

Governor

Under the Victorian Constitution, the ultimate executive power is vested in the Crown and is exercised by the Governor as the Queen's representative.

The Governor's authority is derived from Letters Patent (issued in 1900 and amended in 1913) under the Great Seal of the United Kingdom, from the Commissions of Appointment, and from the Governor's Instructions issued under the Royal Sign Manual and Signet.

As the Queen's representative, the Governor summons and prorogues Parliament and at the beginning of each session outlines the Government's legislative programme in his opening speech. In the name of the Queen he gives assent to Bills which have passed all stages in Parliament, with the exception of those especially reserved for the Royal Assent. These include Bills dealing with special subjects such as the granting of land and money to himself. His functions in relation to the Legislature are contained in the Constitution Act.

As head of the Executive, his functions are based on Letters Patent, his Commission, and the Royal Instructions. These empower him to make all appointments to important State offices other than those for which specific provision is made under a Statute, to make official proclamations, and to exercise the prerogative of mercy by reprieving or pardoning criminal offenders within his jurisdiction. These functions are carried out on the advice of his Ministers.

There are some matters, however, which require the special exercise of the Governor's discretion. Thus he alone must finally decide after taking advice of his Premier, whether to grant a dissolution of Parliament, and whether to call upon a member of Parliament to form a new Ministry. The Governor's powers in respect of the commissioning of a member of Parliament as Premier to form a new Ministry are set out more fully on page 78 in the section describing the Ministry.

The Governor also has power to appoint a Deputy to exercise his functions as the Queen's representative during his temporary absence from the seat of government whether within or without Victoria.

In the execution of the powers and authorities vested in him, the Governor is guided by the advice of the Executive Council, which is a body created under the Governor's Instructions and which in practice gives effect to Cabinet and ministerial decisions. If in any case he sees sufficient cause to dissent from the opinion of the Council, he may act in the exercise of his powers and authorities in opposition to the opinion of the Council, reporting the matter to the Queen without delay, with the reasons for his so acting.

This exercise of discretionary powers emphasises the Governor's position as one above and beyond party politics and in extreme cases provides a safeguard of the Constitution. The general nature of his position is such that he is the guardian of the Constitution and bound to see that the great powers with which he is entrusted are not used otherwise than in the public interest.

On all official State occasions he performs the ceremonial functions as the representative of the Crown, and so becomes the focal point and the unifying symbol of the community.

The present Governor is His Excellency the Hon. Sir Henry Winneke, K.C.M.G., K.C.V.O., O.B.E., K.St J., Q.C. who assumed office on 1 June 1974.

A complete list of representatives of the Sovereign since the establishment of the Port Phillip District in 1839 can be found on pages 1149-50 of the *Victorian Year Book* 1973.

Lieutenant-Governor

The Lieutenant-Governor is appointed by a Commission from the Sovereign under the Sign Manual and Signet. In the Commission, reference is made to the Letters Patent constituting the office of Governor, and the Lieutenant-Governor is expressly authorised and required by his Commission to administer the Government of the State of Victoria in the events dealt with in such Letters Patent, namely, the death, incapacity, or removal of the Governor, or his departure from the State, or his assuming the administration of the Government of Australia.

The Lieutenant-Governor assumes control in any of these events by issuing a proclamation. He then becomes His Excellency the Lieutenant-Governor of Victoria.

However, should the Governor be only temporarily absent for a short period from the seat of government or from the State (except when he administers the Government of Australia) he may, by an Instrument under the Public Seal of the State, appoint the Lieutenant-Governor as his Deputy.

The present Lieutenant-Governor is the Hon. Sir John Young, K.C.M.G., who assumed office on 31 July 1974.

Executive Council

Section 50 of the *Constitution Act* 1975 provides that officers appointed as responsible Ministers of the Crown shall also be members of the Executive Council, and provision for their appointment appears in the Letters Patent constituting the office of Governor.

The Executive Council, consisting of Executive Councillors under summons, namely, members of the current Ministry, usually meets weekly or as required. The quorum of

three comprises the Governor and at least two Ministers. These meetings are of a formal nature and are presided over by the Governor or in his absence by his Deputy.

Where it is provided in the statutes that the Governor in Council may make proclamations, orders, regulations, appointments to public offices, etc., the Governor acts formally with the advice of the Executive Council, but actually in accordance with Cabinet or ministerial decisions.

Ministry

Formation and composition

Victoria has followed the system of government evolved in Britain. The Queen's representative in Victoria, the Governor, acts by convention upon the advice of a Cabinet of Ministers, the leader of whom is called the Premier, although there is no mention of Cabinet as such in the Victorian Constitution.

The authority under which Victorian Ministers are appointed is contained in section 50 of the *Constitution Act 1975*, which provides that the Governor may, from time to time, appoint up to eighteen officers who are either members or capable of being elected members of either House of Parliament. No Minister shall hold office for a period longer than three months unless he is, or becomes, a member of the Legislative Council or the Legislative Assembly. This section further provides that not more than six of such officers shall at any one time be members of the Legislative Council and not more than thirteen members of the Legislative Assembly.

In practice, a Ministry remains in office only while it has the support of a majority in the Legislative Assembly, and when a change of Government occurs and a new Ministry is to be appointed, the Governor "sends for" that member of the Legislative Assembly whom he thinks would be supported by a majority in that House and asks him whether he is able and willing to form a new Government with himself as leader. If that member can assure the Governor accordingly, he may then be commissioned by the Governor to form a Ministry.

The names of those persons who are chosen to serve in his Ministry are then submitted by the Premier-elect to the Governor for appointment by him as responsible Ministers of the Crown.

Powers

The Cabinet is responsible politically for the administrative Acts of the Government, but the constitutional powers as set out in the Constitution Act and other Acts are vested in the individual Ministers and the Governor in Council, namely, the Governor with the advice of the Executive Council. Cabinet as such has no legal powers.

Government administration includes departments under direct ministerial control as well as certain public statutory corporations which are subject to varying degrees of ministerial direction. Ministers are sworn in with appropriate portfolios which indicate their particular responsibilities.

Functions and procedures

Cabinet normally meets weekly or as occasion requires, in secret and apart from the Governor, to consider an agenda made up of matters submitted by the Premier and other Ministers. The Premier's Department prepares a draft agenda for each meeting, but the Premier himself is responsible for the final agenda and the order of items on the agenda.

There is in practice no Cabinet secretariat, but the *Parliamentary Salaries and Superannuation Act 1968* provides for the payment of a salary to any member of the Council or the Assembly who is recognised as the Parliamentary Secretary of the Cabinet.

The recording of decisions is primarily the responsibility of the Parliamentary Secretary of the Cabinet. There is no special machinery for circulating Cabinet minutes. Where necessary, the Secretary to the Premier's Department issues the instructions, but, where a particular Minister is concerned, the Minister is normally responsible for the execution of Cabinet decisions.

Ministries 1943 to 1978

VICTORIA—MINISTRIES: 1943-1978 (a)

Ministry and name of Premier	Date of assumption of office	Date of retirement from office	Duration of office (days)
Albert Arthur Dunstan	18 September 1943	2 October 1945	746
Ian Macfarlan	2 October 1945	21 November 1945	51
John Cain	21 November 1945	20 November 1947	730
Thomas Tuke Hollway	20 November 1947	3 December 1948	380
Thomas Tuke Hollway	3 December 1948	27 June 1950	572
John Gladstone Black McDonald	27 June 1950	28 October 1952	855
Thomas Tuke Hollway	28 October 1952	31 October 1952	4
John Gladstone Black McDonald	31 October 1952	17 December 1952	48
John Cain	17 December 1952	31 March 1955	835
John Cain	31 March 1955	7 June 1955	69
Henry Edward Bolte	7 June 1955	23 August 1972	6,288
Rupert James Hamer	23 August 1972	Still in office	

(a) A complete list since responsible government in 1855 can be found on pages 1150-1 of the *Victorian Year Book* 1973.

*Ministry at 30 June 1978**

On 20 March 1976, elections were held conjointly for the Legislative Council (triennial elections) and the Legislative Assembly (general election). At 30 June 1978, the 63rd Ministry, led by the Hon. Rupert James Hamer, E.D., consisted of the following members:

VICTORIA—63rd MINISTRY AT 30 JUNE 1978

From the Legislative Assembly

The Hon. R.J. Hamer, E.D.	Premier, Treasurer, and Minister of the Arts
The Hon. L.H.S. Thompson, C.M.G.	Minister of Education
The Hon. J.C.M. Balfour	Minister for Fuel and Power and Minister of Mines
The Hon. W.A. Borthwick	Minister for Conservation, Minister of Lands, and Minister of Soldier Settlement
The Hon. J.A. Rafferty	Minister of Transport
The Hon. I.W. Smith	Minister of Agriculture
The Hon. R.C. Dunstan, D.S.O.	Minister of Public Works and Minister for Property and Services
The Hon. A.H. Scanlan	Minister of Special Education
The Hon. B.J. Dixon	Minister for Social Welfare and Minister for Youth, Sport and Recreation
The Hon. R.R.C. Maclellan	Minister of Labour and Industry and Minister of Consumer Affairs
The Hon. W. Jona	Minister of Immigration and Ethnic Affairs and Assistant Minister of Health
The Hon. G.P. Hayes	Minister of Housing and Minister for Planning

From the Legislative Council

The Hon. V.O. Dickie	Chief Secretary
The Hon. A.J. Hunt	Minister for Local Government and Minister for Federal Affairs
The Hon. W.V. Houghton	Minister of Health
The Hon. F.J. Granter	Minister of Water Supply and Minister of Forests
The Hon. D.G. Crozier	Minister for State Development, Decentralization and Tourism
The Hon. Haddon Storey, Q.C.	Attorney-General

* Details of the elections held on 5 May 1979 can be found in the supplement at the end of this *Year Book*.

LEGISLATURE

Victorian Parliament*General*

The Constitution Act, creating a Legislative Council and a Legislative Assembly, was assented to by Her Majesty in Council on 21 July 1855, and came into operation in Victoria on 23 November 1855. Under this Act, Her Majesty was given power "by and with the advice and consent of the said Council and Assembly to make laws in and for Victoria in all cases whatsoever". Certain of these unlimited powers, however, are now exercised by the Commonwealth Parliament. The provisions governing the constitution of the Victorian Parliament are now to be found in the *Constitution Act 1975*.

By virtue of the provisions of Act No. 7270 of 1965, membership of the Assembly was increased from sixty-six to seventy-three after the election of April 1967, while membership of the Council was increased from thirty-four to thirty-six by the addition of one member in July 1967, and one in June 1970. By virtue of the *Electoral Provinces and Districts Act 1974* (No. 8628) the membership of the Assembly was increased to eighty-one members following the 1976 State election and the membership of the Council to forty members following the same election, and forty-four members following the next subsequent election. Council members are elected from two-member provinces for six year terms and Assembly members from single-member districts for three year terms. Both Houses are elected on adult suffrage, and their powers are normally co-ordinate, although Money Bills must originate in the Legislative Assembly.

The provisions of the Constitution dealing with the Parliament have been frequently amended, as the Constitution Act gives the Victorian Parliament power to "repeal, alter, or vary" the Act itself, provided that the second and third readings of certain amending Bills are passed by an absolute majority of the members of each House. The most frequently amended sections of the Constitution dealing with the Parliament have been those setting out the relations between the Council and the Assembly, and the qualifications of candidates and voters. The right, extended in the original Constitution Act, to assume the privileges, immunities, and powers of the House of Commons (as they stood at that time) was taken up in 1857 by the first Act passed by the Victorian Parliament. These include very wide powers to punish contempt. The publication of parliamentary reports and proceedings was made absolutely privileged in 1890.

The landmarks of Assembly suffrage were: 1857, manhood suffrage; 1899, plural voting abolished; and 1908, women's franchise. Adult suffrage for the Council was introduced in 1950. In 1973 the qualifying age for membership was reduced to eighteen years and the voting age to eighteen years. Payment of members has also been frequently adjusted. The present complex scale makes extra payments to the Presiding Officers and Chairman of Committees and to the Leader of the third party as well as to the Leader of the Opposition; Government, Opposition, and third party Whips and the Deputy Leader of the Opposition are also specially rewarded. Electorates carry different allowances relative to the size of the electorate.

Parliament is summoned, prorogued, or dissolved by proclamation issued by the Governor. The duration of a Parliament depends upon the life of the Assembly (limited to three years), but may be ended by the Governor dissolving the Assembly before the expiration of that period. The Legislative Council cannot be dissolved except in special circumstances arising from disagreements between the two Houses. Its members are elected for six years, half of them retiring every three years. Members are eligible for re-election. A session is that period between the summoning of Parliament and prorogation. When Parliament is prorogued all business in hand lapses and, if it is to be continued in the next session, it must be reintroduced.

There are three political parties represented in the Victorian Parliament: the Liberal Party, the Australian Labor Party, and the National Party of Australia (Victoria). (See pages 86-8 for lists of members.) Of the forty members of the Legislative Council, twenty-six belong to the Liberal Party, nine to the Australian Labor Party, and five to the National Party of Australia (Victoria). Of the eighty-one members of the Legislative Assembly, forty-nine belong to the Liberal Party, twenty-two to the Australian Labor

Party, and seven to the National Party of Australia (Victoria), and there are two independent Liberal members and one Independent Labor member. The Liberal Party, having won the majority of seats at the general election of the Assembly in 1955, formed a Government which was returned to office at the general elections in 1958, 1961, 1964, 1967, 1970, 1973, and 1976. The Leader of that Party holds the office of Premier. The Australian Labor Party forms the official Opposition Party. The National Party of Australia (Victoria) sits on the corner benches on the Opposition side of the Assembly Chamber.

Functions

The functions of Parliament consist of passing legislation and taking action to make available finances or funds as required for State expenditure. Legislation can be initiated by any member of Parliament in either House with the exception that all Money Bills, such as Bills for imposing a duty, rate, tax, or impost, or Bills for appropriating any part of the revenue of the State, must originate in the Assembly on the motion of a Minister. They may be rejected, but not altered, by the Council. The Council, however, may suggest amendments to such Bills, provided these amendments will not have the effect of increasing any proposed charge or burden on the people and the Assembly may accept the suggested amendments if it so desires. In practice, almost all Bills are introduced by the Government in office as a result of policy decisions taken in Cabinet.

Procedures

Parliament controls the Government in office by the Assembly's power, in the last resort, to pass a resolution of no-confidence in the Government or to reject a proposal which the Government considers so vital that it is made a matter of confidence. This would force the Government to resign. Procedure of each House is governed by Standing Orders, Rules, and practice, based mainly on the procedure of the House of Commons, and administered by the respective presiding officers: the President of the Legislative Council, the Speaker of the Legislative Assembly, and the respective Chairmen of Committees. The principal innovations in Assembly procedure are time limits on speeches and the elaborate ballot procedure at the opening of a new Parliament for the election of the Speaker.

The President of the Council holds office for the balance of the period for which he is elected as a member and may again be appointed if he retains his seat in the House. The election of a Speaker is the first business of a new Assembly after the members have taken the oath of allegiance or made an affirmation. The Chairman of Committees is then elected. The same order in debate is observed in Committee as in the House itself, the Chairman having final authority over all points of order arising when he is in the Chair.

The sittings of each House commence with the reading of the Lord's Prayer by the presiding officer. Before the business of the day, as set down on the Notice Paper, is called on, Ministers may be questioned on matters under their administrative control; notices of motion, such as motions for the introduction of Bills, or motions of a substantive or abstract nature, are given; petitions are presented; papers are laid on the Table; and messages from the Governor and from the other House are read. At this stage, members have the opportunity of moving a motion "that the House do now adjourn" which under the Standing Orders enables discussion on matters of urgent public importance to take place.

Under "Orders of the Day" which then follows, Bills are dealt with in their various stages. All Bills, with the exception of the annual Appropriation Bill, when passed by both Houses are presented by the Clerk of the Parliaments to the Governor, who gives the Royal Assent. This advice is set out at the commencement of each Bill and is as follows: "Be it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria . . .". The Appropriation Bill is presented by the Speaker to the Governor for assent. Unless otherwise provided, all Acts come into force on the day of assent.

Further references: Private legislation, *Victorian Year Book* 1962, pp. 86-7; Money Bills, 1963, pp. 73-4; Parliamentary Committees, 1964, pp. 52-4; Resolving deadlocks between the two Houses, 1965, pp. 79-82; Parliamentary privilege, 1966, pp. 72-7; Presiding Officers of Parliament, 1967, pp. 73-7; Administrative machinery of Parliament, 1968, pp. 71-7; Hansard, 1969, pp. 77-81; Houses of Parliament, 1970, pp. 77-81; Conduct of debate, 1972, pp. 77-9; Royal Commissions, 1974, pp. 73-5; Australian Labor Party in Victoria, 1975, pp. 97-103; National Party of Australia (Victoria) in Victoria, 1976, pp. 115-8

Liberal Party in Victoria*

Historical background

The history of the Liberal Party in Victoria dates from the end of the Second World War, although its Federal formation goes back to 1944. Its predecessors were, first, the National Party and then, the United Australia Party. The Liberal Party resulted from a union of several non-Labor organisations which had emerged between 1941 and 1944.

The National Party represented many large scale business interests. It was controlled and financed by a group of businessmen, known generally as the Collins House Group (the National Union), headed by Sir Robert Knox. In 1931 the National Party was superseded by the United Australia Organisation, which was set up as a branch-based, centrally co-ordinated mass organisation. Two important components of the United Australia Organisation were the Young Nationalist Organisation and the Australian Women's National League. The former was set up in 1929 and from its origin as a supplementary electoral organisation, gradually assumed the role of a party within a party. The Australian Women's National League, formed in 1904 to promote the cause of women's suffrage in Victoria, was another important factor in the non-Labor electoral organisation and carried out most of the electoral work. The National Union, however, still held the responsibility of raising election funds for the United Australia Organisation and through this exercised a powerful influence.

Between 1935 and 1941 the United Australia Organisation gradually lost cohesion. The National Union did not win wide support and there were increasing differences between it and the Young Nationalist Organisation. There was also increasing disunity within the Parliamentary Party over leadership, policy, and tactics. As this began to pervade the body of the United Australia Organisation, it became ineffective and control was again exercised from the centre by the National Union.

Between 1935 and 1943 Parliamentary representation by the Party steadily declined. From a strength in 1943 of 31 members in an Assembly of 65, the United Australia Organisation dwindled to 13 in 1944. From 1943 to 1945 the Party remained in opposition. The then Leader of the Parliamentary Party (Mr T.T. Hollway) while in opposition was backed by the Young Nationalist Organisation as he endeavoured to reform the Party, but he did not succeed. Considerable antagonism had developed within the U.A.P. against the Country Party in Victoria by 1948, although the Federal Parliamentary Liberal Party had been in coalition with the Country Party for some years.

Federal developments in the early 1940s

With the defeat of the United Australia Party (U.A.P.) in the Federal Parliament in 1941 there began to emerge a number of separate parties, with broadly similar objectives and philosophies to one another and to the U.A.P.; they included the Services and Citizens Party. A second party was the Middle Class Party. A third organisation, which was established by businessmen in 1942, was the Institute of Public Affairs. Although not formed as a political party, the Institute of Public Affairs became heavily involved in the State and Federal elections of 1943 when the U.A.P. was defeated.

It was at this time that Mr R.G. (later Sir Robert) Menzies saw the need to rehabilitate the United Australia Party. Hopes began to be expressed that, before the next elections, a single non-Labor Federal organisation would be created. In June 1944, the Institute of Public Affairs was instrumental in organising a joint meeting with the United Australia Organisation, the Services and Citizens Party, the Australian Women's National League, and the Young Nationalist Party. This and subsequent meetings proved inconclusive. Further efforts to attain unity were suspended for three months to allow the various parties to co-operate in opposing the Federal referendum on Post-war Reconstruction and Democratic Rights. Menzies then announced his intention to call a national conference in Canberra in October of non-Labor organisations. A meeting of the Victorian organisations agreed to participate in the Canberra conference but, if unity was not achieved, to continue their State activities towards a new party.

*An article outlining the history of the Australian Labor Party in Victoria can be found on pages 97-105 of the *Victorian Year Book* 1975. An article outlining the history of the National Party of Australia (Victoria) in Victoria can be found on pages 115-8 of the *Victorian Year Book* 1976.

Formation and establishment of the Liberal Party

The Canberra conference was held in October 1944, and representatives of eighteen organisations from all States attended. General agreement was reached, and a working party was set up to determine some common basis of political principles to which all representatives could subscribe. The reports of the committee were presented to the conference within three days and were adopted on 16 October. A provisional executive was appointed for each State to proceed with the organisation of the new party, which was to be known as the Liberal Party of Australia. Each State was to have complete autonomy in State organisations and affairs.

In Victoria, an immediate start was made on organisation. In February 1945, public meetings began to be called and, at each one, those attending were invited to form a new branch of the Liberal Party. The result was the formation of 130 branches throughout the State. A conference of delegates from branches was called in June 1945. This conference constituted itself the first State Council for Victoria. It appointed office-bearers and an executive committee. Very few people associated with the United Australia Organisation were included in the list of office-bearers or on the staff of the new Party. The Country Party had declined to take part in the Canberra conference, preferring to retain its own identity.

By October 1946, the Liberal organisation grew to such an extent that it had more branches in the country than in the metropolis. This trend prompted an effort to combine the non-Labor forces, and an offer of amalgamation was made to the Country Party. The Parliamentary Leader (Mr T.T. Hollway) offered to stand down if it would aid negotiations. The Country Party refused the offer. A further offer to amalgamate was made to the Country Party in 1947, and was again rejected. A third approach to the Country Party was made in 1948 after the formation of the composite Hollway-McDonald Government, but it was also rejected. When the coalition Government lost its cohesion after a very short life, another attempt was made to amalgamate the two parties, but again without success. The final offer of amalgamation was made in 1950 and this, too, was rejected by the Country Party.

As a result of these events, the Liberal Party resolved that it would field a candidate in every rural electorate at the forthcoming elections. In 1949, the State Party decided to re-constitute itself under the name Liberal and Country Party. In view of this decision, six members of the Country Party resigned from their party and joined the Liberals. At the elections in 1950, the Liberal and Country Party won three seats from the Country Party. This left the Assembly with no party having the numbers to govern in its own right. The ultimate result was a Country Party Government supported by the Labor Party. In July 1952, the Labor Party withdrew its support from the Country Party Government. Feeling that an election at that time would prove disastrous to it, the Liberal and Country Party decided to support the Country Party in government, but not to participate in a coalition. In October, the Legislative Council refused supply to the Country Party Government and the Premier sought a dissolution of the Legislative Assembly. At the subsequent election, in December 1952, both the Liberal and Country Party and the Country Party lost heavily, and Labor was returned in sufficient strength to form a Government in its own right under Mr J. Cain. This Government lasted until 1955 when, following a major split in the Labor Party, twelve members of the Australian Labor Party crossed the floor of the Legislative Assembly to vote with the Opposition and defeat the Government. At the ensuing elections, in May 1955, the Liberal and Country Party under Mr H.E. (later Sir Henry) Bolte was returned with a narrow majority in the Legislative Assembly, but without a majority in the Legislative Council. The Liberal and Country Party was able to form the first one-Party non-Labor Government in the history of Victoria, after ten years of unsettled government, during which ten different administrations had attempted to govern the State.

In contrast to the relative stability within the Party of the Bolte era, the period from 1945 to 1952 was marked by continual internal disagreements. There were several changes in leadership, and a number of disagreements between the organisational and Parliamentary wings. The most significant of these resulted in Hollway, Leader of the Parliamentary Party, being finally expelled from the Party in 1952. Hollway then set up his own party, the Electoral Reform Party. In the following election, he contested the

Assembly seat of Glen Iris and defeated the leader of the Parliamentary Liberal Party, Mr L.G. Norman. But Hollway and his supporters all lost their seats in the 1955 elections, which saw Bolte form the first all-Liberal Government in Australian history. It was left to the Premier personally to select the first all-Liberal Cabinet. But, from 1958, Cabinets have been elected by the Parliamentary Party members by exhaustive ballot. The only concession is the prerogative of the Premier to nominate two Ministers.

The Bolte Government was in office for seventeen years, although it had to rely heavily on Country Party support in the Legislative Council for most of that time. In the 1964 elections, the Liberal and Country Party won an outright majority (of one) in the Council, but this was soon reversed in a by-election won by the Australian Labor Party, and the Government was again reliant on Country Party support in the Council. In return for this support, the Liberal and Country Party agreed to revert to its original name of Liberal Party.

In 1972 Sir Henry Bolte resigned after being Premier for seventeen years, and Mr R.J. Hamer was elected as his successor.

Organisation of the Liberal Party

Relationships between the Parliamentary wing and the organisational wing of the Liberal Party became much closer after 1955. It has always been part of Liberal policy that the Parliamentary wing is not subject to the organisational wing. The policy is strengthened by the fact that the Parliamentary wing is represented on State Council, State Executive, and all committees.

Relations with the Federal Parliamentary Party have tended to fluctuate. From 1955, there has been tacit acceptance that nothing should be done to disturb the Party's chances of retaining office; but, understandably between elections, some differences of opinion were expressed.

The basic organisation of the Liberal Party from its formative stages has been on a Federal basis, but each State organisation is given complete autonomy over the affairs within its own State. The States join together federally in setting up the Federal Council, each State sending seven delegates, the majority being non-Parliamentarians.

The Victorian division was initially organised on a mass membership basis and so continues today. The supreme governing body and policy making organ is the State Council, which consists of one male and one female delegate from each branch, and all State and Victorian Federal Members of Parliament. Equal representation of the sexes in all the formal organs of the Party was brought about as a condition of the Australian Women's National League consenting to join in the initial formation of the Party. The State Council annually elects the main office-bearers of president, four vice-presidents, (two males and two females from city and country, respectively), an honorary treasurer, and delegates to Federal Council. The State Executive is charged with the main function of carrying on the administration of the Party between State Council meetings. It consists of the elected office-bearers, forty members elected by State Council (of whom there must be equal representation of country and metropolitan branches and equal representation of the sexes), representatives of the Women's Section and of the Young Liberal Movement, and representatives of the State and Federal Parliamentary parties.

The State Executive appoints a Joint Standing Committee on State Policy, a Finance Committee, and the executive officers of party headquarters. The Joint committee on State Policy consists of eleven members of the State Parliamentary Party, one member of the Federal Parliamentary Party, the president and four vice-presidents of the Party, the State president of the Young Liberal Movement, the chairman of the central committee of Women's Sections, and four other members of State Executive. Its function is to advise the State Parliamentary Party and the State Executive on matters of State policy.

All finances are the responsibility of the State Finance Committee, the function of which is to raise funds for the administration of the Party, and for election purposes. It appoints Area Finance Committees, based on Federal electorates, which are given the responsibility for raising funds locally in election campaigns. The conduct of election campaigns is in the hands of Electorate Committees, consisting of representatives of each branch in the electorate.

Selection of candidates for Parliamentary elections rests in the hands of Electorate

Conventions, which consist solely of representatives from local branches. Any member of the Party may seek pre-selection, which is determined by exhaustive ballot and is subject to confirmation by the State Executive. Decisions of the electorate committees have seldom been successfully opposed by the Executive; the only exceptions to this have been in the cases of electorates not held by the Party in which there are no party branches, when State Executive may seek candidates to contest those seats.

There are within the party structure several very influential sections. In addition to having equal representation with men, there is a strong women's section, headed by the Women's Section Central Council, which ensures that issues of particular concern to women are brought to attention. Another section is the Young Liberal Movement. Young Liberal clubs, when they were initially formed under the sponsorship of branches, were barely tolerated; however, today the Young Liberal Movement has grown into a powerful section within the Party, and its clubs occupy the full status of party branches. It is largely autonomous, within the overall control of State Council. Another group of interest which has grown up from the Party, is the Liberal Speakers Group. Formed from Party members, in 1945, to provide speakers for the Party, the group has never been officially recognised in the constitution, but has developed into a group for training future candidates for Parliament and has provided substantial numbers of members of both State and Federal Parliaments.

The Liberal Party in Victoria is based on mass memberships of its branches. There have always been more rural than metropolitan branches, and this is reflected in the strong country representation in the Parliamentary Party. Basic control of the Party rests with the branches, and all attempts to take from local electorate committees their rights of pre-selecting candidates are strongly resisted. Branches may accept guidance from the central organisation of the Party, but never dictation.

In more recent times there has been strong co-operation between the Parliamentary wing and the organisational wing. Although State Council formulates broad policies, the implementation of policies remains finally in the hands of the Parliamentary wing. Every attempt to bring the Parliamentary wing under the dictation of State Council has been rejected by that body, and equally by the Parliamentary wing itself.

Number of Parliaments and their duration

Between 1856 and 1978 there have been forty-seven Parliaments. The forty-seventh Parliament was opened on 14 April 1976. A table showing the duration in days of each Parliament (1856 to 1927), the number of days in session, and the percentage of the latter to the former was published in the *Victorian Year Book* 1928-29, page 21. Similar information for the twenty-ninth to the thirty-ninth Parliaments (1927 to 1955) was published in the *Victorian Year Book* 1952-53, 1953-54 (released in 1959), page 31. As from the commencement of the thirty-eighth Parliament (20 June 1950), information about the duration of each Parliament, the number of sittings of each House, and the percentage of the latter to the former is shown in the following table:

VICTORIA—DURATION OF PARLIAMENTS AND NUMBER OF SITTINGS OF EACH HOUSE

Number of Parliament	Period	Duration of Parliament (a)	Sittings			
			Legislative Assembly		Legislative Council	
			Number of sittings	Percentage of sittings to duration	Number of sittings	Percentage of sittings to duration
		days				
Thirty-eighth	1950-1952	865	131	15.1	81	9.4
Thirty-ninth	1952-1955	852	92	10.8	61	7.2
Fortieth	1955-1958	1,038	139	13.4	99	9.5
Forty-first	1958-1961	1,059	150	14.2	103	9.7
Forty-second	1961-1964	1,015	149	14.7	112	11.0
Forty-third	1964-1967	980	146	14.9	119	12.1
Forty-fourth	1967-1970	1,002	152	15.2	124	12.4
Forty-fifth	1970-1973	1,036	154	14.9	126	12.2
Forty-sixth	1973-1976	969	142	14.7	106	10.9
Forty-seventh	1976-1979	1,066	159	14.9	134	12.5

(a) Calculated from the date of opening to the date of dissolution of the Parliament.

Cost of parliamentary government

The following table shows the expenditure arising from the operation of parliamentary government in Victoria. It comprises the Victorian Governor, the Ministry, the Legislative Council, the Legislative Assembly, and electoral activities. It does not attempt to cover the expenditure on Victorian administration generally.

The table shows this expenditure for Victoria for the years ended 30 June 1974 to 1978. In order to avoid incorrect conclusions about the cost of the Governor's establishment, it should be noted that a large part of the expenditure (with the exception of the item "Salary") under the general heading "Governor" represents official services.

VICTORIA—COST OF PARLIAMENTARY GOVERNMENT
(\$'000)

Period	Governor		Parliament			Electoral	Royal Commissions, Select Committees, etc.	Total
	Salary	Other expenses (a)	Ministry	Salaries of members	Other expenses (b)			
1973-74	20	397	548	1,623	2,231	378	41	5,238
1974-75	20	591	709	2,420	3,062	269	143	7,214
1975-76	20	626	886	3,330	5,359	1,573	747	12,541
1976-77	20	683	998	3,262	6,310	453	709	12,434
1977-78	20	939	1,145	3,445	6,928	417	518	13,412

(a) Includes salaries of staff and maintenance of house and gardens.

(b) Includes cost of members' railway passes, parliamentary staff, and maintenance.

Members of the Victorian Parliament**Political parties*

In the following pages political party affiliations of Members of the Victorian Parliament are indicated thus:

(ALP)	Australian Labor Party
(IND. LAB.)	Independent Labor
(IND. LIB.)	Independent Liberal
(LP)	Liberal Party
(NP)	National Party of Australia (Victoria)

Legislative Council

President: The Hon. William Gordon Fry.

Chairman of Committees: The Hon. William Montgomery Campbell.

Clerk of the Parliaments and Clerk of the Legislative Council: Alfred Reginald Bruce McDonnell, Esquire.

Members of the Legislative Council who were elected at the 1976 triennial election are shown in the following list:

VICTORIA—LEGISLATIVE COUNCIL: MEMBERS ELECTED 20 MARCH 1976
(Term of office commenced 27 June 1976)

Member	Province	Number of electors on rolls	Number of electors who voted	Total percentage of electors who voted
Chamberlain, Hon. Bruce Anthony (LP)	Western	81,532	77,634	95.22
Dunn, Hon. Bernard Phillip (NP)	North Western	78,565	74,107	94.33
Eddy, Hon. Randolph John (ALP)	Thomastown	114,574	106,863	93.27
Evans, Hon. David Mylor (NP)	North Eastern	85,260	80,464	94.37
Foley, Hon. Dr Kevin James (LP)	Boronia	113,888	105,954	93.03
Granter, Hon. Frederick James (LP)	Central Highlands	85,641	78,876	92.10
Guest, Hon. James Vincent Chester (LP)	Monash	115,968	104,257	89.90
Hamilton, Hon. Harold Murray, E.D. (LP)	Higinbotham	115,497	107,293	92.90
Häuser, Hon. Vernon Thomas (LP)	Nunawading	118,275	110,667	93.57
Howard, Hon. Dr Ralph William (LP)	Templestowe	115,316	107,260	93.01
Jenkins, Hon. Glyn (LP)	Geelong	85,047	81,358	95.66
Knowles, Hon. Robert Ian (LP)	Ballarat	85,528	79,384	95.04
Landeryou, Hon. William Albert (ALP)	Dousta Galla	120,955	113,431	93.78
Reid, Hon. Nicholas Bruce (LP)	Bendigo	83,059	79,146	95.29
Saltmarsh, Hon. Donald Neville (LP)	Waverley	114,654	106,958	93.29
Stacey, Hon. Neil Frank (LP)	Chelsea	117,786	109,003	92.54
Storey, Hon. Haddon, Q.C. (LP)	East Yarra	115,158	105,732	91.81
Taylor, Hon. James Allister (LP)	Gippsland	80,733	75,285	93.25
Thomas, Hon. Herbert Arthur (ALP)	Melbourne West	114,890	105,890	92.17
Trayling, Hon. Ivan Barry (ALP)	Melbourne	123,270	105,715	85.76
Walton, Hon. John Malcolm (ALP)	Melbourne North	118,514	108,498	91.55
Ward, Hon. Hector Roy (LP)	South Eastern	85,172	78,899	92.63

* Details of the elections held on 5 May 1979 can be found in the supplement at the end of this Year Book.

Members of the Legislative Council who did not come up for election at the 1976 triennial election are shown in the following list:

VICTORIA—LEGISLATIVE COUNCIL: MEMBERS ELECTED 19 MAY 1973
(Term of office commenced 15 July 1973)

Member	Province	Number of electors on rolls	Number of electors who voted	Total percentage of electors who voted
Block, Hon. Peter David (LP)	Boronia	195,299	182,911	93.66
Bradbury, Hon. Archibald Keith (NP) (a)	North Eastern	60,396	56,883	94.18
Campbell, Hon. William Montgomery (LP)	East Yarra	130,865	120,136	91.80
Crozier, Hon. Digby Glen (LP)	Western	65,190	62,484	95.85
Dickie, Hon. Vance Oakley (LP) (b)	Ballaarat	66,556	63,256	95.04
Elliot, Hon. Douglas George (ALP)	Melbourne	117,092	103,920	88.75
Fry, Hon. William Gordon (LP)	Higinbotham	134,910	126,220	93.56
Galbally, Hon. John William, Q.C. (ALP)	Melbourne North	120,381	113,239	94.07
Gleeson, Hon. Stanley Edmond (LP)	South Western	111,040	104,673	94.27
Grimwade, Hon. Frederick Sheppard (LP)	Bendigo	70,416	67,075	95.26
Hider, Hon. Charles Allen Moir (LP)	Monash	133,950	123,202	91.98
Houghton, Hon. William Vasey (LP)	Templestowe	182,576	170,866	93.59
Hunt, Hon. Alan John (LP)	South Eastern	188,690	176,793	93.69
Knight, Hon. Alexander Wilson (ALP)	Melbourne West	155,477	145,962	93.88
Long, Hon. Richard John (LP)	Gippsland	93,725	88,342	94.26
McDonald, Hon. Stuart Richard (NP)	Northern	65,624	62,346	95.00
Tripovich, Hon. John Matthew (ALP) (c)	Doutta Galla	146,825	137,633	93.74
Wright, Hon. Kenneth Irving (NP)	North Western	49,972	47,521	95.10

(a) The Hon. Archibald Keith Bradbury resigned on 12 April 1978. The Hon. William Robert Baxter (NP) was declared elected in his stead on 24 June 1978.

(b) The Hon. Vance Oakley Dickie resigned on 16 August 1978. The Hon. David George Williams (ALP) was declared elected in his stead on 28 October 1978.

(c) The Hon. John Matthew Tripovich died on 6 August 1976. The Hon. David Ronald White (ALP) was declared elected in his stead on 16 August 1976.

Legislative Assembly

Speaker: The Hon. Sir Kenneth Wheeler.

Chairman of Committees: Ian Francis McLaren, O.B.E.

Clerk of the Legislative Assembly: John Harold Campbell, Esquire.

The following list shows members of the Legislative Assembly elected at the general election held on 20 March 1976. It also includes details of electoral districts and voting at this last general election.

VICTORIA—LEGISLATIVE ASSEMBLY: MEMBERS ELECTED 20 MARCH 1976

Member	District	Number of electors on rolls	Number of electors who voted	Total percentage of electors who voted
Amos, Derek Godfry Ian (ALP)	Morwell	25,874	24,258	93.75
Austin, Hon. Thomas Leslie (LP)	Ripon	25,704	24,513	95.37
Balfour, Hon. James Charles Murray (LP)	Narracan	25,543	24,028	94.07
Billing, Norman Alexander William, K.St.J. (LP)	Springvale	28,035	26,161	93.32
Birrell, Hayden Wilson (LP)	Geelong West	25,584	24,320	95.06
Borthwick, Hon. William Archibald (LP)	Monbulk	27,602	25,243	91.45
Burgin, Cecil William (LP)	Polwarth	25,017	23,964	95.79
Cain, John (ALP)	Bundoora	28,691	26,947	93.92
Cathie, Ian Robert (ALP)	Carrum	28,728	26,440	92.04
Coleman, Charles Geoffrey (LP)	Syndal	29,192	27,284	93.46
Collins, Peter Charles (LP)	Noble Park	30,392	28,404	93.46
Cox, George Henry (LP)	Mitcham	28,231	26,431	93.62
Crabb, Steven Marshall (ALP)	Knox	29,360	27,164	92.52
Crellin, Maxwell Leslie (LP)	Sandringham	29,145	26,927	92.39
Culpin, John Albert (ALP)	Glenroy	27,798	26,093	93.87
Dixon, Hon. Brian James (LP)	St Kilda	30,653	26,419	86.19
Doube, Hon. Valentine Joseph (ALP)	Albert Park	31,647	27,132	85.73
Dunstan, Hon. Roberts Christian, D.S.O. (LP)	Dromana	28,034	25,422	90.68
Ebery, William Thomas (LP)	Midlands	24,768	23,469	94.76
Edmunds, Cyril Thomas (ALP)	Ascot Vale	29,243	27,023	92.41
Evans, Alexander Thomas (LP)	Ballaarat North	25,751	24,544	95.31
Evans, Bruce James (NP)	Gippsland East	25,254	23,345	92.44
Fogarty, William Francis (ALP)	Sunshine	29,727	27,331	91.94
Fordham, Robert Clive (ALP)	Footscray	29,323	27,112	92.46
Francis, Charles Hugh, Q.C. (IND. LIB.)	Caulfield	30,192	26,902	89.10
Ginifer, John Joseph (ALP)	Keilor	28,973	26,903	92.86
Gude, Phillip Archibald (LP)	Geelong East	24,837	23,299	93.81
Guy, Athol George (LP)	Gisborne	27,076	25,489	94.14
Hamer, Hon. Rupert James, E.D. (LP)	Kew	29,690	27,181	91.55
Hann, Edward James (NP)	Rodney	25,308	24,057	95.06
Hayes, Hon. Geoffrey Phillip (LP)	Wantirna	29,838	27,736	92.96
Holding, Allan Clyde (ALP) (a)	Richmond	30,771	26,926	87.50
Hudson, Neville Read, D.F.C. (LP)	Werribee	28,482	26,114	91.69
Jasper, Kenneth Stephen (NP)	Murray Valley	25,134	23,839	94.85

VICTORIA—LEGISLATIVE ASSEMBLY: MEMBERS ELECTED 20 MARCH 1976—*continued*

Member	District	Number of electors on rolls	Number of electors who voted	Total percentage of electors who voted
Jennings, Douglas Bernard (<i>IND. LIB.</i>)	Westernport	26,603	24,806	93.25
Jona, Hon. Walter (<i>LP</i>)	Hawthorn	28,122	25,490	90.64
Jones, Barry Owen (<i>ALP</i>) (a)	Melbourne	29,247	25,238	86.29
Kennett, Jeffrey Gibb (<i>LP</i>)	Burwood	28,227	26,216	92.88
Kirkwood, Carl William Dunn (<i>ALP</i>)	Preston	29,026	26,659	91.85
Lacy, Norman Henry (<i>LP</i>)	Warrandyte	29,363	27,371	93.22
Lieberman, Louis Stuart (<i>LP</i>)	Benambra	25,923	23,999	92.58
Lind, Alan Alfred Campbell (<i>ALP</i>)	Dandenong	31,367	29,125	92.85
Loxton, Samuel John Everett (<i>LP</i>)	Prahran	29,495	24,871	84.32
McArthur, Peter Stewart (<i>LP</i>)	Ringwood	28,530	26,598	93.23
McCabe, James Edmund (<i>LP</i>)	Lowan	24,722	23,552	95.27
McClure, Daryl Hedley Robert (<i>LP</i>)	Bendigo	25,704	24,625	95.80
McInnes, Neil Malcolm (<i>NP</i>)	Gippsland South	25,408	23,781	93.60
McKellar, Donald Kelso (<i>LP</i>)	Portland	25,440	24,299	95.51
Mackinnon, Donald James (<i>LP</i>)	Box Hill	28,862	26,720	92.58
McLaren, Ian Francis, O.B.E. (<i>LP</i>)	Bennettswood	28,788	27,110	94.17
MacLellan, Hon. Robert Roy Cameron (<i>LP</i>)	Berwick	27,495	25,312	92.06
Mutton, John Patrick (<i>IND. LAB.</i>)	Coburg	28,927	27,087	93.64
Patrick, Jeanette Tweeddale (<i>LP</i>)	Brighton	28,455	26,256	92.27
Plowman, Sidney James (<i>LP</i>)	Evelyn	28,032	25,662	91.55
Rafferty, Hon. Joseph Anstice (<i>LP</i>)	Glennhuntingly	28,395	26,079	91.84
Ramsay, Hon. James Halford (<i>LP</i>)	Balwyn	29,119	26,842	92.18
Reese, William Frederick Llewellyn (<i>LP</i>)	Heatherton	29,008	27,083	93.36
Richardson, John Ingles (<i>LP</i>)	Forest Hill	29,761	27,916	93.80
Roper, Thomas William (<i>ALP</i>)	Brunswick	29,483	26,678	90.49
Ross-Edwards, Peter (<i>NP</i>)	Shepparton	25,251	24,073	95.33
Scanlan, Hon. Alan Henry (<i>LP</i>)	Oakleigh	29,343	27,395	93.36
Simmonds, James Lionel Allan (<i>ALP</i>)	Reservoir	29,532	27,464	93.00
Simpson, John Hamilton (<i>ALP</i>)	Niddrie	27,755	26,592	95.81
Skeggs, Bruce Albert Edward (<i>LP</i>)	Ivanhoe	30,856	28,584	92.64
Smith, Aurel Vernon (<i>LP</i>)	South Barwon	25,907	24,472	94.46
Smith, Hon. Ian Winton (<i>LP</i>)	Warrnambool	25,119	23,908	95.18
Stephen, William Francis (<i>LP</i>)	Ballarat South	25,980	24,621	94.77
Sirling, Gordon Francis (<i>ALP</i>)	Williamstown	29,439	27,344	92.88
Suggett, Robert Harris (<i>LP</i>)	Bentleigh	29,055	27,381	94.24
Templeton, Thomas William, J.P. (<i>LP</i>)	Mentone	29,150	26,938	92.41
Thompson, Hon. Lindsay Hamilton Simpson, C.M.G. (<i>LP</i>)	Malvern	29,564	26,754	90.50
Trewin, Thomas Campion (<i>NP</i>)	Benalla	24,971	23,426	93.81
Trezise, Neil Benjamin (<i>ALP</i>)	Geelong North	25,121	23,417	93.22
Vale, Roy Mountford (<i>LP</i>) (b)	Greensborough	30,397	28,299	93.10
Weideman, Graeme, J.P. (<i>LP</i>)	Frankston	30,198	27,852	92.23
Wheeler, Hon. Sir Kenneth Henry (<i>LP</i>)	Essendon	28,867	27,118	93.94
Whiting, Milton Stanley (<i>NP</i>)	Mildura	24,449	22,715	92.91
Wilkes, Frank Noel (<i>ALP</i>)	Northcote	29,986	27,199	90.71
Williams, Morris Thomas (<i>LP</i>)	Doncaster	28,436	26,740	94.04
Wilton, John Thomas (<i>ALP</i>)	Broadmeadows	29,720	27,574	92.78
Wood, Alan Raymond (<i>LP</i>)	Swan Hill	25,087	23,753	94.68

(a) Allan Clyde Holding and Barry Owen Jones resigned from the Assembly to contest the Commonwealth elections held on 10 December 1977. At by-elections held on 17 December 1977, Theodore Sidiropoulos (*ALP*) was elected in Richmond and Keith Henry Remington (*ALP*) in Melbourne.

(b) Roy Mountford Vale died on 10 September 1977. Pauline Therese Toner (*ALP*) was declared elected in his stead on 5 November 1977.

Parliamentary Counsel

The Parliamentary Counsel's Office is a small office attached to the Law Department. Its origin in Victoria dates back to 1879 when Edward Carlile was appointed Parliamentary Draftsman. Carlile remained as Draftsman, apart from a short period as Clerk Assistant of the Legislative Assembly, until the beginning of the twentieth century. He was knighted for his services.

The Office was established because of dissatisfaction at the cost involved in having legislation prepared by members of the Bar and the uneven and sometimes unsatisfactory nature of the work done by individual counsel. A similar Office had been established a few years previously in the United Kingdom following upon a report by a Parliamentary Committee.

The Office now consists of the Chief Parliamentary Counsel and eight Parliamentary Counsel, together with supporting clerical and stenographic assistance.

The primary work of the Office is to prepare legislation for the Government. The volume of legislation in Victoria, in common with that in other jurisdictions, has consistently increased over the last century. In its first 30 years, the Victorian Parliament passed 915 Acts; in the next 30 years, 1,423 Acts; in the next 30 years, 2,868 Acts; and in the next 29 years no less than 3,598 Acts were passed.

The range of subjects upon which legislation is sought has also consistently increased, partly because of developing technology and partly because Parliament continually aims at new and more sophisticated social objectives.

The policy of legislation is initially determined by the Cabinet acting on the advice of the responsible Minister, assisted by his appropriate departmental advisers, but it is generally accepted that policy and form cannot be completely separated and Parliamentary Counsel, in advising as to the most appropriate way in which a particular objective can be achieved, accordingly exercise a considerable influence on the legislation that is ultimately passed by the Parliament.

Apart from work done for the Government, it is the tradition in Victoria that Parliamentary Counsel should be available to assist private members of any party who wish to promote legislation.

The Counsel are also available to advise Ministers and government instrumentalities on the validity of subordinate legislation that it is proposed to promulgate. One of the Counsel is assigned to examine and report to the Subordinate Legislation Committee on the validity and form of all statutory rules.

The Office is responsible for the preparation of the annual volumes of Statutes and Statutory Rules and for the preparation of the various tables and indices of the Acts and Statutory Rules that are published by the Government.

Since the last consolidation of the Victorian Statutes in 1958, a system of reprinting of Principal Public Acts incorporating all amendments made up to the date of the Reprint has been instituted. This system of frequent reprints has now been adopted in most other jurisdictions in Australia.

Because of the knowledge and experience gained by Parliamentary Counsel in the course of their ordinary duties, they are often called upon to advise in relation to matters of law reform apart from being responsible for the drafting of any legislation necessary to give effect to proposed reforms. They assist, whenever requested, the Statute Law Revision Committee of the Victorian Parliament and commonly assist other Parliamentary committees which are investigating matters involving constitutional or other legal questions.

It is common for a Parliamentary Counsel to be co-opted to sub-committees of the Chief Justice's Law Reform Committee when they are considering reform of the Statute law.

The Deputy Chief Parliamentary Counsel acts as secretary and draftsman to the Supreme Court Judges' Rules Committee, and one other Counsel assists the County Court Judges' Rules Committee.

Counsel are commonly asked to act in an advisory capacity in relation to proposals for uniform legislation and in relation to agreements between governments and government instrumentalities in Australia. They also sometimes act as members of negotiating teams, as well as draftsmen, in relation to agreements which require Parliamentary approval before they become fully effective.

Victorian Acts passed during 1977

VICTORIA—ACTS PASSED BY PARLIAMENT, 1977

8969	Small Claims Tribunals (Amendment) Act amends the <i>Small Claims Tribunals Act 1973</i>	which leases of such lands may be granted, and for other purposes
8970	Local Government (Rate Relief) Act amends section 298 (1) of the <i>Local Government Act 1958</i> to provide relief in the payment of rates in cases of hardship, and for purposes connected therewith	8973 Revocation and Excision of Crown Reservations Act revokes the permanent reservations of certain lands, and for other purposes
8971	State Electricity Commission (Financial Accommodation) Act makes further provision with respect to the powers of the State Electricity Commission with respect to obtaining financial accommodation	8974 Agricultural Authorities (Members Insurance) Act makes provision concerning the payment of premiums on certain policies of insurance in respect of members of certain statutory authorities
8972	Geelong (Kardinia Park) Land Act substitutes the Corporation of the City of Geelong for the Council of the said City as the Committee of Management of certain lands, to extend the term for	8975 Racing (Tabella Totalizators) Act makes provision with respect to the conduct of tabella totalizators, to amend the <i>Racing Act 1958</i> , and for other purposes
		8976 Fuel Emergency Act makes provision with respect to the production, supply, distribution, sale, use, and consumption of fuel during a state of emergency,

VICTORIA—ACTS PASSED BY PARLIAMENT, 1977—continued

- amends the *Essential Services Act* 1958, and for other purposes
- 8977 Australia and New Zealand Banking Group authorises each of Australia and New Zealand Banking Group Limited, ANZ Holdings Limited, ES and A Holdings Limited, ANZ Investments Limited, and ANZ Nominees Limited to become a company deemed to be incorporated in Victoria and preserves the identity of the companies so incorporated with Australia and New Zealand Banking Group Limited, ANZ Holdings Limited, ES and A Holdings Limited, ANZ Investments Limited and ANZ Nominees Limited, respectively, each an existing company within the meaning of the *Companies Acts* 1948 to 1976 of the United Kingdom, and for other purposes incidental thereto
- 8978 Co-operative Housing Societies (Leasehold Securities) Act amends the *Co-operative Housing Societies Act* 1958
- 8979 Geelong Waterworks and Sewerage (Amendment) Act amends the *Geelong Waterworks and Sewerage Act* 1958, and for other purposes
- 8980 Yooralla Society of Victoria Act facilitates and effects the amalgamation of the Yooralla Hospital School for Crippled Children and of the Victorian Society for Crippled Children and Adults, and establishes the Yooralla Society of Victoria, a company limited by guarantee, as their successor in law, amends the *Hospitals and Charities Act* 1958, and for other purposes
- 8981 Melbourne Underground Rail Loop (Amendment) Act authorises the Melbourne Underground Rail Loop Authority to acquire certain land in the City of Melbourne, to make provision with respect to the development of such land, amends the *Melbourne Underground Rail Loop Act* 1970, and for other purposes
- 8982 Tattersall Consultations (Gold Lottery Consultations) Act amends the *Tattersall Consultations Act* 1958, provides for the holding of Gold Lottery Consultations, prescribes the manner in which the proceeds of such consultations shall be dealt with, and for other purposes
- 8983 Public Service (Government Offices) Act makes provision with respect of the right of persons appointed to certain Government Offices in Victoria to be appointed to the Public Service, and for other purposes
- 8984 Anglican Church of Australia Constitution (Amendment) Act gives legal force and effect within the State of Victoria to the name the Anglican Church of Australia, amends the *Church of England in Australia Constitution Act* 1960, and for other purposes
- 8985 Portland Harbor Trust (Financial) Act amends part III of the *Portland Harbor Trust Act* 1958
- 8986 Epworth Hospital (Guarantee) Act authorises the Treasurer of Victoria to guarantee repayment of certain moneys proposed to be borrowed by the Methodist Church (Victoria) Property Trust, and for other purposes
- 8987 Mildura College Lands (Mildura Schools Fund) Act amends the *Mildura College Lands Act* 1916 with respect to the Payments from the Mildura Schools Fund of the moneys set aside for the benefit of the Mildura High School, the Mildura Technical School, and the Irymple Technical School
- 8988 Lotteries Gaming and Betting (Raffles and Bingo) Act establishes a Raffles and Bingo Permits Board, provides for the granting of permits in respect of raffles and the game known as bingo, amends the *Lotteries Gaming and Betting Act* 1966, and for other purposes
- 8989 Racing (Amendment) Act amends the *Racing Act* 1958, and for other purposes
- 8990 Land Surveyors (Surveyors Board) Act makes further provision with respect to the constitution of the Surveyors Board, amends the *Land Surveyors Act* 1958, and for other purposes
- 8991 Railways (Participation in Pipelines) Act amends subdivision 4A of division 2 of part III of the *Railways Act* 1958
- 8992 Melbourne and Metropolitan Tramways (Borrowing Powers) Act amends section 28 of the *Melbourne and Metropolitan Tramways Act* 1958
- 8993 Melbourne Wholesale Fruit and Vegetable Market Trust Act establishes the Melbourne Wholesale Fruit and Vegetable Market Trust, gives effect to the transfer of the Melbourne Wholesale Fruit and Vegetable Market to that Trust, repeals the *Melbourne Wholesale Fruit and Vegetable Market Act* 1968, amends the *Road Traffic Act* 1958, the *Farm Produce Merchants and Commission Agents Act* 1965, the *Land Tax Act* 1958, and the *Local Authorities Superannuation Act* 1958, and for other purposes
- 8994 Geelong Grammar Schools Amalgamations Act makes provision with respect to the amalgamation of Clyde School and Geelong Church of England Girls' Grammar School with Geelong Church of England Grammar School
- 8995 Melton Land Act provides for the closing of part of Church Street in the township of Melton, and for other purposes
- 8996 Land (Surrender of Lands) Act amends schedule Two B to the *Land Act* 1958 to provide for the surrender of certain lands to the Crown
- 8997 Shepparton Abattoirs (Amendment) Act makes further provision with respect to the Shepparton abattoirs, amends section 6 of the *Shepparton Abattoirs Act* 1967, and for other purposes
- 8998 Magistrates' Courts (Commitment) Act amends the *Magistrates' Courts Act* 1971 and the *Crimes Act* 1958 with respect to detention in Youth Training Centres, and for other purposes
- 8999 Melbourne and Geelong Corporations (Regent Theatre Buildings) Act enables

VICTORIA—ACTS PASSED BY PARLIAMENT, 1977—*continued*

- the Council of the City of Melbourne to utilise moneys from the Town Fund and to borrow moneys for the restoration of the Regent Theatre and other adjoining buildings, and for other purposes
- 9000 Dental Technicians (Amendment) Act amends the *Dental Technicians Act 1972*
- 9001 Motor Car (Breath Testing Stations) (Amendment) Act amends the *Motor Car (Breath Testing Stations) Act 1976*, and for other purposes
- 9002 Marriage (Amendment) Act amends the *Marriage Act 1958*
- 9003 Public Contracts (Amendment) Act amends section 4 of the *Public Contracts Act 1958*
- 9004 Victorian Dairy Industry Authority Act establishes the Victorian Dairy Industry Authority, amends the *Milk Board Act 1958*, and for other purposes
- 9005 Public Service (Director-General of Agriculture) Act amends the *Abattoir and Meat Inspection Act 1973*, the *Aerial Spraying Control Act 1966*, the *Agricultural Colleges Act 1958*, the *Barley Marketing Act 1958*, the *Bees Act 1971*, the *Cattle Breeding Act 1958*, the *Farm Produce Merchants and Commission Agents Act 1965*, the *Fertilizers Act 1974*, the *Fruit and Vegetables Act 1958*, the *Groundwater Act 1969*, the *Land Conservation Act 1970*, the *Margarine Act 1975*, the *Pesticides Act 1958*, the *Public Service Act 1974*, the *Seeds Act 1971*, the *State Co-ordination Council Act 1975*, the *Stock Foods Act 1958*, the *Stock Medicines Act 1958*, and the *Tomato Processing Industry Act 1976*, changes the title of the Director of Agriculture, and for other purposes
- 9006 Local Authorities Superannuation (Contributions) Act amends the *Local Authorities Superannuation Act 1958*
- 9007 County Court (Amendment) Act amends the *County Court Act 1958*
- 9008 Bail Act makes better provision relating to bail and amends the *Children's Court Act 1973*, the *Coroners Act 1958*, the *Crimes Act 1958*, the *Crown Proceedings Act 1958*, the *Summary Offences Act 1966*, the *Magistrates (Summary Proceedings) Act 1975*, and the *Rape Offences (Proceedings) Act 1976*
- 9009 Supply (1977-78, No.1) Act makes interim provision for the appropriation of moneys out of the Consolidated Fund for the service of the financial year 1977-78
- 9010 Grain Elevators (Amendment) Act amends the *Grain Elevators Act 1958* and the *Portland Harbor Trust Act 1958*
- 9011 State Electricity Commission (Newport Power Station) Act varies the provision made with respect to the scheme for the extension of the State Electricity generating system by the establishment of a power station at Newport, makes the *Vital State Projects Act 1976* applicable to such scheme, and for other purposes
- 9012 Police Offences (Child Pornography) Act amends part V of the *Police Offences Act 1958*, and for other purposes
- 9013 Milk Board (Milk Vendors) Act makes provision with respect to the licensing of milk vendors, amends the *Milk Board Act 1958* and the *Milk and Dairy Supervision Act 1958*, and for other purposes
- 9014 Dandenong Valley Authority (Cardinia Creek) Act amends the *Dandenong Valley Authority Act 1963* to include certain lands within the catchment of the Cardinia Creek in the district of the Dandenong Valley Authority, and for other purposes
- 9015 Motor Car (Amendment) Act amends the *Motor Car Act 1958*, the *Stamps Act 1958*, the *Country Roads Act 1958*, the *Motor Car (Compulsory Third Party Insurance) Act 1967*, the *Motor Car (Learner Drivers' Permits) Act 1972*, the *Road Traffic Act 1958*, and for other purposes
- 9016 State Library and National Museum Buildings Committee Act provides for the appointment of a State Library and National Museum Buildings Committee, for the establishment of a State Library and National Museum Trust Fund, makes provision for the site for those buildings, amends the *Ministry for the Arts Act 1972*, and for other purposes
- 9017 Superannuation Benefits Act makes provision with respect to the entitlement of members of certain statutory superannuation schemes to deferred retirement benefits, and for other purposes
- 9018 Social Welfare (Administration) Act amends the *Social Welfare Act 1970*
- 9019 Statute Law Revision Act revises the Statute Law
- 9020 Emerald Tourist Railway Act makes provision for the establishment of a board to be known as the Emerald Tourist Railway Board for the preservation and operation as a tourist attraction of the historical narrow-gauge steam railway in the Dandenong Ranges, and for purposes connected therewith
- 9021 The Uniting Church in Australia Act provides for the inauguration of The Uniting Church in Australia, to constitute The Uniting Church in Australia Property Trust (Victoria) and to define its powers, authorities, duties and functions, to provide for the vesting of certain property in The Uniting Church in Australia Property Trust (Victoria), and for other purposes
- 9022 Local Government (Amendment) Act amends the *Local Government Act 1958*, the *Local Government (Amendment) Act 1975*, the *Melbourne and Geelong Corporations Act 1938*, and for other purposes
- 9023 Health Commission Act establishes the Health Commission of Victoria, amends the *Health Act 1958*, the *Hospitals and Charities Act 1958*, the *Mental Health Act 1959*, the *Cancer Act 1958*, and other Acts, and for other purposes
- 9024 Geelong Regional Commission Act makes provision with respect to the planning and

VICTORIA—ACTS PASSED BY PARLIAMENT, 1977—*continued*

- development of the Geelong area, the constitution of the Geelong Regional Commission, and for other purposes
- 9025 Equal Opportunity Act renders unlawful certain kinds of discrimination on the ground of sex or marital status, to promote equality of opportunity between men and women, makes consequential amendments to certain Acts, and for other purposes
- 9026 Land (Lands Surrender) Act amends schedule Two B to the *Land Act 1958* and provides for the surrender of certain lands to the Crown
- 9027 Zoological Parks and Gardens (Borrowing Powers) Act amends section 14 of the *Zoological Parks and Gardens Act 1967*
- 9028 Essential Services (Right to Work) Act makes further provision with respect to the protection of the community in relation to the opportunity to carry on their normal employment and occupations
- 9029 La Trobe University (Amendment) Act amends the *La Trobe University Act 1964*, and for other purposes
- 9030 Melbourne and Metropolitan Board of Works (Borrowing Powers) Act increases the maximum amount which the Melbourne and Metropolitan Board of Works may borrow, and for other purposes
- 9031 Victorian Institute of Marine Sciences (Council) Act amends the *Victorian Institute of Marine Sciences Act 1974* with respect to the constitution of the Council of the Victorian Institute of Marine Sciences, and for other purposes
- 9032 Committees (Attendance Fees) Act amends the *Parliamentary Committees Act 1968*, amends the *Public Works Committee Act 1958*, alters the method of determining attendance fees, and for other purposes
- 9033 Public Account (Amendment) Act amends section 16 of the *Public Account Act 1958*, and for other purposes
- 9034 Epworth Hospital (Guarantee) (Amendment) Act amends the *Epworth Hospital (Guarantee) Act 1977*, and for other purposes
- 9035 Oakleigh Lands (Bowling Club Lands) Act makes provision for the leasing of certain lands in the City of Oakleigh that are permanently reserved as a site for public recreation
- 9036 Consumer Affairs (Amendment) Act amends the *Consumer Affairs Act 1972* and the *Small Claims Tribunals Act 1973*
- 9037 Melbourne and Metropolitan Board of Works (Powers) Act makes provision with respect to certain powers of the Melbourne and Metropolitan Board of Works, and for other purposes
- 9038 Racing (Fees) Act amends sections 22, 27, 58, and 59 of the *Racing Act 1958*
- 9039 Crown Reservations (Revocation and Excision) Act revokes the permanent reservations of certain lands, and for other purposes
- 9040 State Forests Works and Services Act authorises expenditure on works and services and other purposes relating to State forests
- 9041 Administration and Probate (Amendment) Act amends the *Administration and Probate Act 1958*, and for other purposes
- 9042 Commissioners and Justices Act amends the *Evidence Act 1958* and the *Magistrates' Courts Act 1971* with respect to the fees payable by Commissioners for taking Declarations and Affidavits and Justices of the Peace and their registration
- 9043 Property Law (Deeds) Act makes certain provision in relation to the registration and sealing of deeds, conveyances and other instruments, alters provision for prescribing fees under the *Property Law Act 1958*, amends the *Property Law Act 1958*, and for other purposes
- 9044 Wills (Interested Witnesses) Act re-enacts sections 13 and 16 of the *Wills Act 1958*, makes provision in the *Administration and Probate Act 1958* with respect to the power of the Supreme Court to declare wills to have been duly executed, and for other purposes
- 9045 Taxation Appeals (Fees) Act amends sections 15 and 28 of the *Taxation Appeals Act 1972*
- 9046 Labour and Industry Act amends the *Labour and Industry Act 1958*
- 9047 Social Welfare (Homeless Persons) Act amends the *Social Welfare Act 1970* with respect to certain homeless persons and amends the *Vagrancy Act 1966*
- 9048 Crimes (Armed Robbery) Act amends the *Crimes Act 1958*, makes provision for an offence of armed robbery, and for other purposes
- 9049 Cattle Compensation (Amendment) Act amends sections 3 and 4 of the *Cattle Compensation Act 1967*
- 9050 Racing (Mixed Sports Gatherings) Act makes further provision with respect to betting at mixed sports gatherings, amends the *Racing Act 1958* and the *Lotteries, Gaming and Betting Act 1966*, and for other purposes
- 9051 Labour and Industry (Industrial Appeals Court) Act amends the *Labour and Industry Act 1958* in respect of the membership of the Industrial Appeals Court and for other purposes
- 9052 Cemeteries (Amendment) Act amends the *Cemeteries Act 1958*, and for other purposes
- 9053 Water Supply Works and Services Act authorises expenditure on works and services and other purposes relating to irrigation, water supply, drainage, sewerage, flood protection, and river improvement, and other purposes
- 9054 Appropriation (1977-78, No. 1) Act appropriates certain sums out of the Consolidated Fund for the service of the financial year 1977-78 and appropriates the supplies granted in this session of Parliament, and for other purposes
- 9055 Pay-roll Tax Act alters the general exemption from liability to pay-roll tax, amends the *Pay-roll Tax Act 1971*, and for other purposes

VICTORIA—ACTS PASSED BY PARLIAMENT, 1977—*continued*

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| <p>9056 Gift Duty (Amendment) Act amends the <i>Gift Duty Act 1971</i>, and for other purposes</p> <p>9057 Youth, Sport and Recreation (State Recreation Council) Act amends the <i>Youth, Sport and Recreation Act 1972</i>, repeals the <i>National Fitness Council of Victoria Act 1960</i>, and for other purposes</p> <p>9058 Macleod Land Act authorises the Corporation of the City of Heidelberg to grant leases of certain Crown land in the Parish of Keelbundora, and for other purposes</p> <p>9059 Statute Law Revision Act revises the Statute Law</p> <p>9060 Superannuation (Amendment) Act amends the <i>Superannuation Act 1958</i> and the <i>Superannuation Act 1975</i></p> <p>9061 Building Industry Long Service Leave (Amendment) Act amends the <i>Building Industry Long Service Leave Act 1975</i></p> <p>9062 Educational Grants (Continuation) Act amends the <i>Educational Grants Act 1973</i> and the <i>Educational Institutions (Guarantees) Act 1976</i></p> <p>9063 Judges Salaries Act amends the <i>Constitution Act 1975</i> and the <i>County Court Act 1958</i> with respect to salaries of judges</p> <p>9064 Transport Works and Services Act authorises expenditure on works and services and other purposes relating to railways and road transport</p> <p>9065 Stamps (Amendment) Act amends the <i>Stamps Act 1958</i>, and for other purposes</p> <p>9066 Police Regulation (Amendment) Act amends the <i>Police Regulation Act 1958</i>, and for other purposes</p> <p>9067 Marine (Pilots Superannuation) Act amends part V of the <i>Marine Act 1958</i></p> <p>9068 Public Works and Services Act authorises expenditure on public works and services, and for other purposes</p> <p>9069 Hospital Superannuation (Amendment) Act amends part IIIA of the <i>Hospitals Superannuation Act 1965</i></p> <p>9070 Probate Duty Act amends the <i>Probate Duty Act 1962</i>, and for other purposes</p> <p>9071 Land Tax Act amends the <i>Land Tax Act 1958</i>, and for other purposes</p> <p>9072 Rural Finance and Settlement Commission (Amendment) Act amends the <i>Rural</i></p> | <p><i>Finance and Settlement Commission Act 1961</i>, the <i>Land Settlement Act 1959</i>, and the <i>Rural Finance Act 1958</i></p> <p>9073 Crimes (Married Persons' Liability) Act amends the law relating to the liability of married persons for various offences, amends the <i>Crimes Act 1958</i> and the <i>Social Welfare Act 1970</i>, and for other purposes</p> <p>9074 Wycheproof Land Act authorises the Committee of Management of certain land in the Parish of Bunguluke to grant leases of that land, and for other purposes</p> <p>9075 Age of Majority Act lowers the age of majority, to confer upon persons who have attained the age of eighteen years the juristic competence and capacity of full age, makes certain consequential amendments to various Acts, and for other purposes</p> <p>9076 Health (Amendment) Act amends the <i>Health Act 1958</i>, and for other purposes</p> <p>9077 Constitution Act amends the <i>Constitution Act 1975</i> with respect to the qualification of members of and the qualification of electors for the Council and the Assembly, amends the <i>Constitution Act Amendment Act 1958</i>, and for other purposes</p> <p>9078 Change of Ownership Notices Act amends the <i>Land Tax Act 1958</i>, the <i>Local Government Act 1958</i>, the <i>Melbourne and Metropolitan Board of Works Act 1958</i>, and the <i>Water Act 1958</i> in relation to the giving of notice of changes of ownership of land, and for other purposes</p> <p>9079 Local Government (Promotion of Decentralization) Act amends the <i>Local Government Act 1958</i></p> <p>9080 Litter Act amends the <i>Litter Act 1964</i> and for other purposes</p> <p>9081 Transport Regulation (Amendment) Act amends the <i>Transport Regulation Act 1958</i>, and for other purposes</p> <p>9082 Egg Industry Stabilization (Amendment) Act amends the <i>Egg Industry Stabilization Act 1973</i>, and for other purposes</p> <p>9083 Victorian Government Travel Authority Act establishes a Victorian Government Travel Authority, amends the <i>State Development Act 1970</i>, and for other purposes</p> |
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Parliamentary Papers presented during Session 1976-1978

The following Papers were presented to the Legislative Assembly during Session 1976-1978 and ordered by the House to be printed. Copies may be purchased on application to the Sales Section, Government Printing Office, Macarthur Street, Melbourne, 3002.

VICTORIA—PARLIAMENTARY PAPERS PRESENTED TO
LEGISLATIVE ASSEMBLY, SESSION 1976-1978

Finance:

- A.1. Finance 1975-76 — Treasurer's Statement of the Receipts and Payments of the Consolidated Fund and the Trust Fund for the year ended 30th June, 1976, with Reports &c. of the Auditor-General.
- A.2. Supplementary Report of the Auditor-General for the year ended 30th June, 1976.
- A.3. Finance 1976-77 — Treasurer's Statement of the Receipts and Payments of the Consolidated Fund and the Trust Fund for the year ended 30th June, 1977, with Reports &c. of the Auditor-General.
- A.4. Supplementary Report of the Auditor-General for the year ended 30th June, 1977.

Messages from His Excellency the Governor:

- B.1. Estimates of the Receipts and Payments of the Consolidated Fund for the year ending 30th June, 1977.
- B.2. Estimates of the Receipts and Payments of the Consolidated Fund for the year ending 30th June, 1978.

Returns to Orders of the House:

- C.1. Report of the State Electricity Commission on proposed extension to State Generating System — Loy Yang Project.
- C.2. Summary of Interim Report and the Final Report of an Investigation under Part VIA of the *Companies Act* 1961 into the affairs of Barewa Oil and Mining N.L.
- C.3. Report of the Committee of Enquiry into Child Care Services in Victoria.
- C.4. Report of the Ministry of Fuel and Power on Energy (March, 1977).

Reports from Select Committees:

- D.1. Public Accounts Committee — Treasury Minutes on Reports upon the Auditor-General's Reports for 1973-74 and State Electricity Commission Financial Assistance to Ballarat and Bendigo Bus Operations together with extracts from those reports.
- D.2. Public Accounts Committee — Report upon Expenditure from the Advance to the Treasurer 1974-75 and Unpaid Accounts 1974-75 together with an Appendix.
- D.3. Subordinate Legislation Committee — Report upon the Liquor Control (Orderly Marketing) Regulations 1975 (Statutory Rule No. 425/75).
- D.4. Road Safety Committee — Sixteenth Progress Report — Identification of Motor Vehicle Drivers with Blood Alcohol Levels in Excess of .05 per cent together with Extracts from the Proceedings of the Committee and Appendices.
- D.5. Public Servants Ethical Conduct Committee — Report on Conflicts of Interest together with an Extract from the Proceedings of the Committee and Appendices.
- D.6. Public Accounts Committee — Treasury Minute on Report upon the Presentation of Trust Fund Information together with Summary of that Report.
- D.7. Standing Orders Committee — Report upon Debate (Time Limits, Right of Reply and Incorporation of Material in "Hansard").
- D.8. Public Accounts Committee — Report upon the Auditor-General's Reports for 1974-75.
- D.9. Statute Law Revision Committee — Report upon the proposals contained in the Vagrancy (Amendment) Bill 1974 together with Extracts from the Proceedings of the Committee and an Appendix.
- D.10. Public Accounts Committee — Report upon the Teacher Housing Authority.
- D.11. Road Safety Committee — Seventeenth Progress Report — Involvement of Motorcyclists in Road Accidents together with Appendices.
- D.12. Public Accounts Committee — Treasury Minute on Report upon the Auditor-General's Reports for 1974-75.
- D.13. Statute Law Revision Committee — Report upon certain proposals by His Honor Judge Rapke relating to Section 26 of the *Motor Car Act* 1958 and to the Forfeiture of Motor Vehicles.
- D.14. Statute Law Revision Committee — Report upon the proposals contained in the Statute Law Revision Bill 1976 together with an Appendix.
- D.15. Public Accounts Committee — Report upon Aspects of Financial Assistance to Bus Operators.
- D.16. Statute Law Revision Committee — Report upon the Age of Majority.
- D.17. Statute Law Revision Committee — Report upon the proposals contained in the Constitution Bill 1976 together with Extracts from the Proceedings of the Committee and an Appendix.
- D.18. Meat Industry Committee — Interim Report upon Future Operations of Livestock Selling Centres.
- D.19. Public Accounts Committee — Interim Report upon Expenditure on Parliamentary Printing.
- D.20. Statute Law Revision Committee — Report upon the Methods of Destruction of Unwanted Animals and the proposals contained in the Protection of Animals (Amendment) Bill 1976 together with Extracts from the Proceedings of the Committee and Appendices.
- D.21. Conservation of Energy Resources Committee — Report upon the use of Insulation in Buildings and Conservation of Energy Generally together with an Appendix.
- D.22. Public Accounts Committee — Report upon Expenditure from the Advance to the Treasurer 1974-75 and Unpaid Accounts 1974-75 together with Summary of that Report.
- *D.23. Standing Orders Committee — Report of Legislative Council Standing Orders Committee on Standing Order No. 311.
- D.24. Road Safety Committee — Eighteenth Progress Report — Education Training and Assessment of Motorcycle Learner Riders together with Appendices.
- D.25. Public Accounts Committee — Report upon Expenditure from the Advance to the Treasurer 1975-76.

*Not printed by Legislative Assembly.

VICTORIA—PARLIAMENTARY PAPERS PRESENTED TO LEGISLATIVE ASSEMBLY,
SESSION 1976-78—*continued*

- D.26. Subordinate Legislation Committee — Report on Port Phillip Sick and Superannuation Fund Regulations 1977 (S.R. 105/1977).
- D.27. Public Accounts Committee — Report upon the Auditor-General's Reports for 1975-76.
- D.28. Statute Law Revision Committee — Report upon the proposals contained in the Statute Law Revision Bill 1977 (No. 2) together with an Appendix.
- D.29. Meat Industry Committee — Final Report upon the Future Operations of Livestock Selling Centres together with Appendices.
- D.30. Privileges Committee — Report relating to Allegations concerning the Member for Caulfield as published in the newspaper the "Australian Financial Review" and in the letter tabled from Mr B. Beach, Q.C., together with Extracts from the Proceedings of the Committee and Appendices.

Papers presented to Parliament:

- No.28. Beer Packaged — Report of the Board of Inquiry into Sale of.
- No.91. Bush and Grass Fires — Report of the Board of Inquiry into occurrence.
- No.55. Centenary Hall, Sale of Property at 110 Exhibition Street, Melbourne — Report of the Board of Inquiry.
- No.38. Consumer Affairs — Report of the Director of Consumer Affairs for the year 1975-76.
- No.39. Consumer Affairs Council — Report for the year 1975-76.
- No.107. Consumer Affairs Council — Report for the year 1976-77.
- No.14. Co-operative Housing Societies — Report of the Registrar for 1973-74.
- No.70. Co-operative Housing Societies — Report of the Registrar for 1974-75.
- No.13. Co-operative Societies — Report of the Registrar for 1973-74.
- No.69. Co-operative Societies — Report of the Registrar for 1974-75.
- No.54. Country Roads Board — Report for the year 1975-76.
- No.95. Country Roads Board — Report for the year 1976-77.
- No.12. Dairy Industry in Victoria — Supplementary Report to the First and Second Reports of the Board of Inquiry.
- No.21. Dairy Industry in Victoria — Third Report of the Board of Inquiry.
- No.74. Dairy Industry in Victoria — Fourth Report of the Board of Inquiry.
- No.75. Dairy Industry in Victoria — Fifth Report of the Board of Inquiry.
- No.23. Education — Report of the Council of Public Education for the year 1974-75.
- No.3. Education — Report of the Minister of Education for the year 1974-75.
- No.78. Education — Report of the Minister of Education and the Minister of Special Education for the year 1975-76.
- No.41. Egg and Egg Pulp Marketing Board — Report for the pool year ended 3rd July, 1976.
- No.101. Egg Marketing Board — Report for the pool year ended 2nd July, 1977.
- No.4. Environment Protection Authority — Report for the year 1974-75.
- No.46. Environment Protection Authority — Report for the year 1975-76.
- No.97. Environment Protection Authority — Report for the year 1976-77.
- No.36. Forests Commission — Report for the year 1975-76.
- No.102. Forests Commission — Report for the year 1976-77.
- No.7. Friendly Societies and Benefit Associations — Report of the Government Statist for the year 1972-73.
- No.27. Friendly Societies and Benefit Associations — Report of the Government Statist for the year 1973-74.
- No.82. Friendly Societies and Benefit Associations — Report of the Government Statist for the year 1974-75.
- No.37. Gas and Fuel Corporation — Report for the year 1975-76.
- No.67. Health — Commission of Public Health — Report for the year 1975-76.
- No.105. Health — Commission of Public Health — Report for the year 1976-77.
- No.53. Hospitals and Charities Commission — Report for the year 1975-76.
- No.17. Hospitals Superannuation Board — Report for the year 1974-75.
- No.71. Hospitals Superannuation Board — Report for the year 1975-76.
- No.11. Housing Commission — Report for the year 1974-75.
- No.76. Housing Commission — Report for the year 1975-76.
- No.108. Housing Commission — Report for the year 1976-77.
- No.29. Industrial Training Commission — Report for the year 1975-76.
- No.89. Industrial Training Commission — Report for the year 1976-77.
- No.6. Labour and Industry Department — Report for the year 1975.
- No.81. Labour and Industry Department — Report for the year 1976.
- No.20. Land Conservation Council — Report for the year 1975-76.
- No.85. Land Conservation Council — Report for the year 1976-77.
- No.25. Law Reform Commissioner — Report for the year 1975-76.
- No.88. Law Reform Commissioner — Report for the year 1976-77.
- No.47. Liquor Control Commission — Report for the year 1975-76.
- No.45. Melbourne Underground Rail Loop Authority — Report for the year 1975-76.
- No.116. Melbourne Underground Rail Loop Authority — Report for the year 1976-77.
- No.15. Mental Health Authority — Report for the year 1974.

VICTORIA—PARLIAMENTARY PAPERS PRESENTED TO LEGISLATIVE ASSEMBLY,
SESSION 1976-78—*continued*

- No.68. Mental Health Authority — Report for the year 1975.
 No.103. Mental Health Authority — Report for the year 1976.
 No.61. Motor Accidents Board — Report for the year 1974-75.
 No.56. National Parks Service — Report for the year 1972-73.
 No.57. National Parks Service — Report for the year 1973-74.
 No.58. National Parks Service — Report for the year 1974-75.
 No.84. National Parks Service — Report for the year 1975-76.
 No.109. National Parks Service — Report for the year 1976-77.
 No.2. Ombudsman—Quarterly Report for the period 1st July, 1975 to 30th September, 1975.
 No.5. Ombudsman—Quarterly Report for the period 1st October, 1975 to 31st December, 1975.
 No.16. Ombudsman—Quarterly Report for the period 1st January, 1976 to 31st March, 1976.
 No.30. Ombudsman — Report for the year 1975-76 together with Quarterly Report for the period 1st April, 1976 to 30th June, 1976.
 No.34. Ombudsman—Quarterly Report for the period 1st July, 1976 to 30th September, 1976.
 No.65. Ombudsman—Quarterly Report for the period 1st October, 1976 to 31st December, 1976.
 No.80. Ombudsman—Quarterly Report for the period 1st January, 1977 to 31st March, 1977.
 No.86. Ombudsman — Report for the year 1976-77 together with Quarterly Report for the period 1st April, 1977 to 30th June, 1977.
 No.87. Parole Boards (Adult) — Reports for the year 1973-74.
 No.111. Parole Board (Adult) — Report for the year 1974-75.
 No.112. Parole Board (Adult) — Report for the year 1975-76.
 No.66. Parole Boards (Youth) — Reports for the year 1973-74.
 No.73. Parole Board (Youth) — Report for the year 1974-75.
 No.110. Parole Board (Youth) — Report for the year 1975-76.
 No.33. Police Department — Report for the year 1975.
 No.90. Police Department — Report for the year 1976.
 No.40. Police Force — Addenda to Report of Board of Inquiry into Allegations against Members of the Police Force.
 No.24. Publications State Advisory Board — Report for the year 1975-76.
 No.100. Publications State Advisory Board — Report for the year 1976-77.
 No.1. Public Service Board — Report for the year 1974-75.
 No.49. Public Service Board — Report for the year 1975-76.
 No.22. Public Service Final Report of the Board of Inquiry.
 No.99. Public Service Board — Report for the year 1976-77.
 No.9. Railways — Report of the Victorian Railways Board for the year 1974-75.
 No.52. Railways — Report of the Victorian Railways Board for the year 1975-76.
 No.93. Railways — Report of the Victorian Railways Board for the year 1976-77.
 No.10. Rural Finance and Settlement Commission — Report for the year 1974-75.
 No.77. Rural Finance and Settlement Commission — Report for the year 1975-76.
 No.48. Social Welfare Department — Report for the year 1975-76.
 No.51. Soil Conservation Authority — Report for the year 1975-76.
 No.32. State Development Committee — Report on the More Efficient Use of Municipal Plant and Equipment.
 No.114. State Development Committee — Report on the Development and Promotion of Tourism in Victoria with particular reference to the Development Control and Operation of Historical Parks/Folk Museums.
 No.44. State Electricity Commission — Report for the year 1975-76 together with Appendices.
 No.8. State Rivers and Water Supply Commission — Report for the year 1974-75.
 No.59. State Rivers and Water Supply Commission — Report for the year 1975-76 (Volume One).
 No.63. State Rivers and Water Supply Commission — Report for the year 1975-76 (Volume Two).
 No.31. State Savings Bank — Reports, Statements, Returns etc., for the year 1975-76.
 No.94. State Savings Bank — Reports, Statements, Returns etc., for the year 1976-77.
 No.62. State Superannuation Board — Report for the period 1st July, 1974 to 30th June, 1976.
 No.26. Sunshine — Report of the Board of Inquiry into the Finances of the City of Sunshine.
 No.72. Superannuation Fund — Eleventh Investigation (as at 30th June, 1974) made by Mr V. H. Arnold, F.I.A. (Actuary to the Superannuation Board).
 No.18. Teacher Housing Authority — Report for the year 1974-75.
 No.79. Teacher Housing Authority — Report for the year 1975-76.
 No.42. Teachers Tribunal — Report for the year 1973-74.
 No.43. Teachers Tribunal — Report for the year 1974-75.
 No.83. Town and Country Planning Board — Report for the year 1975-76.
 No.104. Town and Country Planning Board — Report for the year 1976-77.
 No.50. Transport Regulation Board — Report for the year 1975-76.
 No.106. Transport Regulation Board — Report for the year 1976-77.
 No.98. Victoria Grants Commission — Report for the year 1977.
 No.35. Victoria Institute of Colleges — Report for the year 1975.
 No.115. Victoria Institute of Colleges — Report for the year 1976.
 No.19. Victorian Development Corporation — Report for the year 1974-75.
 No.60. Victorian Development Corporation — Report for the year 1975-76.

ROBERT GORDON MENZIES 1894-1978

An overcast day, 19 May 1978 witnessed the State Funeral of the late Sir Robert Menzies, K.T., A.K., C.H., Q.C., Prime Minister of Australia from 1939 to 1941 and from 1949 to his retirement in 1966, who died on 15 May 1978.

The funeral was held at Scots Church, Melbourne, and several dignitaries, among them H.R.H. The Prince of Wales who flew from Britain to represent H.M. The Queen, attended the ceremony.

The late Sir Robert, best known for his services as a Federal and international statesman, began his political career in the Victorian Parliament from 1928 to 1934.

Before his election as Member for Kooyong to the Commonwealth Parliament in 1934, he represented East Yarra Province in the Legislative Council in 1928 and the electorate of Nunawading in the Legislative Assembly from 1929. He served as Minister without Portfolio in 1928-29, and as Deputy Premier of Victoria, Attorney-General, Solicitor-General, and Minister for Railways from 1932 to 1934.

The late Sir Robert, in recognition of his services to the British Commonwealth, was appointed Lord Warden of the Cinque Ports in 1965. He was also elected Chancellor of the University of Melbourne (see picture at right) in 1967 and held that office until 1972, a tenure symbolic of his services to education in Australia during his years as Prime Minister.

*Photographs by courtesy of University of Melbourne and
Australian Information Service*





Werribee Park, a magnificent Italianate mansion on the Werribee River, built by Thomas Chirnside in 1875. The 264 hectare property was acquired by the State of Victoria in 1973 and is now open to the public.

Department of the Premier

An interior view of Werribee Park, showing a part of the decorated main hall and staircase.

Department of the Premier





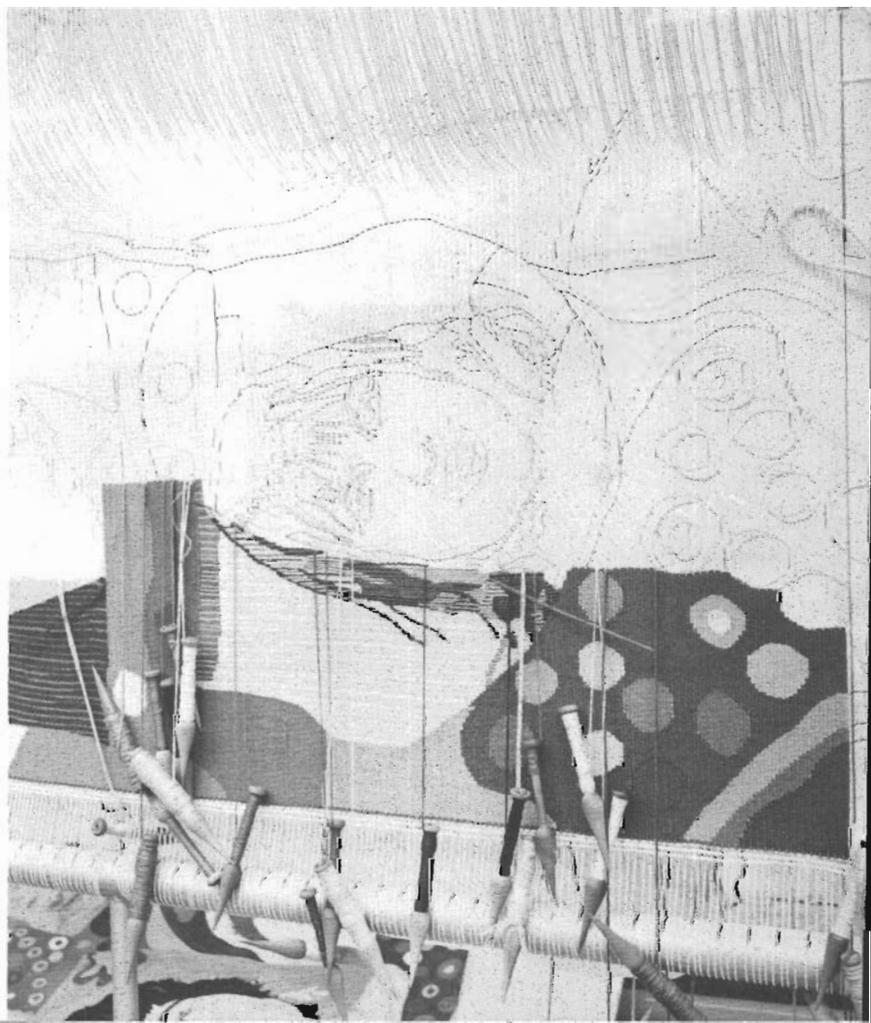
H.R.H. Princess Alexandra and the Hon. Angus Ogilvie attending a State Reception given by the Governor of Victoria, H.E. the Hon. Sir Henry Winneke and Lady Winneke on 22 September 1978.

Herald and Weekly Times Ltd



Tapestry weavers displaying their skills at the Victorian Tapestry Workshop in Melbourne.

Victorian Tapestry Workshop



A partly woven tapestry, designed by an Australian artist Richard Larter.

Victorian Tapestry Workshop

- No.96. Victorian Development Corporation — Report for the year 1976-77.
No.92. Workers Compensation — Report of the Board of Inquiry.
No.64. Youth, Sport and Recreation Department — Report for the year 1975-76.

Further reference: *Victorian Year Book* 1971, pp. 79-81

VICTORIAN ELECTORAL SYSTEM

General

Electoral basis of the two Houses of Parliament

When first constituted the Legislative Council or Upper House was composed of thirty members, aged 30 years and over and possessed of freehold of the annual value of \$1,000. Property qualifications were abolished by the *Legislative Council Reform Act* 1950, and today the main qualification of members and electors of the Legislative Council is the attainment of the age of 18 years. A similar provision applies to the Legislative Assembly.

For Legislative Council purposes, Victoria is divided into twenty-two Electoral Provinces, each represented by two members elected for six years — one in each Province retiring every three years by rotation — except at a general election following the dissolution of the Council when one half of the members are to be elected for only three years.

For Legislative Assembly purposes, Victoria is divided at present into eighty-one Electoral Districts, each returning one member. Members are elected for three years, unless Parliament is dissolved before this period.

Electoral redivision, 1975

Arising out of the *Electoral Provinces and Districts Act* 1974, a redivision of Victoria for electoral purposes was carried out early in 1975 on the following basis:

Legislative Assembly

1. The so-called "Port Phillip District", consisting of 40 complete existing Electoral Districts and parts of 4 other existing Electoral Districts, was redivided into 49 Electoral Districts for the Legislative Assembly, each containing approximately 28,000 electors; and
2. The remainder of the State, consisting of 29 complete existing Electoral Districts and parts of 4 other existing Electoral Districts, was redivided into 32 Electoral Districts for the Legislative Assembly, each containing approximately 24,500 electors.

Legislative Council

1. The so-called "Southern District", consisting of 8 complete existing Electoral Provinces and parts of 2 other existing Electoral Provinces, was redivided into 13 Electoral Provinces for the Legislative Council, each containing approximately 112,000 electors; and
2. The remainder of the State, consisting of 8 complete existing Electoral Provinces and parts of 2 other existing Electoral Provinces, was redivided into 9 Electoral Provinces for the Legislative Council, each containing approximately 80,000 electors.

The new Electoral Provinces and Districts formulated by the Commissioners empowered to undertake the 1975 redivision were deemed to be accepted by Parliament, and the names and boundaries of the new Provinces and Districts were declared on 30 July 1975.

Enrolment of electors

Enrolment on the electoral roll is compulsory for every person of the age of 18 years or over who is a natural-born or naturalised subject of the Queen and who has resided in Australia for six months continuously, and in Victoria for at least three months and in one subdivision for at least one month. (Victorian legislation reducing the voting age to 18 years became effective from 18 March 1973.) The electoral rolls for the State are compiled by the Commonwealth electoral authorities under a joint Commonwealth-State Government arrangement, each Government paying half the cost of compilation. All Commonwealth and State parliamentary elections in Victoria are conducted on the basis of these joint rolls.

The compilation of the rolls is aided by the fact that the respective Legislative Council Provinces and Electoral Districts, as well as the Commonwealth Electoral Divisions, are subdivided into 355 common subdivisions, which form the basic units for enrolment on the joint Commonwealth-State of Victoria rolls.

Number of enrolments on the joint rolls

Since 1924, when the Joint Rolls Arrangement was made between the Commonwealth and Victoria, the electoral rolls prepared and maintained by the Australian Electoral Officer for Victoria have been used at all Commonwealth Parliament elections and elections for the Legislative Assembly of Victoria.

The *Legislative Council Reform Act 1950*, which came into effect on 1 November 1951, provided in substance for all electors for the Legislative Assembly to be automatically enrolled also for Legislative Council elections.

The Joint Rolls Arrangement was, therefore, appropriately amended and since 1952 the joint rolls have been used in Victoria for all Commonwealth and State parliamentary elections.

VICTORIA—ELECTORS ENROLLED ON JOINT ROLLS AT 30 JUNE

Year	Number of electors enrolled	Year	Number of electors enrolled
1969	1,789,153	1974	2,183,625
1970	1,852,023	1975	2,176,732
1971	1,857,354	1976	2,264,222
1972	1,890,666	1977	2,301,695
1973	2,124,151	1978	2,307,786

Types of elections in Victoria

There are five types of State parliamentary elections in Victoria:

(1) *Periodical election for the Legislative Council.* This means an election at which one half of the members of the Council (22) have to be elected. There is a periodical election every three years, the next being due in 1982. Members of the Legislative Council are elected for six years, one half of the members retiring alternately every three years. There are two members for each Province.

(2) *General election for the Legislative Assembly.* This means an election at which all members of the Legislative Assembly (81) have to be elected. Each Assembly lasts for three years from the first meeting thereof, but may be dissolved earlier by the Governor (for example, if the government of the day is defeated on some vital issue, etc.).

(3) *Conjoint election.* This means a periodical election for the Legislative Council and a general election for the Legislative Assembly which are both held on the same day. The Assembly general elections and the Council periodical (or triennial) elections have been held conjointly since 1961.

(4) *By-election.* A by-election is an "extraordinary" election held in an Electoral Province (Legislative Council) or an Electoral District (Legislative Assembly) because of the death, resignation, etc., of the current member. The candidate elected at a by-election holds office for the remainder of the term for which the member who was replaced was elected.

(5) *General election for the Legislative Council.* This means an election for the Legislative Council where ALL (i.e., 44) members have to be elected. Two members have thus to be returned for each Province, the candidate first elected holding office for six years, the second candidate elected holding office for three years. A general election for the Council can only take place in the event of a deadlock between the two Houses and after a complex code of procedure has first been observed.

Conduct of elections

The election process is initiated by the issue of a Writ — the formal document issued on behalf of the Queen commanding the Returning Officer to whom it is addressed to proceed to the holding of an election to fill the vacancy for a member for the electorate concerned.

Writs for every periodical election of the Council are issued by the President of the Legislative Council, except that, if in the opinion of the President it is desirable for the periodical election to be held conjointly with an Assembly general election, he may consent to the writs being issued by the Governor. Council by-election Writs are issued by the President; and all Writs for a general election for the Council must be issued by the Governor.

Writs for every general election of members of the Assembly are issued by the Governor. Writs for an Assembly by-election are issued by the Speaker of the Legislative Assembly.

The Writ specifies the date by which nominations for the vacancy are to be lodged, and requires the Returning Officer, if the election is contested, to conduct a poll on the date specified therein. The Writ must be returned to whoever issued it by a stipulated date with the name of the new member endorsed thereon.

Voting features of State elections

There is no plural voting at elections for either the Legislative Council or the Legislative Assembly. Provision for voting by post by electors who are ill or temporarily absent from their electorates, whether they are within Australia or not, is made at elections for both Houses, and there is also a system of "absent" voting whereby any elector who is not able to record a vote within his own subdivision is enabled to record a vote at any polling booth open in Victoria on the day of the poll. In addition, a method of so-called "unenrolled voting" has been instituted, under which an elector whose name has been omitted from the official electoral rolls in error is enabled to record a vote upon making a prescribed declaration.

Voting at elections for both Houses is compulsory and is conducted under an adaptation of Ware's system of preferential voting.

This system of preferential voting at Victorian parliamentary elections was provided for by statute in 1911 for Legislative Assembly elections, in 1921 for Legislative Council triennial elections, and in 1936 for Legislative Council general elections following directly upon a dissolution of the Council in consequence of disagreements or deadlock between the two Houses. Under this system a voter is required to number the candidates in order of preference on the ballot-paper, the figure "1" being written opposite the name of the candidate whom the elector wishes to be returned, and sequential figures (2, 3, 4, etc.) indicating his relative degree of preferences being written opposite the names of the other candidates. Where an elector has so indicated his order of preference for all candidates except one, he is deemed to have given his last contingent vote or preference to such candidate.

Where only two candidates are involved the candidate who receives an absolute majority (i.e., more than half the number of formal votes cast) is declared elected. Similarly, where there are more than two candidates, if one of them receives an absolute majority on the count of first preferences, then he is declared elected.

Where no absolute majority is attained by a candidate at the count of first preference votes, the candidate who has received the fewest first preference votes is declared defeated, and his ballot-papers examined and his second preferences allotted to the candidates to whom they relate. The process of excluding the candidate with the lowest number of votes and distributing his ballot-papers according to the preferences shown on them to the unexcluded or continuing candidates is followed until one candidate attains an absolute majority.

At a general election for the Legislative Council when two members are required to be elected for each Province, the election of the first member is carried out as above. In the case of the election of the second member, however, a slight variation of procedure is necessary. The first step is to take the ballot-papers of the first elected candidate and allot the second preferences on them to the candidates to whom they relate. The remaining candidates begin the counting process with their own first preferences plus the second preferences allotted in the distribution of the elected candidate's ballot-papers. If one of the remaining candidates has an absolute majority, he is declared elected to the second vacancy. If, however, no such candidate has an absolute majority, the candidate with the fewest votes is declared defeated and the ballot-papers counted to him are then distributed according to the preferences shown thereon among the various continuing or unexcluded candidates.

The process of excluding the lowest candidate and distributing his ballot-papers according to the preferences on them to unexcluded or continuing candidates is followed until one candidate attains an absolute majority.

At a general election for the Legislative Council, the candidate first elected is entitled to hold the seat for six years, and the candidate next elected holds his seat for three years.

Areas of Provinces and Districts

The following tables show the areas of the Provinces of the Legislative Council and the Districts of the Legislative Assembly created by the redivision of 1975:

VICTORIA—LEGISLATIVE COUNCIL: AREAS OF PROVINCES
(square kilometres)

State Electoral Province (a)	Area	State Electoral Province (a)	Area
Ballarat	12,354.00	Melbourne West	767.00
Bendigo	16,540.00	Monash	46.70
Boronia	446.00	North Eastern	25,513.00
Central Highlands	17,585.00	North Western	67,879.00
Chelsea	211.00	Nunawading	77.50
Doutta Galla	916.00	South Eastern	7,738.00
East Yarra	61.84	Templestowe	632.00
Geelong	462.00	Thomastown	1,127.00
Gippsland	38,115.00	Waverley	122.70
Higinbotham	61.74	Western	37,519.00
Melbourne	73.30		
Melbourne North	59.66	Total (b)	228,307.00

(a) See pages 86-7 for number of electors and sitting members.

(b) The officially recognised "land area" of the State is 227,600 square kilometres. The difference of 707 square kilometres between "land" and "electoral" area is due to the inclusion of coastal waters such as Western Port and Corner Inlet in the electoral descriptions.

VICTORIA—LEGISLATIVE ASSEMBLY: AREAS OF DISTRICTS
(square kilometres)

State Electoral District (a)	Area	State Electoral District (a)	Area
Albert Park	23.73	Kew	19.63
Ascot Vale	19.90	Knox	77.54
Ballarat North	1,780.00	Lowan	20,200.00
Ballarat South	2,970.00	Malvern	13.30
Balwyn	16.17	Melbourne	28.68
Benalla	12,610.00	Mentone	7.91
Benambra	14,690.00	Midlands	8,310.00
Bendigo	79.00	Mildura	29,590.00
Bennettswood	18.55	Mitcham	19.58
Bentleigh	12.84	Monbulk	204.00
Berwick	1,576.00	Morwell	1,190.00
Box Hill	13.39	Murray Valley	4,270.00
Brighton	14.26	Narracan	3,910.00
Broadmeadows	64.67	Niddrie	32.20
Brunswick	13.02	Noble Park	99.92
Bundoora	40.04	Northcote	16.70
Burwood	14.22	Oakleigh	18.30
Carrum	32.75	Polwarth	7,515.00
Caulfield	10.70	Portland	13,900.00
Coburg	17.86	Prahran	7.68
Dandenong	39.91	Preston	15.77
Doncaster	33.09	Reservoir	18.90
Dromana	344.00	Richmond	14.30
Essendon	17.00	Ringwood	31.64
Evelyn	4,087.00	Ripon	12,490.00
Footscray	19.68	Rodney	7,430.00
Forest Hill	20.23	St Kilda	8.70
Frankston	45.69	Sandringham	18.03
Geelong East	243.00	Shepparton	2,795.00
Geelong North	1,810.00	South Barwon	2,546.00
Geelong West	21.00	Springvale	32.06
Gippsland East	29,630.00	Sunshine	34.82
Gippsland South	7,243.00	Swan Hill	18,420.00
Gisborne	6,799.00	Syndal	24.43
Glenhuntly	11.75	Wantirna	24.78
Glenroy	16.87	Warrandyte	123.00
Greensborough	92.84	Warrnambool	5,752.00
Hawthorn	12.30	Werribee	974.00
Heatherton	40.01	Westernport	3,296.00
Ivanhoe	23.88	Williamstown	29.22
Keilor	221.00	Total (b)	228,307.00

(a) See pages 87-8 for number of electors and sitting members.

(b) The officially recognised "land area" of the State is 227,600 square kilometres. The difference of 707 square kilometres between "land" and "electoral" area is due to the inclusion of coastal waters such as Western Port and Corner Inlet in the electoral descriptions.

Parliamentary elections*Legislative Assembly*

At the Legislative Assembly election held on 20 March 1976 there were contests in all the eighty-one Electoral Districts. In fifty-four of these contests, more than two candidates were engaged.

In thirty-seven of these fifty-four contests the successful candidate had an absolute majority of the total first preferences recorded and consequently no distribution of further preferences was necessary. After the necessary distribution of second or subsequent preferences had been completed in the other seventeen contests, the leading candidate on the first count was elected in twelve instances but was defeated in the remaining five instances. (For details of elections conducted in 1979, see the supplement at the end of this *Year Book*.)

The following table shows the voting in general elections held for the Legislative Assembly since 1955:

**VICTORIA—VOTING AT GENERAL ELECTIONS FOR THE
LEGISLATIVE ASSEMBLY**

Year of election	Whole State		Contested Districts			
	Electors enrolled	Electors enrolled	Votes recorded		Informal votes	
			Number	Percentage of voters	Number	Percentage of total votes recorded
1955	1,422,588	1,402,806	1,318,937	94.02	28,934	2.19
1958	1,478,065	1,478,065	1,392,813	94.23	24,760	1.78
1961	1,554,856	1,554,856	1,467,862	94.41	35,937	2.45
1964	1,635,311	1,635,311	1,543,778	94.40	35,631	2.31
1967	1,723,981	1,723,981	1,625,239	94.27	51,384	3.16
1970	1,827,595	1,827,595	1,728,362	94.57	55,141	3.19
1973	2,088,984	2,088,984	1,954,005	93.54	56,691	2.90
1976	2,267,282	2,267,282	2,101,414	92.68	3,417	2.54
1979	See supplement at the end of this <i>Year Book</i> for details.					

NOTE: Detailed statistics are available in publications issued by the Chief Electoral Officer for Victoria.

The following table shows certain particulars of the representation in the Legislative Assembly in which general elections have been held since 1952:

**VICTORIA—PARLIAMENTARY REPRESENTATION IN THE
LEGISLATIVE ASSEMBLY**

Year of election	Number of members of Legislative Assembly	Mean population	Average population per member	Number of electors enrolled on date of election	Average number of electors per member	Proportion of persons enrolled to total population
						per cent
1955	66	2,520,481	38,189	1,422,588	21,554	56.4
1958	66	2,717,371	41,172	1,478,065	22,395	54.4
1961	66	2,926,075	44,334	1,554,856	23,558	53.1
1964	66	3,105,685	47,056	1,635,311	24,777	52.7
1967	73	3,277,183	44,893	1,723,981	23,616	52.6
1970	73	3,450,523	47,267	1,827,595	25,036	53.0
1973	73	3,596,778	49,271	2,088,984	28,616	58.1
1976	81	(a)3,746,000	45,024	2,267,282	27,991	62.2
1979	See supplement at the end of this <i>Year Book</i> for details.					

(a) Census count 30 June 1976, adjusted for under-enumeration.

Proportion of voters at elections

The first general election for the Legislative Assembly was held in 1856. The proportion of voters to electors of contested districts at each of the general elections held until 1955 for the Legislative Assembly can be found on page 86 of the *Victorian Year Book* 1961.

Legislative Council

The Legislative Council consists of forty-four members, representing twenty-two Provinces. Voting in elections held for the Legislative Council since 1955 is shown in the following table. At the triennial election held on 20 March 1976, there were contests in all Provinces and in seven of them more than two candidates were engaged.

In two of these seven contests the successful candidate had an absolute majority of the total first preferences recorded and consequently no distribution of further preferences was necessary. After the necessary distribution of second or subsequent preferences had been completed in the other five contests, the leading candidate, on the first count, was elected in three instances but was defeated in the remaining two instances. (For details of elections conducted in 1979, see the supplement at the end of this *Year Book*.)

The following table shows the voting in periodical elections held for the Legislative Council since 1955:

VICTORIA—VOTING AT ELECTIONS FOR THE LEGISLATIVE COUNCIL

Year of election	Whole State		Contested Provinces			
	Electors enrolled	Electors enrolled	Votes recorded		Informal votes	
			Number	Percentage of voters	Number	Percentage of total votes recorded
1955	1,430,130	1,216,010	1,112,951	91.52	23,189	2.08
1958	1,488,293	1,387,097	1,283,665	92.54	22,085	1.72
1961	1,554,856	1,554,856	1,467,482	94.38	46,697	3.18
1964	1,635,311	1,635,311	1,543,584	94.39	45,627	2.96
1967	1,723,981	1,723,981	1,625,371	94.28	59,895	3.69
1970	1,827,595	1,827,595	1,726,725	94.48	67,710	3.92
1973	2,088,984	2,088,984	1,953,462	93.51	74,354	3.81
1976	2,267,282	2,267,282	2,102,674	92.74	65,997	3.14
1979	See supplement at the end of this <i>Year Book</i> for details.					

NOTE: Detailed statistics are available in publications issued by the Chief Electoral Officer for Victoria.

Further reference: *Referendums, Victorian Year Book 1978*, pp. 126-7

VICTORIAN REPRESENTATION IN THE COMMONWEALTH PARLIAMENT

Constitutional provisions*General*

The Commonwealth Parliament consists of the Queen, a Senate, and a House of Representatives. The Queen is represented in Australia by the Governor-General.

Senate

The founders of the Commonwealth Constitution had in mind that the Senate should give expression to the interests of the States as partners in the Federation; in other words, the Senate should be a States' house. Accordingly, the proportional representation suggested by the varying populations of the States was disregarded, and it was provided that each State should be represented by six Senators; the first Senate in the first Parliament comprised 36 members of whom six represented Victoria. The numbers remained unchanged until the Commonwealth *Representation Act 1948* when each State became eligible to elect ten Senators.

The Senate was also envisaged as a house of review and accordingly continuity of membership was provided by requiring only one half of the Senate to retire every three years, and for each Senator's term to be six years. If the normal pattern of three-yearly rotational retirement is broken by a double dissolution of both Houses, section 13 of the Constitution provides that the Senate shall divide the Senators chosen for each State into two classes, as nearly equal in number as practicable, and the places of the Senators of the first class shall become vacant at the expiration of three years and the places of those of the second class at the expiration of six years. In dividing the Senators into classes the Senate has adopted the practice of placing the first five Senators elected in each State in the second class and the other five Senators elected in the first class. After a normal rotational election, Senators' terms commence from the first

day of the following July; in the case of an election for the whole Senate, terms commence from the first day of July preceding the election.

House of Representatives

In designing the House of Representatives, the founders envisaged a legislative body representing the national interest and provided that the number of members chosen in the several States must be in proportion to population, but that no original State should have less than five members. The first House of Representatives in 1901 had 75 members of whom 23 were elected in Victoria. The term of office was set as three years.

In 1948, the number of Senators was increased to 10 for each State and as a consequence the number of Members in the House of Representatives was increased to 123 — although only 121 were elected from the States: the Northern Territory and the Australian Capital Territory each had one Member with restricted voting powers. At 30 June 1978, the House of Representatives consisted of 124 Members, 121 from the States, two from the Australian Capital Territory and one from the Northern Territory.

Electoral Redistributions were undertaken in all States after the 1947, 1954, 1961, 1966, and 1971 population censuses. As a result of amendment to the *Representation Act 1905* by the *Representation Amendment Act 1977*, a further Electoral Redistribution was undertaken in all States in 1977. The Distribution Commissioners' recommendations were approved by the Commonwealth Parliament in respect of all States and the net effect was to decrease the membership of the House of Representatives to 124. The 1977 House of Representatives elections were conducted on the new boundaries and subsequent to those elections, State representation in the House of Representatives became: New South Wales, 43; Victoria, 33; Queensland, 19; South Australia, 11; Western Australia, 10; Tasmania, 5. Australian Capital Territory representation was increased to 2 in 1974, and the Members representing that Territory and the Member representing the Northern Territory have full voting rights.

The following table shows the state of the House of Representatives at various election years:

AUSTRALIA—HOUSE OF REPRESENTATIVES: MEMBERSHIP

Year	N.S.W.	Vic.	Qld.	S.A.	W.A.	Tas.	N.T. (a)	A.C.T. (b)	Total
1948	28	20	10	6	5	5	1	..	75
1949 (c)	47	33	18	10	8	5	1	1	123
1955 (c)	46	33	18	11	9	5	1	1	124
1969 (c)	45	34	18	12	9	5	1	1	125
1974	45	34	18	12	10	5	1	2	127
1975	45	34	18	12	10	5	1	2	123
1977	43	33	19	11	10	5	1	2	124

(a) Representative in House since 1922; full voting rights granted in 1969.

(b) Representative in House since 1949; full voting rights granted in 1966.

(c) Election following an electoral redistribution.

1977 redistribution of electoral boundaries

In accordance with Sub-Section 16 (1) of the *Commonwealth Electoral Act 1918*, the Governor-General on 19 April 1977, acting with the advice of the Federal Executive Council, appointed Laurence John Abbott, Australian Electoral Officer for Victoria, John Eric Mitchell, Victorian Government Surveyor General, and Eric Lawrence Richardson, Chief Electoral Officer for the State of Victoria, to be Distribution Commissioners for the purposes of the redistribution of the State of Victoria into Electoral Divisions for the election of Members of the House of Representatives.

The Distribution Commissioners were subsequently informed by the Chief Australian Electoral Officer that as a result of population statistics supplied by the Australian Statistician, Victoria was to be distributed into 33 Divisions; that the number of electors in Victoria was 2,301,695; that the quota for Victoria had been ascertained to be 69,748, that the permissible maximum number of electors in a Division was 76,722 and the permissible minimum number was 62,774.

On 26 April 1977, the Distribution Commissioners placed an advertisement in the *Australian Government Gazette* which invited written suggestions and comments relating to the distribution of Victoria into 33 Electoral Divisions. They also stated that immediately

after 26 May 1977 copies of any suggestions lodged with the Distribution Commissioners would be made available for perusal at the office of the Australian Electoral Officer for Victoria.

Before carrying out their functions, the Distribution Commissioners considered the suggestions and comments and then in formulating their proposals, considered each proposed Division in relation to:

- (1) Community of interests within the Division, including economic, social, and regional interests;
- (2) means of communication and travel within the Division;
- (3) the trend of population changes within the State;
- (4) the physical features of the Division; and
- (5) existing boundaries of Divisions and Subdivisions.

The Distribution Commissioners were also required to ensure that no large Division, that is, a proposed Division having an area of 5,000 square kilometres or more, contained a greater number of electors than any small Division, that is, a proposed Division having an area of less than 5,000 square kilometres.

On 24 August 1977, the Distribution Commissioners had a map containing a description of boundaries of each proposed Division displayed at Post Offices in the proposed Division. They invited public attention to the maps by advertisement and notified that suggestions or objections which would be considered by them could be lodged in writing with the Distribution Commissioners on or before 23 September 1977.

In all, 175 suggestions, comments, or objections relating to the proposed redistribution were lodged with the Distribution Commissioners.

Many of the 128 comments received related to a suggestion concerning the Division of Corio, while a number of others concerned the Division of Wimmera. After considering all the relevant aspects, the Distribution Commissioners decided not to make any alteration to the boundaries of the Division of Corio, but as the abolition of a rural Division was inevitable, the Division of Wimmera was abolished.

Although the naming of the Divisions was not a function of the Commissioners, they did, as a matter of convenience, allocate names to each Division on the basis of the name of the existing Division providing a preponderance of the electors. They also suggested that the name of the Ballarat Electoral Division be altered to Ballarat in accordance with the spelling adopted by the Victorian Place Names Committee.

Below is a table showing the estimated enrolment, percentage deviation from the quota, and area of each of the proposed Divisions.

VICTORIA—PROPOSED ELECTORAL DIVISIONS, 1977

Proposed Division	Number of electors	Percentage above or below the quota	Area in square kilometres
Balaclava	73,157	+ 4.89	33.40
Ballarat	66,432	- 4.75	7,500
Batman	73,079	+ 4.78	50.25
Bendigo	66,530	- 4.61	15,160
Bruce	70,554	+ 1.16	64.30
Burke	68,891	- 1.23	2,580
Casey	66,681	- 4.40	1,410
Chisholm	74,885	+ 7.37	42.25
Corangamite	66,225	- 5.05	14,170
Corio	69,710	- 0.05	745
Deakin	73,609	+ 5.54	64
Diamond Valley	67,414	- 3.35	131.30
Flinders	68,887	- 1.23	1,510
Gellibrand	74,211	+ 6.40	63.60
Gippsland	66,284	- 4.97	38,400
Henty	72,217	+ 3.54	36
Higgins	73,493	+ 5.37	32.10
Holt	68,471	- 1.83	732
Hotham	73,464	+ 5.33	74.90
Indi	65,031	- 6.76	30,050
Isaacs	72,233	+ 3.56	74.60
Kooyong	73,709	+ 5.68	40.60
Lalor	69,352	- 0.57	817

VICTORIA—PROPOSED ELECTORAL DIVISIONS, 1977—*continued*

Proposed Division	Number of electors	Percentage above or below the quota	Area in square kilometres
La Trobe	66,867	- 4.13	434.50
McMillan	66,664	- 4.42	8,035
Mallee	64,972	- 6.85	57,720
Maribyrnong	68,778	- 1.39	345
Melbourne	73,326	+ 5.13	49.10
Melbourne Ports	73,869	+ 5.91	36.90
Murray	65,906	- 5.51	16,035
Scullin	67,180	- 3.68	609
Wannon	65,619	- 5.92	31,221
Wills	73,995	+ 6.09	36.20
Total	2,301,695	. .	228,307

The redistribution proposals were passed by both Houses of Parliament on 27 October 1977 and proclaimed in the *Australian Government Gazette* on 7 November 1977.

Elections

Qualifications of voters for Commonwealth Government elections

An elector on a Federal roll is required by law to vote both in elections for the House of Representatives and for the Senate. An elector is any person, male or female, not under 18 years of age who is a British subject, has lived in Australia for six months continuously, and whose name appears on the roll. (Commonwealth legislation reducing the voting age to 18 years became effective from 21 March 1973.) Residence in an electoral subdivision for at least one month is necessary to enable a qualified person to enrol. Enrolment is compulsory.

Qualifications of candidates—either House of the Commonwealth Parliament

Qualifications necessary for candidature for either House of the Commonwealth Parliament are possessed by any British subject, 18 years of age or over, who has resided in Australia for at least three years and who is, or who is qualified to become, an Australian elector.

The term of office for a Member of the House of Representatives is three years unless the House is dissolved earlier by the Governor-General.

Disqualification as elector or member

Grounds for disqualification as an elector include being of unsound mind, or being convicted and under sentence for offences punishable by imprisonment for a year or longer. Grounds for disqualification as a member of either House include these prohibitions and also the following: membership of the other House, being an undischarged bankrupt or insolvent, holding office for profit under the Crown (with certain exceptions), or having a pecuniary interest in any agreement with the Commonwealth Public Service except as a member of an incorporated company of more than 25 persons.

Elections for the Senate

In Senate elections each State is an electorate. Electors are required to cast a vote by indicating the order of their preference for every candidate standing within the State, and the election of members is carried out in accordance with the principles of proportional representation by the single transferable vote.

The provisions for the filling of vacancies in the Senate are now as follows:

“If the place of a Senator becomes vacant before the expiration of his term of service, the Houses of Parliament of the State for which he was chosen, sitting and voting together, or, if there is only one House of that Parliament, that House, shall choose a person to hold the place until the expiration of the term. But if the Parliament of the State is not in session when the vacancy is notified, the Governor of the State, with the advice of the Executive Council thereof, may appoint a person to hold the place until the expiration of fourteen days from the

beginning of the next session of the Parliament of the State or the expiration of the term, whichever first happens.

“Where a vacancy has at any time occurred in the place of a Senator chosen by the people of a State and, at the time when he was so chosen, he was publicly recognized by a particular political party as being an endorsed candidate of that party and publicly represented himself to be such a candidate, a person chosen or appointed under this section in consequence of that vacancy, or in consequence of that vacancy and a subsequent vacancy or vacancies, shall, unless there is no member of that party available to be chosen or appointed, be a member of that party.

“Where (a) in accordance with the last preceding paragraph, a member of a particular political party is chosen or appointed to hold the place of a senator whose place had become vacant; and (b) before taking his seat he ceases to be a member of that party (otherwise than by reason of the party having ceased to exist), he shall be deemed not to have been so chosen or appointed and the vacancy shall be again notified in accordance with section twenty-one of this [Commonwealth] Constitution.

“The name of any senator chosen or appointed under this section shall be certified by the Governor of the State to the Governor-General.”

The following table lists the Senators for Victoria at 1 July 1978 together with the party affiliation and year of retirement of each Senator. Political party affiliations are indicated thus:

- (AD) Australian Democrats
 (ALP) Australian Labor Party
 (LP) Liberal Party of Australia
 (NCP) National Country Party of Australia
- AUSTRALIA—SENATE: VICTORIAN MEMBERS
 AT 1 JULY 1978

Senator	Retires
Button, John Norman (ALP)	1984
Chipp, Hon. Donald Leslie (AD) (a)	1984
Evans, Gareth John (ALP) (a)	1984
Guilfoyle, Hon. Margaret Georgina Constance (LP)	1981
Hamer, David John D.S.C. (LP) (a)	1984
Lewis, Austin William (LP)	1981
Melzer, Jean Isabel (ALP)	1981
Missen, Alan Joseph (LP)	1984
Primmer, Cyril Graham (ALP)	1981
Webster, Hon. James Joseph (NCP)	1981

(a) Elected on 10 December 1977. Term of service commenced on 1 July 1978.

Elections for the House of Representatives

Australia is divided into 124 single-member electorates and electors are required to cast a vote by indicating the order of their preference for every candidate standing within the electorate. Election of members is carried out in accordance with the principles of the absolute majority through use of the alternative vote. If a vacancy occurs in the House of Representatives, it is filled by holding a by-election in the electorate concerned. The last general election was held on 10 December 1977.

The following table lists the Victorian members of the House of Representatives elected on 10 December 1977 together with the party affiliation and electorate of each member:

AUSTRALIA—HOUSE OF REPRESENTATIVES: VICTORIAN MEMBERS ELECTED ON 10 DECEMBER 1977

Member	Division
Aldred, Kenneth James (LP)	Henty
Baillieu, Marshal (LP)	La Trobe
Bourchier, John William (LP)	Bendigo
Brown, Neil Anthony (LP)	Diamond Valley
Bryant, Hon. Gordon Munro, E.D. (ALP)	Wills
Burns, William George (LP)	Isaacs
Cameron, Ewen Colin (LP)	Indi
Cass, Hon. Dr Moses Henry (ALP)	Maribyrnong

AUSTRALIA—HOUSE OF REPRESENTATIVES: VICTORIAN
MEMBERS ELECTED ON 10 DECEMBER 1977—*continued*

Member	Division
Falconer, Peter David (<i>LP</i>)	Casey
Fisher, Peter Stanley (<i>NCP</i>)	Mallee
Fraser, Rt Hon. John Malcolm, C.H. (<i>LP</i>)	Wannon
Holding, Allan Clyde (<i>ALP</i>)	Melbourne Ports
Howe, Brian Leslie (<i>ALP</i>)	Batman
Innes, Urquhart Edward (<i>ALP</i>)	Melbourne
Jarman, Alan William (<i>LP</i>)	Deakin
Jenkins, Dr Henry Alfred (<i>ALP</i>)	Scullin
Johnson, Leonard Keith (<i>ALP</i>)	Burke
Johnston, James Roger (<i>LP</i>)	Hotham
Jones, Barry Owen (<i>ALP</i>)	Lalor
Lloyd, Bruce (<i>NCP</i>)	Murray
Lynch, Rt Hon. Phillip Reginald (<i>LP</i>)	Flinders
Macphee, Hon. Ian Malcolm (<i>LP</i>)	Balaclava
Nixon, Hon. Peter James (<i>NCP</i>)	Gippsland
Peacock, Hon. Andrew Sharp (<i>LP</i>)	Kooyong
Scholes, Gordon Glen Denton (<i>ALP</i>)	Corio
Shipton, Roger Francis (<i>LP</i>)	Higgins
Short, James Robert (<i>LP</i>)	Ballaarat
Simon, Barry Douglas (<i>LP</i>)	McMillan
Snedden, Rt Hon. Sir Billy Mackie, K.C.M.G., Q.C. (<i>LP</i>)	Bruce
Staley, Hon. Anthony Allan (<i>LP</i>)	Chisholm
Street, Hon. Anthony Austin (<i>LP</i>)	Corangamite
Willis, Ralph (<i>ALP</i>)	Gellibrand
Yates, William (<i>LP</i>)	Holt

BIBLIOGRAPHY

- EVATT, H. V. *The King and his dominion governors: a study of the reserve powers of the Crown in Great Britain and the dominions*. Second edition. Melbourne, Cheshire, 1967.
- FORELL, C. R. *How we are governed*. Eighth edition. Melbourne, Longman Cheshire, 1978.
- HOLMES, J. *The Government of Victoria*. Brisbane, University of Queensland Press, 1976.
- HUGHES, C. A. and GRAHAM, B. D. *A handbook of Australian government and politics, 1890–1964*. Canberra, Australian National University Press, 1968.
- HUGHES, C. A. and GRAHAM, B. D. *A handbook of Australian government and politics, 1965–1975*. Canberra, Australian National University Press, 1977.
- JENKS, E. *The Government of Victoria (Australia)*. London, Macmillan and Co., 1891.
- LUMB, R. D. *Constitutions of the Australian states*. Fourth edition. Brisbane, University of Queensland Press, 1977.
- MAY, ERSKINE. *The law, privileges, proceedings, and usage of Parliament*. Nineteenth edition, London, Butterworth, 1976.
- RORKE, J., editor. *Politics at state level—Australia*. Sydney, University of Sydney, Department of Adult Education, 1970.
- THOMSON, K. and SERLE, G. *A biographical register of the Victorian Legislature, 1851–1900*. Canberra, Australian National University Press, 1972.
- VICTORIA PARLIAMENT. *One hundred years of responsible government in Victoria, 1856–1956*. Melbourne, Government Printer, 1957.