

# Part 2

## GOVERNMENT AND ADMINISTRATION

### *Constitution*

#### **Introduction**

The present Constitution of Victoria derives from an Act passed by the Parliament at Westminster in 1855 and known in Victoria as The Constitution Act. That Act, together with *The Constitution Act Amendment Act 1958* (which consolidates the many constitutional provisions passed by the Victorian Parliament itself since 1855) provides the legal and constitutional background to a system of responsible Cabinet Government based on a legislature of two Houses, both elected upon adult suffrage. The Victorian Constitution has also been affected by the establishment of the Commonwealth Constitution by the *Commonwealth of Australia Constitution Act 1900* by which legislative and executive powers upon certain specified matters were granted to the Commonwealth Parliament and 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 Parliament of Victoria may now make laws in and for Victoria upon all matters not exclusively granted to the Commonwealth by the Commonwealth Constitution; but upon some of these matters the Victorian law may be superseded by the passing of a Commonwealth Act.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.

#### **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 pro-rogues 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 divorce, or the granting of land and money to himself. His functions in relation to the Legislature are contained in the Constitution Act and the Constitution Act Amendment Act.

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

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

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 outside Victoria.

In the execution of the powers and authorities vested in him, the Governor shall be 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 shall see sufficient cause to dissent from the opinion of the said Council, he may act in the exercise of his said 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 emphasizes 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 following have been the representatives of the Sovereign since the establishment of the Port Phillip District in 1839:—

Name	Office	Date of Assumption of Office
<i>Before Responsible Government</i>		
Charles Joseph La Trobe ..	Superintendent of the District of Port Phillip	30th September, 1839
	Lieutenant-Governor of the Colony of Victoria	15th July, 1851
John Vesey Fitzgerald Leslie Foster (acting)	Officer administering the Government of the Colony of Victoria	8th May, 1854
Captain Sir Charles Hotham, R.N., K.C.B.	Lieutenant-Governor of the Colony of Victoria	22nd June, 1854

Name	Office	Date of Assumption of Office
<i>Since Responsible Government</i>		
Captain Sir Charles Hotham, R.N., K.C.B.	Captain - General and Governor-in-Chief of the Colony of Victoria, also Vice-Admiral, Commissary, and Deputy in the office of Vice-Admiralty in the said Colony	22nd May, 1855
Sir Henry Barkly, K.C.B. . .	Captain - General and Governor-in-Chief of the Colony of Victoria, and Vice-Admiral of the same	26th December, 1856
Sir Charles Henry Darling, K.C.B.	Governor and Commander-in-Chief	11th September, 1863
The Hon. Sir John Henry Thomas Manners-Sutton, K.C.B.	Governor and Commander-in-Chief	15th August, 1866
Sir George Ferguson Bowen, G.C.M.G.	Administrator of the Government Governor and Commander-in-Chief of the Colony of Victoria and its Dependencies, and Vice-Admiral of the same	31st March, 1873 30th July, 1873
The Most Hon. George Augustus Constantine Phipps, Marquis of Normanby, G.C.M.G., P.C.	Administrator of the Government Governor and Commander-in-Chief	27th February, 1879 29th April, 1879
Sir Henry Brougham Loch, G.C.M.G., K.C.B.	Governor and Commander-in-Chief	15th July, 1884
The Right Hon. John Adrian Louis Hope, Earl of Hoptoun, G.C.M.G.	Governor and Commander-in-Chief	28th November, 1889
The Right Hon. Baron Brassey, K.C.B.	Governor and Commander-in-Chief	25th October, 1895
Sir George Sydenham Clarke, K.C.M.G., F.R.S.	Governor of the State of Victoria	10th December, 1901
Major-General the Hon. Sir Reginald Arthur James Talbot, K.C.B.	Governor . . . .	25th April, 1904
Sir Thomas David Gibson Carmichael, Bart., K.C.M.G.	Governor . . . .	27th July, 1908
Sir John Michael Fleetwood Fuller, Bart., K.C.M.G.	Governor . . . .	24th May, 1911
The Hon. Sir Arthur Lyulph Stanley, K.C.M.G.	Governor . . . .	23rd February, 1914
Colonel the Right Hon. George Edward John Mowbray, Earl of Stradbroke, K.C.M.G., C.B., C.V.O., C.B.E., Aide-de-Camp to His Majesty the King	Governor . . . .	24th February, 1921
Lieutenant-Colonel the Right Hon. Arthur Herbert Tennyson, Baron Somers, K.C.M.G., D.S.O., M.C.	Governor . . . .	28th June, 1926

Name	Office	Date of Assumption of Office
<i>Since Responsible Government—continued</i>		
Captain the Right Hon. William Charles Arcedeckne, Baron Huntingfield, K.C.M.G.	Governor .. ..	14th May, 1934
Major-General Sir Winston Joseph Dugan, G.C.M.G., C.B., D.S.O.	Governor .. ..	17th July, 1939
General Sir Reginald Alexander Dallas Brooks, K.C.B., K.C.M.G., K.C.V.O., D.S.O., K.St.J.	Governor .. ..	18th October, 1949

### Lieutenant-Governor

The Lieutenant-Governor is appointed to this office 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 authorized 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 the Commonwealth 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 the Commonwealth 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 Lieutenant-General the Hon. Sir Edmund Francis Herring, K.C.M.G., K.B.E., D.S.O., M.C., E.D.

### Executive Council

Section 15 of the *Constitution Act Amendment Act 1958* 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 (3) comprises the

Governor and at least two (2) 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, &c., the Governor acts formally with the advice of the Executive Council, but actually in accordance with Cabinet or Ministerial decisions.

## **Cabinet**

### *Formation and Composition of Cabinet*

Victoria has followed the system of Cabinet 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 15 of the *Constitution Act Amendment Act 1958*, which provides that the Governor may, from time to time, appoint up to fourteen (14) officers who are either members or capable of being elected members of either House of Parliament. No Minister shall hold office for a longer period 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 four (4) of such officers shall at any one time be members of the Legislative Council and not more than ten (10) 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 who 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 of Cabinet*

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 Methods of Procedure*

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

There is in practice no Cabinet secretariat ; but the *Constitution Act Amendment Act 1958* provides for the payment of a salary to any member of the Council or of the Assembly who is recognized as the Parliamentary Secretary of the Cabinet.

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

In general, Cabinet decisions are given legal effect either by the appropriate Minister or by the Governor in Council.

*Colonial and Responsible Government***Ministers of the Crown 1851-1855**

In 1851, Victoria became a colony separate from New South Wales, and until the establishment of responsible government in 1855 it was administered by the Government officers listed below:—

Name of Minister	Office	Date of Assumption of Office
William Lonsdale .. ..	Colonial Secretary	} 15th July, 1851
Alastair Mackenzie .. ..	Colonial Treasurer	
Charles Hotson Ebdon .. ..	Auditor-General ..	
Robert Hoddle .. ..	Surveyor-General ..	
Alexander McCrae .. ..	Chief Postmaster ..	
William Foster Stawell .. ..	Attorney-General ..	
Redmond Barry .. ..	Solicitor-General ..	
James Horatio Nelson Cassell .. ..	Collector of Customs	13th April, 1852
Edward Eyre Williams .. ..	Solicitor-General ..	21st July, 1852
James Croke .. ..	Solicitor-General ..	20th September, 1852
Frederick Armand Powlett .. ..	Colonial Treasurer	11th October, 1852
Hugh Culling Eardley Childers .. ..	Auditor-General ..	1st July, 1853
Andrew Clarke .. ..	Surveyor-General ..	20th July, 1853
John Vesey Fitzgerald Foster .. ..	Colonial Secretary	20th July, 1853
William Lonsdale .. ..	Colonial Treasurer	5th December, 1853
Hugh Culling Eardley Childers .. ..	Collector of Customs	8th December, 1853
Edward Grimes .. ..	Auditor-General ..	4th January, 1854
Robert Molesworth .. ..	Solicitor-General ..	12th December, 1854
William Clark Haines .. ..	Colonial Secretary	

**Ministries Since Responsible Government**

*Ministries, 1855 to 1955*

The following is a list of the Premiers of the Governments from 1855 to 1955:—

Number of Ministry and Name of Premier	Date of Assumption of Office	Date of Retirement from Office	Duration of Office
			days
1. William Clark Haines	30th November, 1855	11th March, 1857 ..	468
2. John O'Shanassy ..	11th March, 1857 ..	29th April, 1857 ..	50
3. William Clark Haines	29th April, 1857 ..	10th March, 1858 ..	316
4. John O'Shanassy ..	10th March, 1858 ..	27th October, 1859	597
5. William Nicholson ..	27th October, 1859	26th November, 1860	397
6. Richard Heales ..	26th November, 1860	14th November, 1861	354
7. John O'Shanassy ..	14th November, 1861	27th June, 1863 ..	591
8. James McCulloch ..	27th June, 1863 ..	6th May, 1868 ..	1,776
9. Charles Sladen ..	6th May, 1868 ..	11th July, 1868 ..	67
10. James McCulloch ..	11th July, 1868 ..	20th September, 1869	437
11. John Alexander MacPherson	20th September, 1869	9th April, 1870 ..	202
12. Sir James McCulloch	9th April, 1870 ..	19th June, 1871 ..	437
13. Charles Gavan Duffy	19th June, 1871 ..	10th June, 1872 ..	358
14. James Goodall Francis	10th June, 1872 ..	31st July, 1874 ..	782
15. George Briscoe Kerferd	31st July, 1874 ..	7th August, 1875 ..	373
16. Graham Berry ..	7th August, 1875 ..	20th October, 1875	75
17. Sir James McCulloch, K.C.M.G.	20th October, 1875	21st May, 1877 ..	580
18. Graham Berry ..	21st May, 1877 ..	5th March, 1880 ..	1,020
19. James Service ..	5th March, 1880 ..	3rd August, 1880 ..	152
20. Graham Berry ..	3rd August, 1880 ..	9th July, 1881 ..	341
21. Sir Bryan O'Loghlen, Bart.	9th July, 1881 ..	8th March, 1883 ..	608
22. James Service ..	8th March, 1883 ..	18th February, 1886	1,079
23. Duncan Gillies ..	18th February, 1886	5th November, 1890	1,722
24. James Munro ..	5th November, 1890	16th February, 1892	469
25. William Shiels ..	16th February, 1892	23rd January, 1893	343
26. Sir James Brown Patterson, K.C.M.G.	23rd January, 1893	27th September, 1894	613
27. Sir George Turner, P.C., K.C.M.G.	27th September, 1894	5th December, 1899	1,896
28. Allan McLean ..	5th December, 1899	19th November, 1900	350
29. Sir George Turner, P.C., K.C.M.G.	19th November, 1900	12th February, 1901	86
30. Alexander James Peacock	12th February, 1901	10th June, 1902 ..	484
31. William Hill Irvine	10th June, 1902 ..	16th February, 1904	617
32. Sir Thomas Bent, K.C.M.G.	16th February, 1904	8th January, 1909 ..	1,789
33. John Murray ..	8th January, 1909 ..	18th May, 1912 ..	1,227
34. William Alexander Watt	18th May, 1912 ..	9th December, 1913	571
35. George Alexander Elmslie	9th December, 1913	22nd December, 1913	14
36. William Alexander Watt	22nd December, 1913	18th June, 1914 ..	179
37. Sir Alexander James Peacock, K.C.M.G.	18th June, 1914 ..	29th November, 1917	1,261
38. John Bowser ..	29th November, 1917	21st March, 1918 ..	113
39. Harry Sutherland Wightman Lawson	21st March, 1918 ..	7th September, 1923	1,997
40. Harry Sutherland Wightman Lawson	7th September, 1923	19th March, 1924 ..	195
41. Harry Sutherland Wightman Lawson	19th March, 1924 ..	28th April, 1924 ..	41

MINISTRIES SINCE RESPONSIBLE GOVERNMENT—*continued*

Number of Ministry and Name of Premier	Date of Assumption of Office	Date of Retirement from Office	Duration of Office
42. Sir Alexander James Peacock, K.C.M.G.	28th April, 1924 ..	18th July, 1924 ..	days 82
43. George Michael Prendergast	18th July, 1924 ..	18th November, 1924	124
44. John Allan ..	18th November, 1924	20th May, 1927 ..	914
45. Edmond John Hogan	20th May, 1927 ..	22nd November, 1928	553
46. Sir William Murray McPherson, K.B.E.	22nd November, 1928	12th December, 1929	386
47. Edmond John Hogan	12th December, 1929	19th May, 1932 ..	890
48. Sir Stanley Seymour Argyle, K.B.E., M.R.C.S.	19th May, 1932 ..	2nd April, 1935 ..	1,049
49. Albert Arthur Dunstan	2nd April, 1935 ..	14th September, 1943	3,088
50. John Cain ..	14th September, 1943	18th September, 1943	5
51. Albert Arthur Dunstan	18th September, 1943	2nd October, 1945	746
52. Ian Macfarlan, K.C.	2nd October, 1945	21st November, 1945	51
53. John Cain ..	21st November, 1945	20th November, 1947	730
54. Thomas Tuke Hollway	20th November, 1947	3rd December, 1948	380
55. Thomas Tuke Hollway	3rd December, 1948	27th June, 1950 ..	572
56. John Gladstone Black McDonald	27th June, 1950 ..	28th October, 1952	855
57. Thomas Tuke Hollway	28th October, 1952	31st October, 1952..	4
58. John Gladstone Black McDonald	31st October, 1952..	17th December, 1952	48
59. John Cain ..	17th December, 1952	31st March, 1955 ..	835
60. John Cain ..	31st March, 1955 ..	7th June, 1955 ..	69
61. Henry Edward Bolte	7th June, 1955 ..	Still in Office	

*Present Ministry*

The last triennial elections for the Legislative Council were held on 21st June, 1958, and the general election for the Legislative Assembly on 31st May, 1958.

At 1st May, 1960, the 61st Ministry led by the Hon. H. E. Bolte consisted of the following members:—

The Hon. H. E. Bolte, M.L.A. ..	Premier, Treasurer, and Minister for Conservation.
„ „ A. G. Rylah, E.D., M.L.A.	Chief Secretary, and Attorney-General.
„ „ Sir Arthur Warner, M.L.C.	Minister of Transport, and a Vice-President of the Board of Land and Works.
„ „ G. L. Chandler, C.M.G., M.L.C.	Minister of Agriculture, and a Vice-President of the Board of Land and Works.
„ „ Sir Thomas Maltby, E.D., M.L.A.	Commissioner of Public Works, and a Vice-President of the Board of Land and Works.
„ „ E. P. Cameron, M.L.C.	Minister of Health.
„ „ W. J. Mibus, M.L.A. ..	Minister of Water Supply, and Minister of Mines.
„ „ J. S. Bloomfield, M.L.A.	Minister of Education.
„ „ H. R. Petty, M.L.A. ..	Minister of Housing, and Minister of Immigration.
„ „ K. H. Turnbull, M.L.A.	Commissioner of Crown Lands and Survey, Minister of Soldier Settlement, and President of the Board of Land and Works.
„ „ G. O. Reid, M.L.A. ..	Minister of Labour and Industry, and Minister of Electrical Undertakings.
„ „ M. V. Porter, M.L.A. ..	Minister for Local Government.
„ „ A. J. Fraser, M.C., M.L.A.	Minister of Forests, and Minister of State Development.
„ „ L. H. S. Thompson, M.L.C.	Minister without Portfolio.



*Ministerial Changes Since 1956*

Ministerial changes in the 61st Ministry prior to 10th April, 1956, are listed on pp. 25–26 of the Victorian Year Book 1954–58. Since 10th April, 1956, the following changes have occurred:—

The Hon. G. S. McArthur, M.L.C., resigned as Minister of Forests and Minister of State Development and Decentralization on 16th July, 1958.

The Hon. M. V. Porter, M.L.A., appointed Minister of Forests on 16th July, 1958.

The Hon. L. H. S. Thompson, M.L.C., appointed a responsible Minister of the Crown on 16th July, 1958.

The Hon. M. V. Porter, M.L.A., appointed Minister for Local Government, in addition to portfolio already held, on 16th December, 1958.

The Hon. A. J. Fraser, M.C., M.L.A., appointed Minister of Forests, *vice* Hon. M. V. Porter, M.L.A., and Minister of State Development on 20th January, 1959.

*Parliament***Introduction**

The Constitution Act, creating a Legislative Council and a Legislative Assembly, was assented to by Her Majesty in Council on the 21st July, 1855, and came into operation in Victoria on the 23rd 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 Legislature of the Commonwealth of Australia.

The Legislative Council has 34 members elected from two-member provinces for six year terms and the Legislative Assembly has 66 members elected from single electorates 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 both Houses. The most frequently amended sections of the Constitution dealing with the Parliament have been those setting out the relations between Council and 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. Payment of members has also been frequently adjusted. The present complex scale makes extra payments to the Leader of the third party as well as to the Leader of the Opposition; Opposition and third party Whips and the Deputy Leader of the Opposition are also specially rewarded. Electorates are graded as "metropolitan", "urban", "inner country" and "outer country", and receive different rates.

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, but being capable of re-election, every three years. A session is that period between the summoning of Parliament and prorogation. When Parliament is prorogued all business on hand lapses and, if it is to be continued in the next session, it must be reintroduced.

There are three political parties at present (July, 1960) represented in the Parliament of Victoria: the Liberal and Country Party, the Labor party, and the Country Party. Of the 34 members of the Legislative Council, seventeen belong to the Liberal and Country Party, nine to the Labor Party and eight to the Country Party. Of the 66 members of the Legislative Assembly, 38 belong to the Liberal and Country Party, eighteen to the Labor Party and ten to the Country Party. The Liberal and Country 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 last general election in 1958. The Leader of that Party holds the office of Premier. The Labor Party forms the official Opposition Party, whilst the Country Party sits on the corner benches of the Government side of the Assembly.

### **Functions of Parliament**

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 in such Bills, provided these amendments will not have the effect of increasing any proposed charge or burden on the people and the Assembly may make the suggested amendments if they so desire. In practice, almost all Bills are introduced by the Government in office as a result of policy decisions taken in Cabinet.

### **Parliamentary Procedure**

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

Under "Orders of the Day" which now 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 to the Governor for assent by the Speaker. Unless otherwise provided, all Acts come into force on the day of assent.

### Members of the State Parliament

#### Legislative Council

The following list shows members of the Legislative Council elected on 21st June, 1958:—

Member	District	Number of Electors on Rolls	Number of Electors Who Voted	Total Percentage of Electors Who Voted
Byrne, The Hon. Murray	Ballarat ..	56,483	54,151	95·87
Byrnes, The Hon. Percy Thomas	North Western ..	46,639	43,815	93·94
Fulton, The Hon. William Oliver	Gippsland ..	71,322	66,597	93·38
Garrett, The Hon. William Raymond	Southern ..	159,543	147,391	92·38
Gross, The Hon. Kenneth Samuel	Western ..	55,901	53,409	95·54
Hamer, The Hon. Rupert James	East Yarra ..	128,761	119,138	92·53
Mair, The Hon. William Phillip	South Eastern ..	110,669	102,505	92·62
Merrifield, The Hon. Samuel	Doutta Galla ..	105,778	97,281	91·97
Nicol, The Hon. Graham John	Monash ..	100,009	89,336	89·33
O'Connell, The Hon. Geoffrey John	Melbourne ..	51,745	45,685	88·29
Smith, The Hon. Arthur ..	Bendigo ..	59,780	56,336	94·24
Swinburne, The Hon. Ivan Archie	North Eastern ..	49,001	Uncontested	
Thom, The Hon. Geoffrey Walter	South Western ..	74,100	69,331	93·56
Todd, The Hon. Archibald	Melbourne West	99,879	92,234	92·35
Walters, The Hon. Dudley Joseph	Northern ..	52,195	Uncontested	
Walton, The Hon. John Malcolm	Melbourne North	145,290	134,918	92·86
Warner, Sir Arthur George	Higinbotham ..	121,198	111,538	92·03

Members of the Legislative Council who did not come up for election on that date are shown in the following table:—

Member	Province
Bradbury, The Hon. Archibald Keith .. ..	North Eastern
Bridgford, The Hon. Charles Haig .. ..	South Eastern
Cameron, The Hon. Ewen Paul .. ..	East Yarra
Chandler, The Hon. Gilbert Lawrence, C.M.G. ..	Southern
Dickie, The Hon. Vance Oakley .. ..	Ballarat
Feltham, The Hon. Percy Victor, M.B.E. .. ..	Northern
Galbally, The Hon. John William .. ..	Melbourne North
Gawith, The Hon. Charles Sherwin .. ..	Monash
Grigg, The Hon. Thomas Henry .. ..	Bendigo
Machin, The Hon. Buckley .. ..	Melbourne West
Mack, The Hon. Ronald William .. ..	Western
Mansell, The Hon. Arthur Robert .. ..	North Western
May, The Hon. Robert William .. ..	Gippsland
McArthur, Sir Gordon Stewart .. ..	South Western
†Slater, The Hon. William .. ..	Doutta Galla
†Thomas, The Hon. Frederick Miles .. ..	Melbourne
Thompson, The Hon. Lindsay Hamilton Simpson ..	Higinbotham

† Since deceased.

President: The Hon. Sir Gordon McArthur.

Chairman of Committees: The Hon. R. W. Mack.

Clerk of the Legislative Council: R. S. Sarah.

## Legislative Assembly

The following list shows members of the Legislative Assembly at 1st May, 1960. It also includes details of electoral districts and voting at the last general election, which was held on 31st May, 1958:—

Member	District	Number of Electors on Rolls	Number of Electors Who Voted	Total Percentage of Electors Who Voted
Balfour, James Charles Murray, Esquire	Morwell ..	21,132	20,008	94·68
Barclay, Nathaniel, Esquire, D.C.M.	Mildura ..	20,254	19,234	94·96
Bloomfield, The Hon. John Stoughton	Malvern ..	20,074	18,311	91·22
Bolte, The Hon. Henry Edward	Hampden ..	20,842	20,134	96·60
Brose, The Hon. Richard Keats	Rodney ..	21,542	20,645	95·84
Christie, Vernon, Esquire ..	Ivanhoe ..	23,649	22,162	93·71
Clarey, Reynold Arthur, Esquire	Melbourne ..	18,872	16,804	89·04
Cochrane, Leslie James, Esquire	Gippsland West	21,924	20,894	95·30
Cook, Frederick Albert, Esquire	Benalla ..	20,675	19,591	94·76
Crick, George Roy, Esquire ..	Grant ..	29,527	27,922	94·56
Darcy, Thomas Anthony, Esquire	Polwarth ..	23,001	22,004	95·67
Divers, William Thomas, Esquire*	Footscray ..	20,708	..	Unopposed
Doube, The Hon. Valentine Joseph	Oakleigh ..	22,659	21,637	95·49
Dunstan, Roberts Christian, Esquire, D.S.O.	Mornington ..	23,629	21,966	92·96
Fennessy, Leo Michael, Esquire	Brunswick East	18,288	16,995	92·93
Floyd, William Laurence, Esquire	Williamstown	20,110	18,998	94·47
Fraser, The Hon. Alexander John, M.C.	Caulfield ..	21,916	20,256	92·43
Gainey, Richard John, Esquire, M.B.E.	Elsternwick ..	21,695	20,129	92·78
Galvin, The Hon. Leslie William	Bendigo ..	21,868	21,080	96·40
Garrison, Peter Wolseley, Esquire	Hawthorn ..	20,017	18,518	92·51
Gibbs, George Sampson, Esquire	Portland ..	22,013	21,159	96·12
Gillett, Robert Max, Esquire ..	Geelong West	23,172	21,623	93·32
Holden, Jack Bruce, Esquire ..	Moonee Ponds	20,777	19,706	94·85
Holland, Kevin Myles Stephen, Esquire	Flemington ..	19,264	18,331	95·16
Hyland, The Hon. Sir Herbert John Thornhill	Gippsland South	21,889	20,777	94·92
Kane, Harold Edward, Esquire	Broadmeadows	30,448	28,637	94·05
†Knox, Brigadier The Hon. Sir George Hodges, C.M.G., V.D.	Scoresby ..	25,807	24,052	93·20
Lind, The Hon. Sir Albert Eli	Gippsland East	20,841	19,704	94·54
Lovegrove, Denis, Esquire ..	Fitzroy ..	19,456	17,820	91·59
Loxton, Samuel John Everett, Esquire	Prahran ..	19,767	18,232	92·23
MacDonald, James David, Esquire	Burwood ..	21,622	20,487	94·75
McDonald, The Hon. Sir William John Farquhar	Dundas ..	21,822	20,985	96·16
Maltby, The Hon. Sir Thomas Karran, E.D.	Geelong ..	21,207	19,688	92·84
Manson, James Williamson, Esquire	Ringwood ..	28,074	26,595	94·73

\* Mr. W. T. Divers, elected (unopposed) 8th October, 1958, *vice* Hon. A. E. Shepherd, deceased 12th September, 1958.

† Since deceased.

MEMBERS OF THE LEGISLATIVE ASSEMBLY—*continued*

Member	District	Number of Electors on Rolls	Number of Electors Who Voted	Total Percentage of Electors Who Voted
Meagher, Edward Raymond, Esquire, M.B.E., E.D.	Mentone ..	23,641	22,423	94·85
Mibus, The Hon. Wilfred John	Lowan ..	20,602	19,858	96·39
Mitchell, The Hon. Thomas Walter	Benambra ..	21,636	20,376	94·18
Moss, The Hon. George Colin	Murray Valley	21,889	20,826	95·14
Mutton, Charles, Esquire ..	Coburg ..	21,911	20,901	95·39
Petty, The Hon. Horace Rostill	Toorak ..	19,452	17,696	90·97
Porter, The Hon. Murray Victor	Sandringham	25,231	23,723	94·02
Rafferty, Joseph Anstice, Esquire	Ormond ..	24,208	23,100	95·42
Reid, The Honorable George Oswald	Box Hill ..	24,107	22,637	93·90
Reid, Leonard Stanley, Esquire, D.F.C.	Dandenong ..	29,072	27,278	93·83
Ring, Eugene Cornelius, Esquire	Preston ..	25,974	24,611	94·75
Rossiter, John Frederick, Esquire	Brighton ..	21,449	20,104	93·73
Ruthven, William, Esquire, B.C.	Reservoir ..	25,172	23,967	95·21
Rylah, The Hon. Arthur Gordon, E.D.	Kew ..	21,858	20,125	92·07
Schintler, George Roy, Esquire	Yarraville ..	21,885	20,834	95·20
Scott, Gordon Lincoln, Esquire	Ballaarat South	21,412	20,602	96·22
†Shepherd, The Hon. Alfred Ernest	Footscray ..	20,607	19,790	96·04
Snider, Baron David, Esquire ..	St. Kilda ..	20,183	18,254	90·44
Stirling, Harold Victor, Esquire	Swan Hill ..	19,727	18,807	95·34
Stokes, Russell Newton, Esquire	Evelyn ..	25,508	24,086	94·43
Stoneham, The Hon. Clive Phillip	Midlands ..	22,512	21,372	94·94
Suggett, Robert Harris, Esquire	Moorabbin ..	26,199	24,893	95·02
Sutton, Patrick Keith, Esquire	Albert Park	19,844	18,310	92·27
Tanner, Edgar Stephen, Esquire, C.B.E., E.D.	Ripponlea ..	20,536	18,543	90·30
Taylor, Alexander William, Esquire, E.D.	Balwyn ..	25,505	23,970	93·98
Towers, William John Esquire, M.M.	Richmond ..	19,583	18,259	93·24
Turnbull, Campbell, Esquire ..	Brunswick West	20,932	19,636	93·81
Turnbull, The Hon. Keith Hector	Kara Kara ..	19,973	19,338	96·82
Wheeler, Kenneth Henry, Esquire	Essendon ..	23,052	22,052	95·66
White, The Hon. Russell Thomas	Ballaarat North	21,979	21,159	96·27
Wilcox, Vernon Francis, Esquire	Camberwell ..	21,009	19,674	93·65
Wilkes, Frank Noel, Esquire ..	Northcote ..	21,723	20,419	94·00
Wiltshire, Raymond John, Esquire	Mulgrave ..	31,861	30,106	94·49

† Since deceased.

Speaker : The Honorable Sir William John Farquhar McDonald.

Chairman of Committees : Vernon Christie, Esquire.

Clerk of the Parliaments and Clerk of the Legislative Assembly :  
Hugh Kennedy McLachlan, Esquire, J.P.

### Number of Parliaments and Their Duration

During the period 1856 to 1958 there have been 40 Parliaments. The Forty-first Parliament was opened on 8th July, 1958. A statement 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 Year Book for 1928-29, page 21. Similar information for the Twenty-ninth to the Thirty-ninth Parliaments (1927 to 1955) was published in the Year Book for 1952-53 and 1953-54, page 31. As from the commencement of the Thirty-eighth Parliament (20th 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 *	Sittings			
			Legislative Assembly		Legislative Council	
			Number of Sittings	Percentage of Sittings to Duration	Number of Sittings	Percentage of Sittings to Duration
		days				
Thirty-eighth ..	1950-52	865	131	15·1	81	9·4
Thirty-ninth ..	1952-55	852	92	10·8	61	7·2
Fortieth ..	1955-58	1,038	139	13·4	99	9·5

\* Calculated from the date of opening to the date of dissolution of the Parliament.

### Cost of Parliamentary Government

The following table reviews the expenditure arising from the operation of Parliamentary Government in Victoria. It comprises the State Governor, the Ministry, the Legislative Council, the Legislative Assembly, and Electoral activities. It does not attempt to cover the expenditure on State administration generally.

The statement shows this expenditure for the State for the years ended 30th June, 1954 to 1959. In order to avoid incorrect conclusions about the cost of the Governor's establishment, it is pointed out that a large part of the expenditure (with the exception of the item "Salary") under the general heading "Governor" represents official services.

Parliamentary salaries and allowances were amended as from 6th October, 1954. Prior to that date, the President of the Legislative Council and the Chairman of Committees, the Speaker of the Legislative Assembly and the Chairman of Committees, and Ministers of the Crown received salaries and allowances only in connection with their offices. Under the new legislation, however, these persons receive salaries and allowances as members of Parliament in addition to those connected with their offices. These former amounts are included under "Parliament".

**VICTORIA—COST OF PARLIAMENTARY GOVERNMENT**  
(£)

Year Ended 30th June—	Governor		Ministry	Parliament		Electoral	Royal Commissions, Select Committees, etc.	Total
	Salary	Other Expenses*		Salaries of Members†	Other Expenses‡			
1954 ..	6,000	55,608	35,144	133,120	154,227	31,763	3,399	419,261
1955 ..	6,000	41,320	27,258	193,814	163,436	101,531	2,180	535,939
1956 ..	6,000	49,143	22,213	225,202	182,257	88,810	13,315	586,940
1957 ..	6,000	54,749	22,584	225,202	241,524	36,547	12,749	599,355
1958 ..	7,500	58,152	22,934	222,400	238,497	103,561	7,761	660,805
1959 ..	7,500	58,984	25,555	237,846	267,224	101,422	14,248	712,779

\* Includes salaries of staff and maintenance of house and gardens.

† Excludes members who are in the Ministry.

‡ Includes cost of members' railway passes, parliamentary staff and maintenance.

**State Acts Passed During 1959**

The following Acts were passed by State Parliament during the year ended 31st December, 1959:—

No.		No.	
6490	Water (Contracts)	6517	Hepburn Springs Land
6491	Property Law (Amendment)	6518	Vermin and Noxious Weeds
6492	Agricultural Education (Amendment)	6519	The Constitution Amendment (Parliamentary Salaries)
6493	Railway Construction	6520	Public Works Committee (Amendment)
6494	Stamps (Amendment)	6521	Land (Plantation Areas)
6495	Justices (Amendment)	6522	National Art Gallery and Cultural Centre (Amendment)
6496	Consolidated Revenue	6523	Portland Harbor Trust
6497	State Electricity Commission (Tourist Areas)	6524	Revocation and Excision of Crown Reservations
6498	Aborigines (Houses)	6525	Tourist (Amendment)
6499	Superannuation (Amendment)	6526	Town and Country Planning (Amendment)
6500	Country Roads (Amendment)	6527	Vegetation and Vine Diseases (Amendment)
6501	Bendigo Land	6528	Medical
6502	University (Honorary Degrees)	6529	Bread Industry
6503	Melbourne and Metropolitan Board of Works (Reconstitution)	6530	Cemeteries
6504	Land Charges	6531	Hire Purchase
6505	Statute Law Revision	6532	Motor Car (Amendment)
6506	Legal Profession Practice (Amendment)	6533	Motor Car (Hours of Driving)
6507	Health	6534	Land Settlement
6508	Fisheries (Amendment)	6535	Local Government (Amendment)
6509	Water (Irrigation Districts)	6536	Melbourne and Metropolitan Board of Works (Amendment)
6510	Broadmeadows (Rating on Unimproved Values)	6537	Consolidated Revenue
6511	Trustee (Amendment)	6538	War Veterans' Home Trust
6512	Nurses	6539	Frustrated Contracts
6513	Hairdressers Registration (Amendment)	6540	Evidence (Amendment)
6514	Labour and Industry (Retail Trading Hours)	6541	Amendments Incorporation (Extension)
6515	Milk Board (Amendment)	6542	Melbourne and Richmond Lands
6516	Stock Diseases (Amendment)		



STATE ACTS PASSED DURING 1959—*continued.*

No.		No.	
6543	Local Government (Councillors' Declarations)	6574	Racing (Meetings)
6544	Transfer of Land (Amendment)	6575	Landlord and Tenant (Amendment)
6545	State Savings Bank (Amendment)	6576	Distribution of Population Joint Committee
6546	Country Roads (Offices and Buildings)	6577	Lifts and Cranes
6547	Statute Law Revision	6578	Cemeteries (Investment of Funds)
6548	Marriage (Fees)	6579	Public Service (Amendment)
6549	State Electricity Commission (Hazelwood Power Station)	6580	Trustee (Mortgages)
6550	Fences (Amendment)	6581	Justices (Amendment)
6551	Coroners (Amendment)	6582	Water (Irrigation)
6552	Stamps	6583	Country Fire Authority (Amendment)
6553	Motor Car (Insurance Surcharge)	6584	Milk Board (Milk Shops)
6554	Entertainments Tax (Reduction)	6585	Forests (Pulpwood Agreement)
6555	Melbourne and Metropolitan Tramways (Amendment)	6586	Police Offences (Betting)
6556	Local Government (Municipalities Assistance Fund)	6587	Revenue Deficit Funding
6557	Police Offences (Penalties)	6588	Geelong Trades Hall Council (Trustees)
6558	Consolidated Revenue Application	6589	Melbourne Harbor Trust (Commissioners)
6559	Road Traffic (Amendment)	6590	Railway Loan Application
6560	Superannuation (Amendment)	6591	State Forests Loan Application
6561	Crimes (Penalties)	6592	Land Tax
6562	Alphington to East Preston Railway Construction (Housing)	6593	Teaching Service (Amendment)
6563	Motor Car	6594	Land (Special Grants)
6564	Registration of Births, Deaths, and Marriages (Consolidation)	6595	Labour and Industry (Motor Car Shops)
6565	Coal Mines (Pensions)	6596	Home Finance (Financial)
6566	Water Supply Loan Application	6597	Dromana Land (Arthur's Seat Public Park)
6567	Game (Amendment)	6598	Money Lenders (Amendment)
6568	Metropolitan Fire Brigades (Borrowing Powers)	6599	Landlord and Tenant (Fair Rents)
6569	Health (Amendment)	6600	Labour and Industry (Amendment)
6570	Police Regulation (Delegation of Powers)	6601	Local Government
6571	Imprisonment of Fraudulent Debtors (Depositions)	6602	Public Works Loan Application
6572	Crimes (Sentence and Parole)	6603	Soldier Settlement (Amendment)
6573	Gas and Fuel Corporation (Colonial Gas Association Undertakings)	6604	Water (Land Reclamation)
		6605	Mental Health
		6606	Appropriation of Revenue 1958-59

*Electoral System***Introduction***Electoral Basis of the Two Houses*

When first constituted, the Legislative Council or Upper House was composed of 30 members, aged 30 years and over and possessed of freehold of the annual value of £500. Property qualifications were abolished by the *Legislative Council Reform Act 1950*, and, today, the essential qualification of members and electors of the Legislative Council is the attainment of the age of 21 years. A similar provision applies to the Legislative Assembly.

Victoria is now divided, for Legislative Council purposes, into seventeen 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 for the Council, when one-half of the members are to be elected for only three years.

For Legislative Assembly purposes, the State is divided into 66 Electoral districts, each returning one member. Members are elected for three years, unless Parliament is dissolved before this period.

There is no plural voting at elections for either the Legislative Council or the Legislative Assembly. Voting at elections for both Houses is compulsory and is conducted under an adaptation of Ware's system of preferential voting. Provision for voting by post and for "absent" voting is made at both types of election.

### *Enrolment of Electors*

Enrolment on the electoral roll is compulsory for every person, of the age of 21 years or over, who is a natural-born or naturalized subject of the Queen and who has resided in Australia for six months continuously, and in Victoria for at least three months. The electoral rolls for the State are compiled by the Commonwealth Electoral authorities under a joint Commonwealth-State agreement, each Government paying half the cost of compilation. All Federal 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 297 common Subdivisions, which form the basic units for enrolment on the joint Commonwealth-State of Victoria rolls.

### *Redistributions of Electoral Districts for the Legislative Assembly*

Under the *Electoral Districts Act 1953*, provision was made for a redivision of the State to be carried out on the basis of each of the 33 Commonwealth Electoral Divisions in Victoria being divided into two Electoral Districts for the Assembly. The first general election conducted on the basis of electorates so created took place on the 28th May, 1955. The *Electoral Districts Act 1953* (now incorporated into the *Constitution Act Amendment Act 1958*) also provided for recurrent redivisions on the same basis to be made whenever there is any alteration in the number of Commonwealth Electoral Divisions in Victoria, or in any of its boundaries, subject to the proviso that no such redivision shall be made if the whole number of members of the Legislative Assembly would be reduced as a result.

Apart from the redivision mentioned above, the only other redivision made following the *Electoral Districts Act 1953*, took place in 1956 and the general election of 31st May, 1958, was held on the basis of the 66 Electoral Districts created as a result.

## Parliamentary Elections

## Legislative Assembly

At the Legislative Assembly election of 31st May, 1958, there were contests in all of the 66 Electoral Districts and in 58 of them there were more than two candidates engaged.

In 30 of these 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 28 contests, the leading candidate, on the first count, was elected in 24 instances but was defeated in the remaining four instances.

The following table shows the voting in general elections held for the Legislative Assembly since 1927 :—

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

Year of Election	Whole State Electors Enrolled	Contested Electorates				
		Electors Enrolled	Votes Recorded		Informal Votes	
			Number	Percentage of Voters	Number	Percentage of Total Votes Recorded
1927 ..	993,211	850,494	780,399	91·76	15,125	1·94
1929 ..	1,029,170	682,190	639,368	93·72	6,934	1·08
1932 ..	1,055,301	729,332	687,042	94·20	9,663	1·41
1935 ..	1,099,251	904,191	853,470	94·39	14,150	1·66
1937 ..	1,136,596	848,680	797,430	93·96	10,938	1·37
1940 ..	1,162,967	841,864	786,359	93·41	12,287	1·56
1943 ..	1,261,630	1,015,750	883,679	87·00	22,876	2·59
1945 ..	1,276,949	1,019,063	896,561	87·98	18,689	2·08
1947 ..	1,345,530	1,291,515	1,206,815	93·44	16,102	1·33
1950 ..	1,362,851	1,294,159	1,221,734	94·40	13,901	1·14
1952 ..	1,402,705	1,119,486	1,047,671	93·59	18,991	1·81
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

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 1927:—

### VICTORIA—PARLIAMENTARY REPRESENTATION

Year of Election	Number of Members of Legislative Assembly	Population per Member	Proportion of Persons Enrolled to Total Population	Number of Electors Enrolled on Date of Election	Average Number of Electors per Member
			per cent.		
1927 ..	65	26,500	57·7	993,211	15,280
1929 ..	65	27,300	58·0	1,029,170	15,833
1932 ..	65	27,800	58·4	1,055,301	16,235
1935 ..	65	28,250	59·8	1,099,251	16,912
1937 ..	65	28,550	61·2	1,136,596	17,486
1940 ..	65	28,950	61·8	1,162,967	17,892
1943 ..	65	30,300	64·0	1,261,630	19,410
1945 ..	65	30,900	63·5	1,276,949	19,645
1947 ..	65	31,700	65·3	1,345,530	20,700
1950 ..	65	33,800	62·1	1,362,851	20,967
1952 ..	65	36,300	59·4	1,402,705	21,580
1955 ..	66	38,100	56·6	1,422,588	21,554
1958 ..	66	41,300	54·2	1,478,065	22,395

### Proportion of Voters at Elections

The first general election for the Legislative Assembly was held in the year 1856. The proportion of voters to electors enrolled for contested districts at each of the general elections held since that year is shown in the following table:—

### VICTORIA—PROPORTION OF VOTERS AT GENERAL ELECTIONS FOR THE LEGISLATIVE ASSEMBLY

Year of General Election	Proportion of Voters to Electors of Contested Districts	Year of General Election	Proportion of Voters to Electors of Contested Districts	Year of General Election	Proportion of Voters to Electors of Contested Districts
	per cent.		per cent.		per cent.
1856 ..	*	1889 ..	66·58	1921 ..	57·26
1859 ..	*	1892 ..	65·12	1924 ..	59·24
1861 ..	*	1894 ..	70·99	1927 ..	91·76†
1864 ..	*	1897 ..	70·33	1929 ..	93·72
1866 ..	55·10	1900 ..	63·47	1932 ..	94·20
1868 ..	61·59	1902 ..	65·47	1935 ..	94·39
1871 ..	65·02	1904 ..	66·72	1937 ..	93·96
1874 ..	61·00	1907 ..	61·26	1940 ..	93·41
1877 ..	62·29	1908 ..	53·64	1943 ..	87·00§
1880 (Feb.)	66·56	1911 ..	63·61	1945 ..	87·98§
1880 (July)	65·85	1914 ..	53·92	1947 ..	93·44
1883 ..	64·96	1917 ..	54·21	1950 ..	94·40
1886 ..	64·70	1920 ..	63·70	1952 ..	93·59
				1955 ..	94·02

\* Not available.

† The increase in the percentage of voters is accounted for by voting having been made compulsory by Act No. 3488, passed on 23rd December, 1926.

§ The decreases are due to the absence of many electors on war service.

*Legislative Council*

The Legislative Council consists of 34 members representing seventeen Provinces. Voting in elections held for the Legislative Council since 1928 is shown in the next table. At the triennial election of 21st June, 1958, there were contests in fifteen of the seventeen provinces and in twelve of them there were more than two candidates engaged.

In five of these 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 seven contests, the leading candidate, on the first count, was elected in six instances but was defeated in the remaining one.

VICTORIA—VOTING AT ELECTIONS FOR THE LEGISLATIVE COUNCIL

Year of Election	Whole State		Contested Provinces			
	Electors Enrolled	Electors Enrolled	Votes Recorded		Informal Votes	
			Number	Percentage of Voters	Number	Percentage of Total Votes Recorded
1928 ..	444,278	268,164	85,372	31·84	1,388	1·63
1931 ..	470,349	239,975	93,244	38·86	595	0·64
1934 ..	469,395	160,980	47,375	29·43	799	1·69
1937 ..	447,694	265,194	208,925	78·78*	3,055	1·46
1940 ..	471,843	235,784	178,666	75·78	2,823	1·58
1943 ..	465,637	117,584	83,568	71·07	2,135	2·55
1946 ..	517,719	393,907	291,295	73·95	5,912	2·03
1949 ..	550,472	384,188	299,111	77·86	4,272	1·43
1952 ..	1,395,650†	1,078,959	994,190	92·14†	22,595	2·27
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

\* The increase in the percentage of voters is accounted for by voting having been made compulsory for all resident electors by Act No. 4350, passed on 10th December, 1935.

† The increases in enrolments and percentages of voters are due to the operation of Act No. 5465, which was passed on 11th November, 1950, and abolished the former Legislative Council ratepayers and general rolls. Instead, every person enrolled for Legislative Assembly purposes became automatically entitled and required to vote at Legislative Council elections.

*Preferential Voting*

The system of preferential voting 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 directly following upon a dissolution of the Council in consequence of disagreements between the two Houses. An illustration of this system of voting is given in the Year Book for 1928–29, page 19.

*Victoria—Parliamentary By-election*

One by-election was held between the General Elections in 1958 and 1st May, 1960. Details are as follows :—

*Legislative Assembly—*

8th October, 1958.

Mr. W. T. Divers, elected unopposed for Footscray Electoral District.

*Number of Enrolments on the Joint Rolls*

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

The *Legislative Council Reform Act* 1950, which came into force on 1st 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 elections and State parliamentary elections, whether for the Legislative Assembly or the Legislative Council.

## VICTORIA—ELECTORS ENROLLED ON JOINT ROLL

Year Ended 30th June—							Number of Electors Enrolled
1955	..	..	..	..	..	..	1,442,020
1956	..	..	..	..	..	..	1,446,913
1957	..	..	..	..	..	..	1,450,035
1958	..	..	..	..	..	..	1,503,434
1959	..	..	..	..	..	..	1,506,476

**Further References**

Chief Electoral Officer for Victoria—*Various Publications Giving Detailed Statistics of State Elections.*

Department of Political Science, University of Melbourne—*The Government of Victoria* (1958).

*Agent-General for Victoria*

An article on the “Agent-General for Victoria” was published in the Year Book for 1937–38, pages 21 and 22.

The *Agent-General's Act* 1945 simplifies and consolidates the statutory provisions relating to the administration of the office of the Agent-General for Victoria. Colonel the Hon. Sir William Leggatt, D.S.O., M.C., E.D., was appointed Agent-General for Victoria in Great Britain as from 3rd February, 1956.

*Victorian Public Service*

The Public Service consists of fifteen Departments, each of which is generally self contained and has a responsibility for the implementation of a function or functions allotted to it by Parliament or by the Government. The Departments and Commissions which come under this head and their more important branches are :—

*Premier's Department*

Ministerial Portfolio—Premier

Departmental Head—Secretary to the Premier's Department

The Premier's Office is the head office of the Department and its primary function is to act as a secretariat to the Cabinet. The Department controls the following branches :—

Executive Council and Governor's Office ; Agent-General's Office in London ; Office of the Public Service Board ; Auditor-General's Office ; Division of State Development ; State Film Centre ; Soil Conservation Authority ; Tourist Development Authority ; and National Parks Authority.

*Chief Secretary's Department*

Ministerial Portfolio—Chief Secretary

Departmental Head—Under Secretary

The heterogeneous nature of the Department's activities is indicated by the branches which it controls :—

Chief Secretary's Office ; State Insurance Office ; Children's Welfare Branch ; Electoral Branch ; Fisheries and Wildlife Branch ; Office of the Chief Inspector of Explosives and Gas Examiner ; Government Shorthand Writer's Office ; Office of the Government Statist and Actuary ; Office of the Chief Commissioner of Police ; Penal and Gaols Branch ; Libraries and Museums ; Registry of Friendly Societies ; Weights and Measures Branch.

*Treasury*

Ministerial Portfolio—Treasurer

Departmental Head—Director of Finance

Within the Treasury the yearly budget is prepared and control of public moneys is exercised.

Other Branches of the Department are :—

Housing Commission ; Stamp Duties Office ; Probate Duty and Land Tax Branches ; Superannuation Board ; Tender Board ; Registry of Co-operative Societies and Home Finance Trust ; Registry of Estate Agents ; Government Printing Office.

*Education Department*

Ministerial Portfolio—Minister of Education

Departmental Head—Director of Education

The Department is responsible for the provision of schools and for primary, secondary and technical education.

*Department of Crown Lands and Survey*

Ministerial Portfolio—Commissioner of Crown Lands and Survey

Departmental Head—Secretary for Lands

The Department is responsible for the disposal, in various forms of tenure, of Crown Lands and for survey co-ordination and Crown surveys.

*Law Department*

Ministerial Portfolio—Attorney-General

Departmental Head—Secretary to Law Department

Through its Branches, the largest of which are the Crown Solicitor's Office, Courts Branch, Titles Office and Public Trustee's Office, the Department carries out the functions of administration of justice in all State courts, the registration of dealings in land, company and business name registration, granting of probate of wills, and administration of estates by the Public Trustee. Other functions are the drafting of bills for Acts of Parliament, advice in legal matters in which the Crown is involved, the provision of legal aid to poor persons, and the control of raffles.

*Public Works Department*

Ministerial Portfolio—Commissioner of Public Works

Departmental Head—Secretary for Public Works

The Department is responsible generally for the construction and maintenance of buildings (including schools) for use by government departments and by some of the major statutory bodies.

*Mines Department*

Ministerial Portfolio—Minister of Mines

Departmental Head—Secretary for Mines

The Department is responsible for the investigation of the geological structure of the State, and of the extent of the mineral resources and underground water reserves. It also provides technical services and information for the mining industry and supervises the safe working of mines and quarries.



*Department of Agriculture*

Ministerial Portfolio—Minister of Agriculture

Departmental Head—Director of Agriculture

The Department provides advisory and technical services to primary producers. It also registers and inspects dairy farms, dairies, apiaries, and factories providing butter, cheese, margarine, and chemical preparations for use in agriculture and is responsible for the inspection and quarantine of animals and plants, the control of plant diseases, the inspection of fruit before export, and the prevention and control of animal diseases.

*Department of Labour and Industry*

Ministerial Portfolio—Minister of Labour and Industry

Departmental Head—Secretary for Labour and Industry

The functions of the Department include control of conditions of employment generally, the employment of women and children, industrial safety and welfare and industrial relations.

State Wages Boards and the Apprenticeship Commission are administered by the Department.

*Department of Health*

Ministerial Portfolio—Minister of Health

Departmental Head—Secretary to the Department of Health

The Department consists of four main Branches, namely, General Health Branch, Tuberculosis Branch, Maternal and Child Hygiene Branch, and Mental Hygiene Branch.

The first three of the Branches mentioned above are under the immediate control of the Chief Health Officer who is also Chairman of the Commission of Public Health.

The functions of the Mental Hygiene Branch are controlled by the Mental Hygiene Authority.

*Department of State Forests*

Ministerial Portfolio—Minister for Forests

Departmental Head—Chairman of the Forests Commission

The functions of the Commission include the establishment, protection and management of State forests, plantations, plant nurseries and forestry schools.

*Department of Water Supply*

Ministerial Portfolio—Minister of Water Supply

Departmental Head—Chairman of the State Rivers and Water Supply Commission

The functions of the Commission include investigation of the water supply and storage resources of the State, the construction of works for the conservation and supply of water, the general supervision of local authorities constituted under the Sewerage Districts, Water, and River Improvement Acts.

*Ministry of Transport*

Ministerial Portfolio—Minister of Transport

Departmental Head—Co-ordinator of Transport

The Ministry is the co-ordinating authority for various transport activities.

*Local Government Department*

Ministerial Portfolio—Minister for Local Government

Departmental Head—Secretary for Local Government

The Department is responsible for the oversight of the administration by municipalities of the Local Government and related Acts and for the allocation of funds for the assistance of municipalities for construction works.

The Town and Country Planning Board, a statutory organization, is attached to this Department under the control of the Minister for Local Government.

*Statutory Bodies*

Statutory bodies may be staffed by Government officers, but many possess independent powers of recruitment. All differ from Departments in that they have their own "written constitution", the enabling statute setting out their composition and working, and their policy is determined by independent administrators not entirely subject, as departmental officials are, to the direction of a responsible Minister.