

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the Commonwealth Parliament by the Commonwealth Constitution, but upon some of these matters the Victorian law may be superseded by the passing of a Commonwealth Act.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, but in 1979 the place of local government in Victoria was recognised by the incorporation of a new Part 11A in the *Constitution Act 1975*.

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 refrain 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 States 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, 1973-1980**

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

* *Victorian Year Books* 1974-1980 contain more detailed information about the Convention.

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 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 amid 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 among 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.

The Convention met again in Perth in July 1978 with all delegations present. It considered an agenda of eighteen items. A number of these items were recommendations on the federal judiciary made by Standing Committee "D" which were passed by substantial majorities. Another was the report of Standing Committee "D" on the "Senate and Supply" which caused lengthy and unproductive debate. No referenda on proposals passed in Perth or outstanding from the Hobart session have been put to the electorate as yet. However a number of additional references were made in Perth to the Standing Committees. Standing Committee "D" is continuing its work and met in Hobart in February 1980 to discuss matters referred by the Convention in Perth.

The Convention resolved to hold a further plenary session in Adelaide, at a time to be determined by the Executive Committee after the views of the Premiers' Conference had been obtained.

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 relieving 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 3 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 Department of the Premier 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 Department of the Premier issues the instructions, but, where a particular Minister is concerned, the Minister is normally responsible for the execution of Cabinet decisions.

Ministries, 1943 to 1981

VICTORIA—MINISTRIES: 1943-1981 (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 John Gladstone Black McDonald	28 October 1952	31 October 1952	4
John Cain	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	5 June 1981	3,209
Lindsay Hamilton Simpson Thompson	5 June 1981	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 1980

A triennial election for the Legislative Council and a general election for the Legislative Assembly of the Victorian Parliament were held conjointly on 5 May 1979. The 64th Ministry, led by the Hon. Rupert James Hamer, E.D., was subsequently formed and consisted of the following members:

VICTORIA—64th MINISTRY AT 30 JUNE 1980 (a)

From the Legislative Assembly

The Hon. R.J. Hamer, E.D.	Premier and Minister for State Development, Decentralization and Tourism
The Hon. L.H.S. Thompson, C.M.G.	Treasurer, Deputy Premier, and Minister for Police and Emergency Services
The Hon. J.C.M. Balfour	Minister for Minerals and Energy
The Hon. W.A. Borthwick	Minister of Health
The Hon. I.W. Smith	Minister of Agriculture
The Hon. B.J. Dixon	Minister of Housing and Minister for Youth, Sport and Recreation
The Hon. R.R.C. Maclellan	Minister of Transport
The Hon. W. Jona	Minister for Community Welfare Services
The Hon. J.H. Ramsay	Minister of Labour and Industry and Minister of Consumer Affairs
The Hon. T.L. Austin	Minister of Public Works and Minister for Property and Services

VICTORIA—64th MINISTRY AT 30 JUNE 1980 — *continued*

The Hon. L.S. Lieberman	Minister for Planning and Assistant Minister of Health
The Hon. A.R. Wood	Minister of Immigration and Ethnic Affairs and Assistant Minister for State Development, Decentralization and Tourism
The Hon. N. Lacy	Minister of the Arts and Assistant Minister of Education
<i>From the Legislative Council</i>	
The Hon. A.J. Hunt	Minister of Education
The Hon. Haddon Storey, Q.C.	Attorney-General and Minister for Federal Affairs
The Hon. D.G. Crozier	Minister for Local Government
The Hon. W.V. Houghton	Minister for Conservation, Minister of Lands, and Minister of Soldier Settlement
The Hon. F.J. Granter	Minister of Water Supply and Minister of Forests
The Hon. G. Jenkins	Parliamentary Secretary of the Cabinet

(a) See Supplement at the end of this book for the 65th Ministry at 30 June 1981.

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 85-6 for lists of members.) Of the forty-four members of the Legislative Council elected in 1979, twenty-seven belong to the Liberal Party, thirteen to the Australian Labor Party, and four to the National Party of Australia (Victoria). Of the eighty-one members of the Legislative Assembly elected in 1979, forty-two belong to the Liberal Party, thirty-two to the Australian Labor Party, and seven to the National Party of Australia (Victoria). 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, 1976, and 1979. 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 British 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.

Statute Law Revision Committee

The Victorian Parliamentary Statute Law Revision Committee is one of the oldest law reform bodies in Australia. It was first appointed in 1916 as a result of a recommendation contained in a report of the Joint Select Committee on the Consolidation of the Laws. One of the recommendations of this Committee was that a joint committee to be called the Statute Law Revision Committee be appointed at the commencement of every Session of Parliament to deal with anomalies in the law and make recommendations as to desirable statutory amendments. Both Houses of Parliament adopted the recommendations of this report and the Statute Law Revision Committee was subsequently appointed in July-August 1916. The Committee comprised twelve members, six from each House, with five being the quorum and it had power to call for any persons, papers, and records considered relevant to any matter being studied. The matters inquired into by the Committee were referred to it by either House of Parliament, and the Committee reported to Parliament on its findings.

The Committee was appointed in the same manner from 1916 until the enactment of the *Statute Law Revision Committee Act 1948* (No. 5285), which provided a statutory basis for the operations of the Committee.

The Committee's powers are now derived from the *Parliamentary Committees Act 1968* and the Standing Orders of both Houses of Parliament relating to Select Committees. Section 38 of that Act prescribes the functions of the Committee as follows:

(1) The functions of the Committee shall be:

- (i) To examine anomalies in the statute law;
- (ii) to examine proposals for the consolidation of statutes;
- (iii) to examine proposals in Bills involving technical alterations in the existing law which have been referred by either House to the Committee; and
- (iv) to make such reports and recommendations to the Council and the Assembly as it thinks proper as the results of any such examination.

(2) in addition, the Committee may undertake, if it thinks fit, the consideration of any proposals for the reform of the law presented to the Committee by the Attorney-General and may make such reports and recommendations to the Council and the Assembly as it thinks proper as the result of such consideration.

The members of the Committee are appointed by resolutions of the Houses of Parliament at the commencement of every Session and, since 1976, the Committee has consisted of five members from the Legislative Council and seven members from the Legislative Assembly.

From 1916 until 1948 the Committee presented only nine reports to Parliament. Since that time, however, it has inquired into an extensive range of subjects and by the end of 1979 had presented a total of 210 reports. Recent major reports relate to Bail Procedures (1975); Information Storages Bill (1975); Age of Majority (1977); Access to Information Concerning Adoptions (1978); and Bill of Rights (1979). The Committee's reports are printed as Parliamentary Papers and appear in the list of reports presented to Parliament, published in each edition of the *Victorian Year Book*.

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. 115-18; Liberal Party in Victoria, 1979, pp. 82-5; Public Accounts Committee, 1980, pp. 93-4

Number of Parliaments and their duration

Between 1856 and 1979 there have been forty-eight Parliaments. The forty-eighth Parliament was opened on 29 May 1979. 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	12.6

(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 1976 to 1980. 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)			
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	12,435
1977-78	20	939	1,145	3,445	6,928	417	518	13,412
1978-79	20	851	1,161	3,656	8,213	2,585	26	16,512
1979-80	20	994	1,303	4,249	9,654	761	479	17,460

(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
 (LP) Liberal Party
 (NP) National Party of Australia (Victoria)

Legislative Council

President: The Hon. Frederick Sheppard Grimwade.

Deputy President and 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 1979 triennial election are shown in the following list:

VICTORIA—LEGISLATIVE COUNCIL: MEMBERS ELECTED 5 MAY 1979 (Term of office commenced 15 July 1979)

Member	Province	Number of electors on rolls	Number of electors who voted	Total percentage of electors who voted
Baxter, Hon. William Robert (NP)	North Eastern	90,724	85,745	94.51
Baylor, Hon. Hilda Gracia (LP)	Boronia	124,540	117,326	94.21
Block, Hon. Peter David (LP)	Nunawading	122,452	115,042	93.95
Bubb, Hon. Clive (LP)	Ballarat	90,442	85,853	94.93
Butler, Hon. Glyde Algernon Surtees (ALP)	Thomastown	123,890	116,245	93.83
Campbell, Hon. William Montgomery (ALP)	East Yarra	112,088	102,539	91.48
Coxsedge, Hon. Joan (ALP)	Melbourne West	115,951	108,849	93.87
Crozier, Hon. Digby Glen (LP)	Western	83,013	78,997	95.16
Grimwade, Hon. Frederick Sheppard (LP)	Central Highlands	96,898	89,666	92.54
Hayward, Hon. Donald Keith (LP)	Monash	109,530	99,271	90.63
Houghton, Hon. William Vasey (LP)	Templestowe	121,831	113,874	93.47
Hunt, Hon. Alan John (LP)	South Eastern	96,423	89,518	92.84
Kennedy, Hon. Cyril James (ALP)	Waverley	122,086	114,178	93.52
Kent, Hon. Daniel Eric (ALP)	Chelsea	127,390	119,434	93.75
Lawson, Hon. Robert (LP)	Higinbotham	112,157	104,695	93.35
Long, Hon. Richard John (LP)	Gippsland	84,931	79,406	93.49
Mackenzie, Hon. Roderick Alexander (ALP)	Geelong	90,659	85,409	94.21
Radford, Hon. John William Storrier (LP)	Bendigo	87,468	82,883	94.76
Sgro, Hon. Giovanni Antonio (ALP)	Melbourne North	115,148	105,060	91.24
Walker, Hon. Evan (ALP)	Melbourne	109,211	95,428	87.38
White, Hon. David Ronald (ALP)	Doutta Galla	132,345	124,780	94.28
Wright, Hon. Kenneth Irving (NP)	North Western	81,230	77,290	95.15

Members of the Legislative Council who did not come up for election at the 1979 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
Grant, 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
Hauser, 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. Clyn (LP)	Geelong	85,047	81,358	95.66
Knowles, Hon. Robert Ian (LP)	Ballarat	83,528	79,384	95.04
Landeryou, Hon. William Albert (ALP)	Doutta Galla	120,955	113,431	93.78
Reid, Hon. Nicholas Bruce (LP)	Bendigo	83,059	79,146	95.29
Saltmarsh, Hon. Donald Neville (LP)	Wendigo	114,654	106,958	93.29
Stacey, Hon. Neil Frank (LP)	Waverley	117,786	109,003	92.54
Storoy, Hon. Haddon, Q.C. (LP)	Chelsea	115,158	105,732	91.81
Taylor, Hon. James Allister (LP)	East Yarra	115,158	105,732	91.81
Thomas, Hon. Herbert Arthur (ALP)	Gippsland	80,733	75,285	93.25
Trayling, Hon. Ivan Barry (ALP)	Melbourne West	114,890	105,890	92.17
Walton, Hon. John Malcolm (ALP)	Melbourne	123,270	105,715	85.76
Ward, Hon. Hector Roy (LP)	Melbourne North	118,514	108,498	91.55
	South Eastern	85,172	78,899	92.63

Legislative Assembly

Speaker: The Hon. Sidney James Plowman.

Chairman of Committees: Alexander Thomas Evans, Esquire.

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 5 May 1979. It also includes details of electoral districts and voting at this last general election.

VICTORIA—LEGISLATIVE ASSEMBLY: MEMBERS ELECTED 5 MAY 1979

Member	District	Number of electors on rolls	Number of electors who voted	Total percentage of electors who voted
Amos, Derek Godfry Ian (ALP)	Morwell	26,878	25,308	94.16
Austin, Hon. Thomas Leslie (LP)	Ripon	26,703	25,485	95.44
Balfour, Hon. James Charles Murray (LP)	Narracan	27,236	25,715	94.42
Birrell, Hayden Wilson (LP)	Geelong West	25,968	24,362	93.82
Borthwick, Hon. William Archibald (LP)	Monbulk	30,262	27,951	92.36
Brown, Alan John (LP)	Westernport	31,323	29,341	93.67
Burgin, Cecil William (LP)	Polwarth	25,168	24,149	95.95
Cain, John (ALP)	Bundoora	31,052	29,308	94.38
Cathie, Ian Robert (ALP)	Carrum	30,171	28,132	93.24
Chambers, Mrs Joan Heywood (LP)	Ballarat South	27,545	26,125	94.84
Coghill, Dr Kenneth Alastair (ALP)	Werribee	34,550	32,223	93.26
Coleman, Charles Geoffrey (LP)	Syndal	29,789	28,004	94.01
Collins, Peter Charles (LP)	Noble Park	32,386	30,558	94.36
Cox, George Henry (LP)	Mitcham	28,827	27,241	94.50
Crabb, Steven Marshall (ALP)	Knox	31,114	29,550	94.97
Crellin, Maxwell Leslie (LP)	Sandringham	28,051	26,170	93.29
Culpin, John Albert (ALP)	Glenroy	27,615	26,060	94.37
Dixon, Hon. Brian James (LP)	St Kilda	27,012	23,629	87.48
Dunstan, Hon. Roberts Christian, D.S.O. (LP)	Dromana	31,823	29,375	92.31
Ebery, William Thomas (ALP)	Midlands	26,532	24,965	94.09
Edmunds, Cyril Thomas (ALP)	Ascot Vale	28,098	26,001	92.54
Ernst, Graham Keith (ALP)	Geelong East	26,575	25,105	94.47
Evans, Alexander Thomas (LP)	Ballarat North	27,461	26,048	94.85
Evans, Bruce James (NP)	Gippsland East	26,563	24,621	92.69
Fogarty, William Francis (ALP)	Sunshine	29,798	28,238	94.76
Fordham, Robert Clive (ALP)	Footscray	28,052	25,945	92.49
Gavin, Peter Murray (ALP)	Coburg	28,773	27,263	94.75
Ginifer, John Joseph (ALP)	Keilor	35,783	33,690	94.15
Hamer, Hon. Rupert James, E.D. (LP)	Kew	29,065	26,516	91.23
Hann, Edward James (NP)	Rodney	26,107	24,889	95.33
Hayes, Hon. Geoffrey Phillip (LP)	Wantirna	36,973	34,769	94.04
Hockley, Gordon Stanley, J.P. (ALP)	Bentleigh	27,913	26,538	95.07
Jasper, Kenneth Stephen (NP)	Murray Valley	26,288	24,869	94.60
Jolly, Robert Allen (ALP)	Dandenong	35,979	33,891	94.20
Jona, Hon. Walter (LP)	Hawthorn	27,060	24,154	89.26
Kennett, Jeffrey Gibb (LP)	Burwood	27,458	25,513	92.92
King, Kevin Francis (ALP)	Springvale	30,402	28,658	94.26
Kirkwood, Carl (ALP)	Preston	27,627	25,348	91.75
Lacy, Hon. Norman (LP)	Warrandyte	32,056	30,095	93.88
Lieberman, Hon. Louis Stuart (LP)	Benambra	28,168	26,164	92.89
Mathews, Charles Race Thorson (ALP)	Oakleigh	28,849	26,905	93.26
McArthur, Peter Stewart (LP)	Ringwood	30,448	28,655	94.11
McCance, Keith Robert (LP)	Bennettswood	28,444	26,915	94.62
McClure, Daryl Hedley Robert (LP)	Bendigo	27,203	25,899	95.21
McGrath, William Desmond (NP)	Lowan	25,261	24,051	95.21
McInnes, Neil Malcolm (LP)	Gippsland South	26,619	24,718	92.86
McKellar, Donald Kelso (LP)	Portland	25,746	24,569	95.43
Mackinnon, Donald James (LP)	Box Hill	28,836	26,768	92.83
Maclellan, Hon. Robert Roy Cameron (LP)	Berwick	33,097	30,817	93.11
Miller, Robert Henry (ALP)	Prahran	26,766	23,607	88.20
Patrick, Mrs Jeanette Tweeddale (LP)	Brighton	27,271	24,920	91.38
Plowman, Hon. Sidney James (LP)	Evelyn	32,891	30,505	92.75
Ramsay, Hon. James Halford (LP)	Balwyn	28,505	26,435	92.74
Remington, Keith Henry (ALP)	Melbourne	25,415	21,871	86.06
Reynolds, Thomas Carter (LP)	Gisborne	32,026	30,156	94.16
Richardson, John Ingles (LP)	Forest Hill	31,724	29,933	94.35
Roper, Thomas William (ALP)	Brunswick	28,666	25,738	89.79
Ross-Edwards, Peter (NP)	Shepparton	26,880	25,709	95.64
Rowe, Barry John (ALP)	Essendon	27,594	26,046	94.39
Sidiropoulos, Theo (ALP)	Richmond	28,908	25,263	87.39
Simmonds, James Lionel (ALP)	Reservoir	30,020	28,142	93.74
Simpson, John Hamilton (ALP)	Niddrie	29,152	27,900	95.71
Skeggs, Bruce Albert Edward (LP)	Ivanhoe	30,459	28,597	93.89
Smith, Aurel V. (LP)	South Barwon	29,031	27,604	95.08
Smith, Hon. Ian Winton (LP)	Warrnambool	25,749	24,528	95.26
Spyker, Peter Cornelis (ALP)	Heatherton	30,909	28,964	93.71
Stirling, Gordon Francis (ALP)	Williamstown	29,523	27,773	94.07
Tanner, Edgar Miles Ponsonby (LP)	Caulfield	27,954	25,088	89.75
Templeton, Thomas William, J.P. (LP)	Mentone	28,873	26,860	93.03
Thompson, Hon. Lindsay Hamilton Simpson, C.M.G. (LP)	Malvern	28,751	25,943	90.23
Toner, Mrs Pauline Therese (ALP)	Greensborough	34,703	32,254	92.94
Trewin, Thomas Campion (NP)	Benalla	25,869	24,164	93.41
Treziise, Neil Benjamin (ALP)	Geelong North	28,355	26,612	93.85
Vaughan, Dr Gerard Marshall (ALP)	Glenhuntly	26,622	24,776	93.07
Walsh, Ronald William (ALP)	Albert Park	27,902	24,671	88.42

VICTORIA—LEGISLATIVE ASSEMBLY: MEMBERS ELECTED 5 MAY 1979—*continued*

Member	District	Number of electors on rolls	Number of electors who voted	Total percentage of electors who voted
Weideman, Graeme, J.P. (<i>LP</i>)	Frankston	32,904	30,775	93.53
Whiting, Milton Stanley (<i>NP</i>)	Mildura	25,566	24,057	94.10
Wilkes, Frank Noel (<i>ALP</i>)	Northcote	29,338	26,614	90.72
Williams, Morris Thomas (<i>LP</i>)	Doncaster	30,473	28,842	94.65
Wilton, John Thomas (<i>ALP</i>)	Broadmeadows	34,979	32,664	93.38
Wood, Alan Raymond (<i>LP</i>)	Swan Hill	25,922	24,763	95.53

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 nine 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 30 years no less than 3,713 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, 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 Printer.

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 1979

VICTORIA—ACTS PASSED BY PARLIAMENT, 1979

*9251	Constitution (Governor's Pension) Act provides for the payment of pensions to former Governors of the State of Victoria and their widows, amends the <i>Constitution Act 1975</i> , and for other purposes.	respect to the constitution of the Geelong Waterworks and Sewerage Trust, amends the <i>Geelong Waterworks and Sewerage Act 1958</i> , and for other purposes.
9252	Joint Select Committee (Road Safety) Act provides for the appointment of a Joint Select Committee of the Legislative Council and the Legislative Assembly to inquire into and report upon certain questions relating to road safety, and for other purposes.	9260 Bright (Land Exchange) Act provides for the exchange of certain lands in the township of Bright, and for other purposes.
9253	Cattle Compensation Act amends the <i>Cattle Compensation Act 1967</i> and the <i>Stamps Act 1958</i> , and for other purposes.	9261 Supply (1979-80, No.1) Act makes interim provision for the appropriation of money out of the Consolidated Fund for the service of the financial year 1979-80.
9254	Constitution (Local Government) Act makes provision in the Victorian Constitution with respect to Local Government, amends the <i>Constitution Act 1975</i> , the <i>Local Government Act 1958</i> , and for other purposes.	9262 Money Lenders (Fees) Act amends the <i>Money Lenders Act 1958</i> to increase fees payable with respect to money lenders' licences, and other matters.
9255	Gas and Fuel Corporation (Borrowing Powers) Act amends the <i>Gas and Fuel Corporation Act 1958</i> , and for other purposes.	9263 Exhibition (Amendment) Act alters the method of appointing members of the Exhibition Trust, provides increased borrowing powers for the Trust, amends the <i>Exhibition Act 1957</i> , and for other purposes.
9256	Ombudsman (Co-operation) Act empowers the Ombudsman to furnish information to Commonwealth and State Ombudsman, and for other purposes.	9264 Health (Cattle) Act amends section 83 of the <i>Health Act 1958</i> , and for other purposes.
9257	Geelong (Haimes Homes) Land Act revokes a grant and reservation relating to certain land in the City of Geelong known as the Haimes Homes, authorises the granting of certain land to the trustees of the Haimes Homes, authorises the trustees to sell that land, requires the proceeds of any sale of that land to be used towards the cost of building, developing, and improving facilities at the Austin Homes, and for other purposes.	9265 Victorian Public Offices Corporation (Amendment) Act amends the <i>Victorian Public Offices Corporation Act 1974</i> .
9258	Motor Car (Breath Testing Stations) (Amendment) Act amends the <i>Motor Car (Breath Testing Stations) Act 1976</i> .	9266 Community Welfare Services (Amendment) Act amends section 19 and section 53 of the <i>Community Welfare Services Act 1978</i> .
9259	Geelong Waterworks and Sewerage (Trust) Act makes further provision with	9267 Margarine (Amendment) Act amends the <i>Margarine Act 1975</i> , and for other purposes connected therewith.
		9268 Youth, Sport and Recreation (State Youth Council) Act amends the <i>Youth, Sport and Recreation Act 1972</i> to increase the membership of the State Youth Council.
		9269 Racing (Restricted Trotting Meetings) Act amends the <i>Racing Act 1958</i> .
		9270 State Electricity Commission (Morwell Land Compensation) Act amends the <i>State Electricity Commission Act 1958</i> to make provision with respect to the

*Act No. 9251 was passed in 1978. Royal Assent was given in 1979.

VICTORIA—ACTS PASSED BY PARLIAMENT, 1979 — *continued*

- compensation payable for land in the vicinity of Morwell, and for other purposes.
- 9271 Construction Safety Act re-enacts with amendments the law relating to the use of scaffolding and certain machinery and the safety of workmen engaged in building and construction work, amends the *Labour and Industry Act 1958*, and for other purposes.
- 9272 Business Franchise (Petroleum Products) Act makes provision for the licensing of persons who sell certain petroleum products in Victoria, amends various Acts, and for other purposes.
- 9273 Albury-Wodonga Agreement (Amendment) Act provides for the reconstitution of the Albury-Wodonga (Victoria) Corporation, approves the Albury-Wodonga Area Development Agreement Amendment Agreement (No. 1) made between the Commonwealth and the States of Victoria and New South Wales, amends the *Albury-Wodonga Agreement Act 1973* and the *State Development Decentralization and Tourism Act 1978*, and for other purposes.
- 9274 City of Melbourne (Re-subdivision) Act makes further provision with respect to the re-subdivision of the municipal district of the City of Melbourne.
- 9275 Co-operation Act amends the *Co-operation Act 1958*, and for other purposes.
- 9276 Cemeteries (Melbourne General Cemetery) Act amends Part III of the *Cemeteries Act 1958*.
- 9277 Melbourne and Metropolitan Board of Works (Amendment) Act amends the *Melbourne and Metropolitan Board of Works Act 1958*, and for other purposes.
- 9278 River Improvement (Trusts and Valuations) Act amends the *River Improvement Act 1958* with respect to the constitution of River Improvement Trusts and estimates and valuations, and for other purposes.
- 9279 Instruments (Writs) Act amends the Second Schedule to the *Instruments Act 1958* with respect to the form of the Writ of Summons upon a Bill of Exchange.
- 9280 Forests (Reserved Land) Act amends the *Forests Act 1958*.
- 9281 Trinity College Act incorporates Trinity College, being a college affiliated to and connected with the University of Melbourne, dissolves the Trinity College (Melbourne) Trusts Corporation, amends the *Janet Clarke Hall Act 1961*, and for other purposes.
- 9282 Revocation and Excision of Crown Reservations Act revokes the permanent reservations of certain lands, and for purposes connected therewith.
- 9283 Local Government (Amendment) Act amends the *Local Government Act 1958*, repeals certain obsolete Acts, and for other purposes.
- 9284 Tattersall Consultations (Amendment) Act amends section 6 of the *Tattersall Consultations Act 1958*.
- 9285 Prahran Market Act confirms certain actions of the City of Prahran in relation to the Prahran Market, and for other purposes.
- 9286 Geelong Regional Commission (Amendment) Act amends the *Geelong Regional Commission Act 1977*.
- 9287 Pharmacists (Amendment) Act amends the *Pharmacists Act 1974* to increase the maximum levels at which various fees payable under the Act may be fixed by Regulations.
- 9288 Legal Profession Practice (Amendment) Act amends the *Legal Profession Practice Act 1958*, and for other purposes.
- 9289 Barley Marketing (Amendment) Act makes provision with respect to the price to be paid for barley, and for other purposes.
- 9290 Water Authorities (Constitution and Powers) Act amends the *Water Act 1958*, and for other purposes.
- 9291 Sewerage Authorities (Constitution and Powers) Act makes further provision with respect to the constitution and powers of sewerage authorities, amends the *Sewerage Districts Act 1958*, and for other purposes.
- 9292 Wrongs (Defamation) Act amends the *Wrongs Act 1958* in relation to defamatory words and libel.
- 9293 Judges Salaries Act amends the *Constitution Act 1975* and the *County Court Act 1958* with respect to the salaries of judges.
- 9294 Poisons (Amendment) Act amends the *Poisons Act 1962*.
- 9295 Business Franchise (Petroleum Products) (Licence Fees) Act amends the *Business Franchise (Petroleum Products) Act 1979* to make provision with respect to the payment of licence fees, and for other purposes.
- 9296 State Electricity Commission (Amendment) Act amends the *State Electricity Commission Act 1958*, the *Electric Light and Power Act 1958*, and for other purposes.
- 9297 Workers Compensation (Miscellaneous Provisions) Act amends the *Workers Compensation Act 1958*, and for other purposes.
- 9298 Motor Car (Surcharge) Act amends the *Motor Car Act 1958* in relation to the surcharge on certain insurance premiums.
- 9299 Unclaimed Moneys Act amends the *Unclaimed Moneys Act 1962*.

VICTORIA—ACTS PASSED BY PARLIAMENT, 1979 — *continued*

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| <p>9300 Land Tax Act amends the <i>Land Tax Act</i> 1958.</p> <p>9301 Business Franchise (Tobacco) Act amends the <i>Business Franchise (Tobacco) Act</i> 1974.</p> <p>9302 Public Authorities (Contributions) Act increases the contributions payable by certain public authorities under the <i>Public Authorities (Contributions) Act</i> 1966.</p> <p>9303 Appropriation (1979-80, No. 1) Act appropriates certain sums out of the Consolidated Fund for the service of the financial year 1979-80 and to appropriate the supplies granted in this Session of Parliament, and for other purposes.</p> <p>9304 Gift Duty (Amendment) Act amends the <i>Gift Duty Act</i> 1971, and for other purposes.</p> <p>9305 Pay-roll Tax Act alters the general exemption from liability to pay-roll tax, amends the <i>Pay-roll Tax Act</i> 1971, the <i>Pay-roll Tax Act</i> 1978, and for other purposes.</p> <p>9306 Transport Works and Services Act authorises expenditure on works and services and other purposes relating to railways, and other services.</p> <p>9307 Melbourne and Metropolitan Tramways (Borrowing Powers) Act increases the limit of the borrowing powers of the Melbourne and Metropolitan Tramways Board, and for other purposes.</p> <p>9308 County Court (Jurisdiction) Act extends the jurisdiction of the County Court in relation to certain civil matters, and for other purposes.</p> <p>9309 State Forests Works and Services Act authorises expenditure on works and services and other purposes relating to State Forests.</p> <p>9310 Young Men's Christian Association of Ballarat (Guarantee) Act authorises the Treasurer of Victoria to guarantee the repayment of certain moneys proposed to be borrowed by the Young Men's Christian Association of Ballarat, and for other purposes.</p> <p>9311 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.</p> <p>9312 Trustee Companies (Trustees Executors) Act varies the restrictions imposed in relation to the capital and shares to The Trustees Executors and Agency Company Limited, amends the second schedule to the <i>Trustee Companies Act</i> 1958, and for other purposes.</p> <p>9313 Commercial Goods Vehicles (Aviation Fuel) Act amends section 5 and section 13 of the <i>Commercial Goods Vehicles Act</i> 1958 with respect to the carriage of</p> | <p>aviation turbine fuel to the Melbourne Airport at Tullamarine.</p> <p>9314 Victorian Development Corporation (Powers) Act amends the <i>Victorian Development Corporation Act</i> 1973 to make provision with respect to the corporation, and for other purposes.</p> <p>9315 Town and Country Planning (Planning Schemes) Act makes provision with respect to the operation and validity of certain planning schemes, amends the <i>Town and Country Planning Act</i> 1961, and for other purposes.</p> <p>9316 Victorian Government Travel Authority (Reconstitution) Act amends the <i>Victorian Government Travel Authority Act</i> 1977 to make provision with respect to the reconstitution of the Authority, and for other purposes.</p> <p>9317 Stamps (Amendment) Act amends the <i>Stamps Act</i> 1958.</p> <p>9318 Motor Car (Fees) Act amends the <i>Motor Car Act</i> 1958 with respect to the amount of registration fees and certain other fees payable under that Act, amends the <i>Stamps Act</i> 1958, and for other purposes.</p> <p>9319 Racing (Financial Provisions) Act makes provision with respect to the commissions deducted from trifecta totalizators, the borrowing powers of the Totalizator Agency Board, and for other purposes.</p> <p>9320 Urban Land Authority Act establishes an Urban Land Authority to make provision with respect to the functions and powers of the Authority, and for other purposes.</p> <p>9321 Public Works and Services Act authorises expenditure on public works and services, and for other purposes.</p> <p>9322 Second-hand Dealers (Closing Hours) Act amends the <i>Second-hand Dealers Act</i> 1958.</p> <p>9323 Crimes (Amendment) Act amends the <i>Crimes Act</i> 1958.</p> <p>9324 Transfer of Land (Amendment) Act amends the <i>Transfer of Land Act</i> 1958, and for other purposes.</p> <p>9325 Melbourne College of Divinity Act amends the <i>Melbourne College of Divinity Act</i> 1910, and for other purposes.</p> <p>9326 Transport Regulation (Car Pools) Act amends the <i>Transport Regulation Act</i> 1958, and for other purposes.</p> <p>9327 Fisheries (Amendment) Act amends the <i>Fisheries Act</i> 1968.</p> <p>9328 Egg Industry Stabilization (Amendment) Act amends the <i>Egg Industry Stabilization Act</i> 1973.</p> <p>9329 Local Authorities Superannuation Act amends the <i>Local Authorities Superannuation Act</i> 1958, and for other purposes.</p> |
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VICTORIA—ACTS PASSED BY PARLIAMENT, 1979 — *continued*

- 9330 Latrobe Valley (Amendment) Act amends the *Latrobe Valley Act 1958*.
- 9331 Liquor Control (Amendment) Act authorises the sale and disposal of liquor at the Melbourne Food and Wine Festival, amends the *Liquor Control Act 1968*, and for other purposes.
- 9332 Motor Accidents (Amendment) Act amends the *Motor Accidents Act 1973* with respect to compensation for deprivation or impairment of earning capacity, and for other purposes.
- 9333 Young Farmers' Finance Council Act establishes a Young Farmers' Finance Council, and amends the *Rural Finance Act 1958*.
- 9334 Probate Duty Act amends the *Probate Duty Act 1962*, and for other purposes.
- 9335 Railways (Board) Act amends the *Railways Act 1958* with respect to the membership and procedure of the Victorian Railways Board, and for other purposes.
- 9336 Ministry of Transport (Amendment) Act amends the *Ministry of Transport Act 1958* to create the position of Deputy Director of Transport, and for other purposes.
- 9337 Abattoir and Meat Inspection (Amendment) Act reconstitutes the membership of the Victorian Abattoir and Meat Inspection Authority, and for other purposes.
- 9338 Public Service (Amendment) Act amends the *Public Service Act 1974*, and for other purposes.
- 9339 Trustee Companies (Amendment) Act amends the *Trustee Companies Act 1958* with respect to the power of directors of trustee companies to refuse to register transfers of shares, limits the power of subsidiaries of trustee companies to act as estate agents, and for other purposes.
- 9340 Vermin and Noxious Weeds (Amendment) Act amends the *Vermin and Noxious Weeds Act 1958*, and for other purposes.
- 9341 Canned Fruits Marketing Act relates to the marketing of certain canned fruits, and for related purposes.
- 9342 Marine (Amendment) Act amends the *Marine Act 1958*, and the *Marine (Amendment) Act 1976*.
- 9343 Shire of Omeo (Tourist Gold Mine) Act authorises the granting to the Corporation of the Shire of Omeo of an exploration licence and a gold mining lease under the *Mines Act 1958* in respect of certain Crown lands reserved for public purposes, to authorise the said Corporation to enter into agreements in respect of any such licence or lease, and for other purposes.
- 9344 Presbyterian Trusts Act makes further provision with respect to the division of certain property in accordance with *The Uniting Church in Australia Act 1977* and Part III of the Schedule to the *Presbyterian Church of Australia Act 1971*, amends the *Presbyterian Trusts Act 1890*, and for other purposes.
- 9345 Railway Construction and Property Board Act reconstitutes the Railway Construction Board as the Railway Construction and Property Board, confers additional functions on that Board, makes better provisions for the development and management of railway land not used directly for railway purposes, makes further provision for railway housing, amends the *Railways Act 1958*, the *Melbourne Underground Rail Loop Act 1970*, the *Land Act 1958*, and the *Ministry of Transport Act 1958*, and for other purposes.
- 9346 Motor Car (Insurance by Pensioners) Act amends section 71 of the *Motor Car Act 1958*.
- 9347 Town and Country Planning (Amendment of Schemes) Act amends the *Town and Country Planning Act 1961*, makes provision with respect to the amendment of planning schemes by the Governor in Council, and for other purposes.
- 9348 Labour and Industry (Amendment) Act amends the *Labour and Industry Act 1958*.
- 9349 Magistrates' Courts (Civil Jurisdiction) Act repeals the *Magistrates' Courts (Amendment) Act 1978*, amends the *Magistrates' Courts Act 1971* and the *Magistrates (Summary Proceedings) Act 1975* with respect to the civil jurisdiction of Magistrates' Courts, amends the *Water Act 1958*, and for purposes connected therewith.
- 9350 Master Builders' Association of Victoria (Guarantee) Act authorises the Treasurer of Victoria to guarantee certain moneys proposed to be borrowed by the Master Builders' Association of Victoria, and for other purposes.
- 9351 Education (Amendment) Act amends the *Education Act 1958*, and for other purposes.
- 9352 Educational Grants (Continuation) Act amends the *Educational Grants Act 1973*.
- 9353 Wrongs (Assessment of Damages) Act makes provision with respect to the assessment of damages, amends the *Wrongs Act 1958*, and for other purposes.
- 9354 Victorian Arts Centre Act constitutes the Victorian Arts Centre Trust, makes provision with respect to the management and operation of the Victorian Arts Centre and for the use and promotion of the theatre complex in the Centre, and for other purposes.

VICTORIA—ACTS PASSED BY PARLIAMENT, 1979 — *continued*

9355	Building Industry Long Service Leave (Amendment) Act establishes a voluntary scheme for long service leave for certain persons in the building industry, amends the <i>Building Industry Long Service Leave Act 1975</i> , and for other purposes.	9361	Grain Handling Improvement Authorities Act establishes certain authorities to undertake the development and construction of various improvements in relation to the transport and storage of grain in Victoria, and for other purposes.
9356	Local Government (Land Liable to Flooding) Act amends the <i>Local Government Act 1958</i> , the <i>Dandenong Valley Authority Act 1963</i> , the <i>Drainage of Land Act 1975</i> , and for other purposes.	9362	Wheat Marketing Act relates to the marketing of wheat, and for other purposes.
9357	Parliamentary Committees (Public Accounts and Expenditure Review Committee) Act makes provision with respect to the establishment of a joint select committee of the Legislative Council and the Legislative Assembly to review the public accounts and public expenditure of Victoria, and for other purposes.	9363	State Employees Retirement Benefits Act constitutes a State Employees Retirement Benefits Board, makes provision for the administration by the Board of a State Employees Retirement Benefits Fund, and for other purposes.
9358	Superannuation (Amendment) Act amends the <i>Pensions Supplementation Act 1966</i> , the <i>Superannuation Act 1958</i> , the <i>Superannuation Act 1975</i> , and for other purposes.	9364	Town and Country Planning (General Amendment) Act amends the <i>Town and Country Planning Act 1961</i> , the <i>State Co-ordination Council Act 1975</i> , the <i>Geelong Regional Commission Act 1977</i> , and for other purposes.
9359	Health (Proprietary Medicines) Act amends Part XIV of the <i>Health Act 1958</i> , and for other purposes.	9365	Industrial Relations Act constitutes an Industrial Relations Commission of Victoria, makes provision for the constitution of Conciliation and Arbitration Boards, makes provision with respect to the recognition of Industrial Associations, makes provision with respect to certain conditions of employment, amends the <i>Labour and Industry Act 1958</i> , the <i>Industrial Training Act 1975</i> , the <i>Building Industry Long Service Leave Act 1975</i> , and for other purposes.
9360	Victorian Fishing Industry Council Act establishes a Victorian Fishing Industry Council and amends section 3(1) of the <i>Local Authorities Superannuation Act 1958</i> , the <i>Fisheries Act 1968</i> , and the <i>Ministry for Conservation Act 1972</i> .		

Parliamentary Papers presented during Session 1978–1979

The following Papers were presented to the Legislative Assembly during Session 1978–1979 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 1978–1979**Finance:**

- A.1. Finance 1977–78 — Treasurer's Statement of the Receipts and Payments of the Consolidated Fund and the Trust Fund for the year ended 30 June 1978, with Reports &c. of the Auditor-General.
- A.2. Supplementary Report of the Auditor-General for the year ended 30 June 1978.

Message from His Excellency the Governor:

- B.1. Estimates of the Receipts and Payments of the Consolidated Fund for the year ending 30 June, 1979.

Returns to Orders of the House:

- C.1. Report of the Committee of Inquiry into Post-Secondary Education.
- C.2. Supplementary Report on Fair Consumer Credit Laws to the Attorney-General for Victoria by a Committee of the Law Council of Australia.
- C.3. "Personal Explanation" to the Parliament of Victoria by D.B. Jennings, M.L.A., Member for Westernport, September, 1978.
- C.4. Beach Petroleum N.L. — Report of Commissioner for Corporate Affairs upon Investigation of Share Trading between 1 April 1978 and 10 May 1978.

VICTORIA—PARLIAMENTARY PAPERS PRESENTED TO
LEGISLATIVE ASSEMBLY, SESSION 1978-1979 — *continued*

Reports from Select Committees:

- D.1. Conservation of Energy Resources Committee — Second Progress Report — Use of Insulation in Buildings and Conservation of Energy Generally together with an Extract from the Proceedings of the Committee and Appendices.
- D.2. Privileges Committee — Report on Complaint relating to Alleged Inducements offered to the Member for Caulfield together with Extracts from the Proceedings of the Committee and Appendices.
- D.3. Statute Law Revision Committee — Report upon the Imperial Acts Application Act 1922 together with Extracts from the Proceedings of the Committee and an Appendix.
- D.4. Statute Law Revision Committee — Report upon Section 44 of the Magistrates (Summary Proceedings) Act 1975.
- D.5. Public Accounts Committee — Further Report upon Expenditure on Parliamentary Printing together with an Appendix.
- D.6. Standing Orders Committee — Report upon the Procedure to be Adopted for Raising Matters of Privilege.
- D.7. Standing Orders Committee — Report upon Extensions to Time Limits on Speeches on Adjournment Motions.
- D.8. Public Accounts Committee — Treasury Minutes on the Interim and Further Reports upon Expenditure on Parliamentary Printing together with Extracts from those Reports.
- D.9. Road Safety Committee — Nineteenth Progress Report — Impounding of Registration Plates, Penalties for Unlicensed Driving and Some Aspects of Alcohol and Road Safety together with Appendices.
- D.10. Statute Law Revision Committee — Report upon Access to Information concerning Adoptions together with Extracts from the Proceedings of the Committee and an Appendix.
- D.11. Standing Orders Committee — Report upon Official Recording of Dissent of an Individual Member.
- D.12. Public Accounts Committee — Report upon Expenditure from the Advance to the Treasurer 1976-77 and Unpaid Accounts 1976-77 together with an Appendix.
- D.13. Standing Orders Committee — Report upon the Quorum Requirement of the Legislative Assembly.
- D.14. Statute Law Revision Committee — Report upon the Law relating to Animals on Highways together with an Appendix.
- D.15. Statute Law Revision Committee — Report upon the proposals contained in the Constitution (Local Government) Bill 1978 together with an Appendix.
- D.16. Standing Orders Committee — Report upon Committal of Bills.
- D.17. Statute Law Revision Committee — Report upon the Publication of Lists of Writs and Summonses.
- D.18. Statute Law Revision Committee — Report upon Certain Matters relating to Trustee Companies together with Extracts from the Proceedings of the Committee.
- D.19. Statute Law Revision Committee — Report upon the use of the Steel-Jawed Leghold Trap together with Extracts from the Proceedings of the Committee and an Appendix.

Papers presented to Parliament.

- No.47. Congenital Abnormalities in the Yarram District — Report of Consultative Council.
- No.68. Consumer Affairs Council — Report for the year 1977-78.
- No.11. Consumer Affairs — Report of the Director of Consumer Affairs for the year 1976-77.
- No.13. Co-operative Housing Societies — Report of the Registrar for the year 1975-76.
- No.14. Co-operative Societies — Report of the Registrar for the year 1975-76.
- No.56. Country Roads Board — Report for the year 1977-78.
- No.26. Education — Report of the Council of Public Education for the year 1975-76.
- No.4. Education — Report of the Minister of Education and the Minister of Special Education for the year 1976-77.
- No.74. Education — Report of the Minister of Education and the Minister of Special Education for the year 1977-78.
- No.63. Egg Marketing Board — Report for the pool year ended 1 July 1978.
- No.42. Environment Protection Authority — Report for the year 1977-78.
- No.72. Equal Opportunity Board — Report for the year 1977-78.
- No.71. Equal Opportunity — Report of the Commissioner for Equal Opportunity for the year 1977-78.
- No.45. Forests Commission — Report for the year 1977-78.
- No.16. Friendly Societies and Benefit Associations — Report of the Government Statist for the year 1975-76.
- No.20. Gas and Fuel Corporation — Report for the year 1976-77.
- No.65. Gas and Fuel Corporation — Report for the year 1977-78.
- No.5. Hospitals and Charities Commission — Report for the year 1976-77.
- No.51. Hospitals and Charities Commission — Report for the year 1977-78.
- No.40. Hospitals Superannuation Board — Report for the year 1976-77.
- No.53. Housing Commission — Report for the year 1977-78.

VICTORIA—PARLIAMENTARY PAPERS PRESENTED TO
LEGISLATIVE ASSEMBLY, SESSION 1978-1979 — *continued*

- No.6. Housing Commission — Report of Board of Inquiry into Certain Land Purchases by the Housing Commission and Questions arising therefrom.
- No.49. Industrial Training Commission — Report for the year 1977-78.
- No.27. Labour and Industry Department — Report for the year 1977.
- No.37. Land Conservation Council — Report for the year 1977-78.
- No.64. Law Reform Commissioner — Report for the year 1977-78.
- No.22. Liquor Control Act 1968 — Report of Board of Inquiry into Operation — Vol. 1.
- No.23. Liquor Control Act 1968 — Report of Board of Inquiry into Operation — Vol. 2.
- No.9. Liquor Control Commission — Report for the year 1976-77.
- No.7. Melbourne and Metropolitan Board of Works — Report of Board of Inquiry into the Melbourne and Metropolitan Board of Works.
- No.60. Melbourne Underground Rail Loop Authority — Report for the year 1977-78.
- No.10. Motor Accidents Board — Report for the year 1975-76.
- No.44. Motor Accidents Board — Report for the year 1976-77.
- No.24. Motor Vehicle Accident Compensation — Report of Board of Inquiry.
- No.79. National Parks Service — Report for the year 1977-78.
- No.1. Ombudsman — Quarterly Report for the period 1 July, 1977 to 30 September, 1977.
- No.2. Ombudsman — Quarterly Report for the period 1 October, 1977 to 31 December, 1977.
- No.12. Ombudsman — Quarterly Report for the period 1 January, 1978 to 31 March, 1978.
- No.39. Ombudsman — Report for the year 1977-78 together with Quarterly Report for the period 1 April, 1978 to 30 June, 1978.
- No.58. Ombudsman — Quarterly Report for the period 1 July, 1978 to 30 September, 1978.
- No.25. Ombudsman — Report on Investigation into Cause of Unrest in 'H' Division, Pentridge During the Weekend Commencing 15 April, 1978.
- No.36. Parole Board (Youth) — Report for the year 1976-77.
- No.46. Police Department — Report for the year 1977.
- No.32. Police Force — Report of Board of Inquiry into Allegations against Members of the Victoria Police Force Vol. 1.
- No.33. Police Force — Report of Board of Inquiry into Allegations against Members of the Victoria Police Force Vol. 2.
- No.34. Police Force — Report of Board of Inquiry into Allegations against Members of the Victoria Police Force Vol. 3.
- No.35. Police Force — Report of the Committee appointed to Examine and Advise in relation to the Recommendations made in Chapter 8 of Volume 1 of the Report of the Board of Inquiry appointed for the Purpose of Inquiring into and Reporting upon Certain Allegations against Members of the Victoria Police Force — (Part 1 — Police Procedures relating to the Investigation of Crime).
- No.8. Police Force — Report of Board of Inquiry into Allegations against Members of the Victoria Police Force — Memorandum of Advice by Mr. J. Le. P. Darvall re Complaint to the Board of Inquiry — Charles Francis Q.C. and the Frankston C.I.B.
- No.57. Publications State Advisory Board — Report for the year 1977-78.
- No.54. Railways — Report of the Victorian Railways Board for the year 1977-78.
- No.18. Rural Finance and Settlement Commission — Report for the year 1976-77.
- No.78. Rural Finance Commission — Report for the year 1977-78.
- No.41. Social Welfare Department — Report for the year 1976-77.
- No.50. Social Welfare Department — Statistical Tables for the year 1976-77.
- No.75. Social Welfare — Report on the Future of Social Welfare in Victoria.
- No.29. Soil Conservation Authority — Report for the year 1976-77.
- No.17. State Development Committee — Progress Report on Port Utilisation and Development in Victoria with particular reference to the Provision of General Cargo Handling Facilities at Western Port.
- No.21. State Electricity Commission — Report for the year 1976-77 together with Appendices.
- No.77. State Electricity Commission — Report for the year 1977-78 together with Appendices.
- No.15. State Rivers and Water Supply Commission — Report for the year 1976-77 (Vol.1).
- No.28. State Rivers and Water Supply Commission — Report for the year 1976-77 (Vol.2).
- No.73. State Rivers and Water Supply Commission — Report for the year 1977-78 (Vol.1).
- No.75. State Rivers and Water Supply Commission — Report for the year 1977-78 (Vol.2).
- No.55. State Savings Bank — Reports, Statements, Returns etc., for the year 1977-78.
- No.19. Teacher Housing Authority — Report for the year 1976-77.
- No.30. Teachers Tribunal — Report for the year 1975-76.
- No.31. Teachers Tribunal — Report for the year 1976-77.
- No.69. Town and Country Planning Board — Report for the year 1977-78.
- No.48. Transport Regulation Board — Report for the year 1977-78.
- No.80. Victoria Grants Commission — Report for the year 1978.
- No.59. Victoria Institute of Colleges — Report for the year 1977.
- No.66. Victorian Development Corporation — Report for the year 1977-78.
- No.3. Youth, Sport and Recreation Department — Report for the year 1976-77.
- No.62. Youth, Sport and Recreation Department — Report for the year 1977-78.

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 adopted 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 21 March 1973.) The electoral rolls for the State are compiled by the Commonwealth electoral authorities under a joint Commonwealth-State 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 Parliamentary 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
1971	1,857,354	1976	2,264,222
1972	1,890,666	1977	2,301,695
1973	2,124,151	1978	2,307,786
1974	2,183,625	1979	2,371,637
1975	2,176,732	1980	2,372,063

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 elected, 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 page 84 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	17.91
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	Sunshine	34.82
Gisborne	6,799.00	Swan Hill	18,420.00
Glenhuntly	11.75	Syndal	24.43
Glenroy	16.87	Wantirna	24.78
Greensborough	92.84	Warrandyte	123.00
Hawthorn	12.30	Warrnambool	5,752.00
Heatherton	40.01	Werribee	974.00
Ivanhoe	23.88	Westernport	3,296.00
Keilor	221.00	Williamstown	29.22
		Total (b)	228,307.00

(a) See pages 85-6 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 5 May 1979, there were contests in all the eighty-one Electoral Districts. In sixty-nine of these contests, more than two candidates were engaged.

In thirty-six of these sixty-nine 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 thirty-three contests, the leading candidate on the first count was elected in thirty-one instances but was defeated in the remaining two instances.

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	53,417	2.54
1979	2,350,407	2,350,407	2,193,037	93.30	66,016	3.01

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 1955:

VICTORIA—PARLIAMENTARY REPRESENTATION IN THE LEGISLATIVE ASSEMBLY

Year of election	Number of members of Legislative Assembly	Mean population (a)	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
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	3,627,357	49,690	2,088,984	28,616	62.5
1976	81	3,747,510	46,266	2,267,283	27,991	60.5
1979	81	3,853,560	47,575	2,350,407	29,017	60.9

(a) Calendar year.

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 5 May 1979, there were contests in all Provinces and in thirteen of them more than two candidates were engaged.

In four of these thirteen 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 nine contests, the leading candidate, on the first count, was elected in seven instances but was defeated in the remaining two instances.

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 Districts			
	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	2,350,407	2,350,407	2,191,128	93.22	77,361	3.53

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

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. In 1973, the number of Senators was further increased by the Senate (Representation of Territories) Act which provided for the Australian Capital Territory and the Northern Territory to be each represented by two Senators. The term of office of these four Senators expires upon the dissolution of the House of Representatives.

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. The Australian Capital Territory representation was increased to two in 1974 and the members representing that Territory and the member representing the Northern Territory now have full voting rights.

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*, an electoral redistribution was undertaken in all States in 1977 making the membership of the House of Representatives 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; the Australian Capital Territory, 2; and the Northern Territory, 1.

In 1979, pursuant to section 25(2)(b)(i) of the Commonwealth Electoral Act, an electoral redistribution was undertaken in Western Australia and as a result representation for that State was increased to 11 at the House of Representatives election held on 18 October 1980.

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	127
1977 (c)	43	33	19	11	10	5	1	2	124
1980 (d)	43	33	19	11	11	5	1	2	125

(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.

(d) Election following an electoral redistribution in W.A. only.

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 1980 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 1980**

Senator	Retires
Button, John Norman (<i>ALP</i>)	1984
Chipp, Hon. Donald Leslie (<i>AD</i>)	1984
Evans, Gareth John (<i>ALP</i>)	1984
Guilfoyle, Hon. Dame Margaret Georgina Constance D.B.E. (<i>LP</i>)	1981
Hamer, David John, D.S.C. (<i>LP</i>)	1984
Lewis, Austin William Russell (<i>LP</i>)	1981
Melzer, Jean Isabel (<i>ALP</i>)	1981
Missen, Alan Joseph (<i>LP</i>)	1984
Neal, Laurence William (<i>NCP</i>) (<i>a</i>)	1981
Primmer, Cyril Graham (<i>ALP</i>)	1981

(a) Chosen by Parliament of Victoria on 11 March 1980 to fill casual vacancy caused by resignation of Hon. James Joseph Webster.

Elections for the House of Representatives

Australia is divided into 125 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 18 October 1980.

The following table lists the Victorian members of the House of Representatives elected on 18 October 1980 together with the party affiliation and electorate of each member:

**AUSTRALIA—HOUSE OF REPRESENTATIVES: VICTORIAN
MEMBERS ELECTED ON 18 OCTOBER 1980**

Member	Division
Bourchier, John William (<i>LP</i>)	Bendigo
Brown, Neil Anthony (<i>LP</i>)	Diamond Valley
Cameron, Ewen Colin (<i>LP</i>)	Indi
Cass, Hon. Dr. Moses Henry (<i>ALP</i>)	Maribyrnong
Charles, David Ernest (<i>ALP</i>)	Isaacs
Child, Joan (<i>ALP</i>)	Henty
Cunningham, Barry Thomas (<i>ALP</i>)	McMillan
Duffy, Michael John (<i>ALP</i>)	Holt
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
Harris, Graham McDonald (<i>LP</i>)	Chisholm
Hawke, Robert James Lee (<i>ALP</i>)	Wills
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
Jones, Barry Owen (<i>ALP</i>)	Lalor
Kent, Lewis (<i>ALP</i>)	Hotham
Lloyd, Bruce (<i>NCP</i>)	Murray
Lynch, Rt. Hon. Phillip Reginald (<i>LP</i>)	Flinders
Macphée, Hon. Ian Malcolm (<i>LP</i>)	Balaclava
Mildren, John Barry (<i>ALP</i>)	Ballarat
Milton, Peter (<i>ALP</i>)	La Trobe
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
Snedden, Rt. Hon. Sir Billy Mackie K.C.M.G., Q.C. (<i>LP</i>)	Bruce
Street, Hon. Anthony Austin (<i>LP</i>)	Corangamite
Theophanous, Andrew Charles (<i>ALP</i>)	Burke
Willis, Ralph (<i>ALP</i>)	Gellibrand

BIBLIOGRAPHY

- AITKEN, D. A. and JINKS, B. *Australian political institutions*. Carlton. Pitman, 1980 (looseleaf).
- 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.
- HAY, P. R., WARD, I., and WARHURST, J. *Anatomy of an election*. Melbourne, Hill of Content, 1979.
- 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, Butterworths, 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.
- VICTORIAN PARLIAMENT. *One hundred years of responsible government in Victoria, 1856-1956*. Melbourne, Government Printer, 1957.