# CHAPTER III.

# GENERAL GOVERNMENT.

# § 1. Scheme of Parliamentary Government.

- 1. General.—A brief account of the general legislative powers of the Commonwealth and States is given in preceding issues of the Official Year Book (see No. 13, pp. 927-951, and No. 22, p. 64).
- 2. Powers and Functions of the Governor-General and of the State Governors.—A detailed statement of the powers and functions of the Governor-General and of the State Governors appears in preceding issues of the Official Year Book (see No. 18, pp. 78-80).
- 3. Governor-General and State Governors.—The Prime Minister announced in the Commonwealth Parliament that on the 12th November, 1943, he had received a message from the Private Secretary to the King announcing that the King, on the recommendation of the Commonwealth Government, had been graciously pleased to approve the appointment of His Royal Highness the Duke of Gloucester, K.G., P.C., K.T., K.P., G.C.M.G., G.C.V.O., as Governor-General in succession to General the Right Honorable Lord Gowrie, V.C., P.C., G.C.M.G., C.B., D.S.O., whose term of office was further extended for six months as from 22nd January, 1944.

Lord Gowrie assumed office on the 23rd January, 1936. He had previously been Governor of South Australia, 1928–1934 and Governor of New South Wales, 1935–1936. The following is a list of the Governors of the various States of Australia:—

New South Wales .. Captain the Rt. Hon. LORD WAKEHURST, K.C.M.G.

Victoria .. .. Major-General SIR WINSTON JOSEPH DUGAN, K.C.M.G.,

C.B., D.S.O.

Queensland .. Colonel the Rt. Hon. SIR LESLIE ORME WILSON, G.C.S.I., G.C.M.G., G.C.I.E., D.S.O.

South Australia .. SIR CHARLES MALCOLM BARCLAY-HARVEY, K.C.M.G.\*

Western Australia.. Lieut.-Governor—The Hon. Sir James Mitchell, K.C.M.G.

Tasmania .. SIR ERNEST CLARK, G.C.M.G., K.C.B., C.B.E.

- 4. The Cabinet and Executive Government.—(i) General. In both the Commonwealth and the State Legislatures the forms of government have been founded on their prototypes in the Imperial Government, and the relations established between the Ministry and the representatives of the people are in accordance with those prevailing in Great Britain. The executive powers in the Commonwealth are vested in the Governor-General in Council, and in the State Governments in the Governor in Council. So far as the Commonwealth Government is concerned, Federal Executive Councillors on leaving office retain the title "Honorable", and are known as "Executive Councillors not under summons".
- (ii) The Executive Council. This body is composed of the Governor-General (or Governor) and the Ministers of State holding office for the time being. The meetings are official in character. They are presided over by the Governor-General (or Governor). In his absence the Vice-President or senior Minister presides. At these meetings the decisions of Cabinet, where necessary, are made effective, and regulations, etc., are given the force of law.
- (iii) The Appointment of Ministers and of Executive Councillors. Although it is technically possible for the Governor-General (or Governor), to make and unmake cabinets at his pleasure, under all ordinary circumstances his apparent liberty in choosing his Executive Council is virtually restricted by the operation of constitutional machinery. When a Ministry is defeated in Parliament or at the polls, the procedure both in the Commonwealth and the State Parliaments generally, though not invariably, follows that prevailing in the Imperial Parliament. The customary procedure in connexion with the resignation or acceptance of office by a Ministry is described fully in previous issues of the Official Year Book (see No. 6, p. 942). It is necessary to add that subsequent amending legislation has obviated the necessity of responsible Ministers vacating their seats on appointment to office.

<sup>\*</sup> To 26th April, 1944.

(iv) Ministers in Upper and Lower Houses. The following table shows the number of Ministers with seats in the Upper or Lower Houses of each Parliament in June, 1944:—

# AUSTRALIAN PARLIAMENTS: MINISTERS IN UPPER OR LOWER HOUSES, JUNE, 1944.

Ministers with Seats in-	C'wealth.	N.S.W.	Vic.	Q'land.	S. Aust.	W. Aust.	Tas.	Total.
The Upper House The Lower House	5 14	2 I3	4 8	(a) 10	2 4	2 7	8	16 64
Total	19	15	12	10	6	9	9	80

(a) Abolished in 1922.

- (v) The Cabinet. (a) General. The meetings of this body are private and deliberative. Only the actual Ministers of the day are present. The members of the Cabinet, being the leaders of the party in power in Parliament, control the trend of legislation, and must retain the confidence of the people and also of the Governor-General (or Governor), to whom they act as an advising body. They also in effect wield, by virtue of their seats on the Executive Council, the whole executive force of the community. In summoning, proroguing, or dissolving Parliament, the Governor-General (or Governor) is usually guided by the advice tendered him by the Cabinet, though legally in no way bound to accept such advice.
- (b) Commonwealth Ministers of State. A statement showing the names of Ministers of State who have held office from the inauguration of the Commonwealth Government to 1925 will be found in Official Year Book No. 18, pp. 82 and 83. The names of the present Ministers will be found on page 73.
- (c) State Ministries. A list of the members of the Ministry in each State in June, 1944, will be found in § 3 of this Chapter.
- 5. Number and Salary of Members of the Legislatures.—The following table shows the number and annual salary of members in each of the legislative chambers in June, 1943:—

MEMBERS OF COMMONWEALTH AND STATE PARLIAMENTS, AND ANNUAL SALARIES, JUNE, 1944.

				001(12), 1				
Members in—	C'wealth.	n.s.w.	Vic.	Q'land.	S. Aust.	W. Aust.	Tasmania.	Total.
		Nu	MBER OI	г Мемви	ERS.	•	!	
Upper House	36	60	34	(a)	20	30	18	198
Lower House	75	90	34 65	62	. 39	50	30	411
Total	111	150	99	62	59	80	48	609
		I	NNUAL	SALARY	•			
	£	£	£	£	£	£	£	
Upper House	1,000		200	(a)	400	600	(b)370-500	
Lower House	1,000	875	500	650	400	600	(h)400-500	• .

<sup>(</sup>a) Abolished in 1922.

The use of the expressions "Upper House" and "Lower House" in the statement above, though not justified constitutionally, is convenient, inasmuch as the legislative chambers are known by different names in the Commonwealth and in some of the States.

6. Enactments of the Parliament.—In the Commonwealth, all laws are enacted in the name of the Sovereign, the Senate, and the House of Representatives. The subjects with respect to which the Commonwealth Parliament is empowered to make laws are enumerated in the Constitution Act. In the States, laws are enacted in the name of the Sovereign by and with the consent of the Legislative Council (except in

<sup>(</sup>b) According to area of electorate and distance from the Capital.

Queensland) and Legislative Assembly or House of Assembly. The Governor-General or the State Governor acts as Viceroy as regards giving the Royal Assent to or vetoing Bills passed by the Legislatures, or reserving them for the special consideration of the Sovereign. In the States, the Councils and Assemblies are empowered generally, subject to the Commonwealth Constitution, to make laws in and for their respective States, in all cases whatsoever. Subject to certain limitations, they may alter, repeal, or vary their Constitution. Where a law of a State is inconsistent with a law of the Commonwealth the latter prevails, and the former is, to the extent of the inconsistency, invalid.

# § 2. Parliaments and Elections.

- 1. Qualifications for Membership and for Franchise.—The conspectus in § 4 of "General Government" in Official Year Book No. 13 contains particulars, as in 1920, relating to the legislative chambers in the Commonwealth and State Parliaments, and shows concisely the qualifications necessary for membership and for the franchise in each House. (These are, in the main, applicable in 1943, but it must be remembered that Queensland abolished the Upper House in 1922.) It has further to be remembered that in 1925 the Commonwealth Parliament passed an Act removing the disqualification on racial grounds from (a) natives of British India and (b) persons who have become naturalized. Disqualification of persons otherwise eligible, either as members or voters, is generally on the usual grounds of being of unsound mind or attainted of treason, being convicted of certain offences, and, as regards membership, on the grounds of holding a place of profit under the Crown, being pecuniarily interested in a Government contract except as a member of an incorporated company of more than twenty-five persons, or being an undischarged bankrupt.
- 2. The Commonwealth Government.—The Senate consists of 36 members, six being returned by each of the original federating States. Members of this Chamber are elected for the term of six years, but by a provision in the Constitution half the members retire at the end of every third year, although they are eligible for re-election. In accordance with the Constitution, the total numbers of members of the House of Representatives must be as nearly as possible double that of the Senate. In the House of Representatives the States are represented on a population basis, and the numbers in December, 1943, were as follows: -New South Wales, 28: Victoria, 20: Queensland, 10: South Australia, 6: Western Australia, 5; Tasmania, 5; Northern Territory, 1-total, 75. The member representing the Northern Territory may join in the debates but is not entitled to vote, except on a motion for the disallowance of any ordinance of the Territory or on any amendment of any such motion. The Constitution provides for a minimum of five members for each original State. Members of the House of Representatives are elected for the duration of the Parliament, which is limited to three years. In elections for Senators, the whole State constitutes the electorate. For the purpose of elections for the House of Representatives, the State is divided into single electorates corresponding in number with the number of members to which the State is entitled. In both Houses members are elected by universal adult suffrage. Further information regarding the Senate and the House of Representatives is given in earlier issues of the Official Year Book.
- 3. Commonwealth Elections.—There have been sixteen complete Parliaments since the inauguration of Federation. The fifth Parliament, which was opened on 9th July, 1913, was dissolved on 30th July, 1914, in somewhat unusual circumstances. Under Section 57 of the Constitution, it is provided that, should the Senate fail to pass, or pass with amendments, any proposed law previously passed by the House of Representatives, and should the latter House, after an interval of three months, again pass the proposed law, with or without the amendments of the Senate, and the Senate for a second time reject it or pass it with amendments to which the lower House will not agree, then the Governor-General may dissolve the two Houses simultaneously. For the first time in the history of the Commonwealth this deadlock between the Senate and the House of Representatives occurred in the second session of the fifth Parliament, and, in accordance

with the section of the Constitution referred to above, both Houses were dissolved by the Governor-General. Until 1927 the Parliament met at Melbourne: it now meets at Canberra, the first meeting at Parliament House, Canberra, being opened by H.R.H. the Duke of York, on 9th May, 1927. The first session of the seventeenth Parliament opened on 23rd September, 1943. Particulars regarding Commonwealth elections since 1929 are shown in the following table:—

#### COMMONWEALTH ELECTIONS.

Date.	Ele	Electors Enrolled.			ectors who V	Percentage of Electors who Voted.			
Dave.	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.
				THE SEN	ATE.				

12.10.1929	1,773,014	1,769,936	3,542,950	(a)	(a)	(a)	[		•••
19.12.1931	1,827,079	1,822,875	3,649,954	1,741,163		3,468,303	95.30	94 - 75	95.02
15.9.1934	1,954,339	1,948,338	3,902,677	1,862,749	1,845,829	3,708,578	95.31	94 - 74	95.03
23.10.1937	2,043,212	2,036,826	4,080,038	1,963,979	1,957,358	3,921,337	96.12	96.10	96.11
21.9.1940	2,113,169	2,126,177	4,230,346	1,989,381	2,027,422	4,016,803	94.14	95.36	94.75
21.8.1943	2,164,648	2,301,989	4,466,637	2,132,225b	2,169,430 <i>b</i>	4,301,655 <i>b</i>	98.50 <b>b</b>	94.240	96.31 <i>b</i>

(a) No election.

(b) Includes members of Forces not enrolled.

# The House of Representatives.

# (CONTESTED ELECTORATES.)

	1,930,418 1,928,786 2,087,003	1,733.343 1,934,021 1,919,234 2,109,443	3,848,020 4.196,446	1,643,604 1,843,949 1,854,770	1,642,870 1,833,774 1,844,499 2,012,265	3,677,723 3,609,269 3,979,009	94.96 95.30 95.52 96.16 94.24 98.55a	94.74 94.78 94.82 96.11 95.39 94.234	94.85 95.04 95.17 96.13 94.82 96.324
21.8.1943	2,134,547	2,272,900	4.407,507	2,103,0304	2,141,7334	4,245,3094	98.554	94.234	96. <b>32</b> 0

(a) Includes members of forces not enrolled.

The percentage of electors who exercised the franchise at each election rose from 53.04 for the Senate and 55.69 for the House of Representatives in 1901 to 77.69 and 78.30 respectively in 1917. The next election in 1919 showed a considerable falling off, and in 1922 the decrease was still more marked, the respective percentages for that year being 57.95 and 59.36, or very little more than those for 1901. Compulsory voting was introduced prior to the election in 1925, and an exceedingly heavy vote (over 91 per cent.) was cast in that year. This high percentage has been exceeded appreciably at subsequent elections, increasing in 1943 to 96.3 per cent. for both Houses.

For the first time two women were elected to the Commonwealth Parliament in 1943. One woman was elected to the Senate and the other to the House of Representatives.

- 4. Commonwealth Referenda.—(i) General. According to Section 128 of the Constitution, any proposed law for the alteration of the Constitution must, in addition to being passed by an absolute majority of each House of Parliament, be submitted to a referendum of the electors in each State, and must further be approved by a majority of the States and of the electors who voted before it can be presented for Royal Assent. So far eighteen proposals have been submitted to referenda and the consent of the electors has been received in three cases only, the first in relation to the election of Senators in 1906, and the other two in respect of State Debts—one in 1910 and the other in 1928. Details of the various referenda and the voting thereon are shown in the following paragraphs:—
- (ii) Senate Elections Referendum, 1906. A referendum was held on the 12th December, 1906, at which the question of altering from January to July the date at which the term of service of a senator begins, and other details connected with the election of senators, were submitted for decision by the electors. The number who voted in favour of the amendment was 774,011 and of those not in favour 162,470; the amendment was therefore carried. Only 50.17 per cent. of the electors voted.

- (iii) Finance and State Debts Referendum. Simultaneously with the general election of the 13th April, 1910, the electors were asked to decide regarding the alteration of the Constitution on two points, viz.:—(a) An alteration of the financial arrangements between the Commonwealth and the States; and (b) Giving the Commonwealth power to take over the debts of the States, whenever incurred. The former proposal was rejected, 645,514 electors having voted in favour, and 670,838 not in favour, while the latter proposal was accepted by 715,053 votes to 586,271 votes. Of the voters on the roll, 62.16 per cent. voted.
- (iv) Legislative Powers and Monopolies Referendum, 1911. The object of the proposed law submitted to this referendum was to give the Commonwealth Parliament "legislative power" to deal with the following matters:—(a) Trade and Commerce, without any limitations, instead of "Trade and Commerce with other countries, and among the States" only; (b) The control and regulation of corporations of all kinds (except those formed not for the acquisition of gain). At present only "Foreign corporations and trading and financial corporations formed within the limits of the Commonwealth" come under the jurisdiction of the Federal Parliament; (c) Labour and employment, including wages and conditions of labour and the settlement of industrial disputes generally, including disputes in relation to employment on State railways; and (d) Combinations and monopolies in relation to the production, manufacture, or supply of goods or services.

The referendum was held on the 26th April, 1911, and the number of votes cast in favour of the proposed law was 483,356, and against it 742,704, the majority against being 259,348. The percentage of electors who cast effective votes was 52.36, and the proposal was rejected in every State except Western Australia.

Under the second proposed law relating to "Monopolies," it was proposed to insert in the Constitution the following sub-section:—"When each House of Parliament, in the same session, has by resolution declared that the industry or business of producing, manufacturing, or supplying goods, or of supplying any specified services, is the subject of any monopoly, the Parliament shall have power to make laws for carrying on the industry or business by or under the control of the Commonwealth, and acquiring for that purpose on just terms any property used in connexion with the industry or business." The voting on this question was held simultaneously with that on the preceding proposal, and the proposed law was rejected, 488,668 voters casting their votes in favour, and 736,392 against, the majority against being 248,264. Of the electors on the roll, 52.34 per cent. voted effectively, and the only State which voted in favour of the law was Western Australia.

(v) Legislative Powers and Monopolies Referendum, 1913. On the 31st May, 1913, the same proposed alterations were again submitted to the people as five distinct laws, with an additional one whereby the conditions of employment and the settlement of disputes relating thereto in the several State railway services might be brought within the jurisdiction of the Commonwealth. All six proposed laws were rejected. The following table shows the numbers of votes cast for and against each proposed law:—

# COMMONWEALTH REFERENDA. 1913.-RESULTS OF VOTING.

Nate	Votes in Favour.	Votes Not in Favour.			
Trade and Commerce				958,419	982,615
	• •	• •	 		986,824
Corporations			 • • •	960,711	
Industrial Matters			 	961,601 ,	987,611
Railway Disputes			 	956,358	990,046
Trusts			 	967,331	975,943
Nationalization of Mono	polies		 	017,165	941.947

The percentage of electors who voted was nearly 74, and the States of Queensland, South Australia and Western Australia were in favour of the proposals, while the other three States were not in favour.

- (vi) Legislative Powers and Nationalization of Monopolies Referendum, 1919. On the 19th December, 1919, proposals were submitted to a referendum of the electors for the alteration of the Constitution in relation to the extension of the legislative powers of the Commonwealth in regard to industrial disputes and to the nationalization of monopolies. In each case the majority of voters was not in favour of the proposed alteration. For the increase of legislative powers, 911,357 votes were cast in favour, and 924,160 against, and for the nationalization of monopolies, the number of votes in favour was 813,880, and not in favour 859,451; therefore both proposals were rejected, the former by 12,803 votes and the latter by 45,571 votes. The percentage of electors who voted on the former question was 64.41 and on the latter 58.72, although ballot-papers were issued to 71.33 of the voters enrolled. The States voting in favour of both proposals were Victoria, Queensland and Western Australia.
- (vii) Industry and Commerce and Essential Services Referendum, 1926. On 4th September, 1926, a referendum was held in relation to proposed laws entitled respectively "Industry and Commerce" and "Essential Services". The result of the voting was: Industry and Commerce, votes in favour, 1,247,088; votes not in favour, 1,619,655. Essential Services, votes in favour, 1,195,502; votes not in favour, 1,597,793. Both proposed laws were therefore rejected.
- (viii) States Debts Referendum, 1928. A referendum was taken on 17th November, 1928, in respect of a proposed law entitled "State Debts 1928" and a majority of votes was cast in each State in favour of the proposal, the voting for the Commonwealth being as follows: in favour, 2,237,391; not in favour, 773,852.
- (ix) Aviation and Marketing Referendum, 1937. On 6th March, 1937, proposals were submitted to the electors for the alteration of the Constitution in relation to "Aviation" and "Marketing". The result of the voting on "Aviation" was, votes in favour 1,924,946; votes not in favour 1,669,062. The proposal was negatived as two States, Victoria and Queensland, only were in favour of it.

The votes on "Marketing" were: in favour 1,259,808; not in favour 2,214,338. All States were opposed to alteration.

- 5. Convention of Representatives of Commonwealth and State Parliaments to consider the reference of powers by the States to the Parliament of the Commonwealth.—
  (i) General. The Convention met at Canberra from 24th November to 2nd December, 1942, and adopted a resolution that adequate powers to make laws in relation to post-war reconstruction should be referred by the States to the Parliament of the Commonwealth for a period ending at the expiration of five years after the war, and finally approved of the following draft bill:—
  - A Bill for an Act to refer certain matters to the Parliament of the Commonwealth until the expiration of five years after Australia ceases to be engaged in hostilities in the present war.

#### PREAMBLE.

Whereas it is enacted by the Constitution of the Commonwealth of Australia that the Parliament of the Commonwealth shall subject to the Constitution have power to make laws for the peace, order and good government of the Commonwealth with respect to matters referred to the Parliament of the Commonwealth by the Parliament or Parliaments of any State or States, but so that the law shall extend only to States by whose Parliaments the matter is referred, or which afterwards adopt the law:

And whereas at a Convention of representatives of the Commonwealth Government and of His Majesty's Opposition in the Parliament of the Commonwealth, and the Premiers and Leaders of the Opposition in the several States, which was convened to meet at Canberra on the twenty-fourth day of November, One thousand nine hundred and forty-two, it was unanimously resolved that adequate powers to make laws in relation to post-war reconstruction should be referred to the Parliament of the Commonwealth by the Parliaments of the States:

And whereas it was further resolved that the reference should be for a period ending at the expiration of five years after Australia ceases to be engaged in hostilities in the present war:

And whereas it was also resolved that it was desirable that the reference should not be revoked during that period:

And whereas the Premiers of the several States have agreed to do their utmost to secure the passage through their respective Parliaments, as early as possible, of a Bill in this form, and in any event to introduce the Bill before the thirty-first day of January, One thousand nine hundred and forty-three:

And whereas it was also agreed that in the execution of laws made by the Parliament of the Commonwealth with respect to matters referred to it by section two of this Act the Commonwealth should, so far as might be reasonably practicable, avail itself of the assistance of the States and their officers, authorities and instrumentalities, and, with the consent of the Governor in Council, of any authority constituted under a law of a State:

Be it therefore enacted by .

# SHORT TITLE.

1. This Act may be cited as the Commonwealth Powers Act 1942.

REFERENCE OF MATTERS TO PARLIAMENT OF COMMONWEALTH.

- 2. The following matters are hereby referred to the Parliament of the Commonwealth, that is to say:—
  - (a) the reinstatement and advancement of those who have been members of the fighting services of the Commonwealth during the war and the advancement of the dependants of those members who have died or been disabled as a consequence of the war;
  - (b) employment and unemployment;
  - (c) organized marketing of commodities;
  - (d) uniform company legislation;
  - (e) trusts, combines and monopolies;
  - (f) profiteering and prices (but not including prices or rates charged by State or semi-governmental or local governing bodies for goods or services);
  - (g) the production (other than primary production) and distribution of goods, and, with the consent of the Governor in Council, primary production, but so that no law made under this paragraph shall discriminate between States or parts of States;
  - (h) the control of overseas exchange and overseas investment; and the regulation of the raising of money in accordance with such plans as are approved by a majority of members of the Australian Loan Council;
  - (i) air transport;
  - (j) uniformity of railway gauges;
  - (k) national works, but so that the consent of the Governor in Council shall be obtained in each case before the work is undertaken and that the work shall be carried out in co-operation with the State;
  - (l) national health in co-operation with the State;
  - (m) family allowances; and
  - (n) the people of the aboriginal race.

ACT NOT TO BE REPEALED OR AMENDED WITHOUT APPROVAL OF ELECTORS.

3.—(1.) This Act shall not be repealed or amended except in the manner provided in this section.

- (2.) A Bill for repealing or amending this Act shall not be presented to the Governor for His Majesty's assent until the Bill has been approved by the electors in accordance with this section.
- (3.) On a day to be appointed by the Governor-in-Council, but not sooner than three months after the passage of the Bill through both Houses of the Legislature, the Bill shall be submitted to the electors qualified to vote for the election of members of the Legislative Assembly.
- (4.) When the Bill is submitted to the electors, the vote shall be taken in such manner as the Legislature provides.
- (5.) If a majority of the electors voting approve the Bill, it shall be presented to the Governor for His Majesty's assent.

#### DURATION OF ACT.

- 4. This Act, and the reference made by this Act, shall commence on the date upon which it is assented to, and shall continue in force for a period ending at the expiration of five years after Australia ceases to be engaged in hostilities in the present war; and no law made by the Parliament of the Commonwealth with respect to matters referred to it by this Act shall continue to have any force or effect, by virtue of this Act or the reference made by this Act, after the expiration of that period.
- (ii) Introduction of Powers Bill in State Parliaments. The Powers Bill was introduced in the Parliament of each State but was passed in the agreed form in only two States, viz., New South Wales and Queensland. The Victorian Parliament did pass the Bill in practically the agreed form, but attached a condition to it suspending its operation until all the other States had passed identical measures. The Parliaments of South Australia and Western Australia passed the Bill, but vital amendments were made to the agreed list of powers. In Tasmania, despite repeated requests by the Government, the Legislative Council refused to pass the Powers Bill.
- 6. The Constitution Alteration (Post-war Reconstruction and Democratic Rights) Bill 1944.—(i) General. As the attempt to obtain the approval of all the State Parliaments to the Powers Bill agreed to at the Canberra Convention failed, the Commonwealth Government decided to submit the Bill to a Referendum in accordance with Section 128 of the Commonwealth Constitution. (See supra, p. 25.) The Bill is in substance similar to that agreed to at the Convention but contains also certain declarations regarding freedom of speech and expression and freedom of religion. The Bill also contains a provision requiring notice of regulations of a legislative character made under the proposed powers being given to each senator and each member of the House of Representatives.

The Bill was duly passed by an absolute majority of the members of both Houses of the Commonwealth Parliament and was submitted to the people at a Referendum on 19th August, 1944. Results may be found in the Appendix.

- (ii) Details of Proposed Law. The terms of the proposed law are as follows:-
  - A Bill for an Act to alter the Constitution for a limited period by empowering the Parliament to make Laws in relation to Post-war Reconstruction, and by including Provisions to safeguard Freedom of Speech and Expression and Freedom of Religion.

#### PREAMBLE.

Be it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, with the approval of the electors, as required by the Constitution, as follows:—

#### SHORT TITLE.

1. This Act may be cited as Constitution Alteration (Post-war Reconstruction and Democratic Rights) 1944.

2. The Constitution is altered by inserting, after Chapter I., the following Chapter and section:—

#### "CHAPTER IA.—TEMPORARY PROVISIONS.

Power to Make Laws, for a Limited Period, with respect to Certain Matters.

- "60A.—(1.) The Parliament shall, subject to this Constitution, have power to make laws for the peace, order and good government of the Commonwealth with respect to—
  - (i) the reinstatement and advancement of those who have been members of the fighting services of the Commonwealth during any war, and the advancement of the dependants of those members who have died or been disabled as a consequence of any war;
  - (ii) employment and unemployment;
  - (iii) organized marketing of commodities;
  - (iv) companies, but so that any such law shall be uniform throughout the Commonwealth;
  - (v) trusts, combines and monopolies;
  - (vi) profiteering and prices (but not including prices or rates charged by State or semi-governmental or local governing bodies for goods or services);
  - (vii) the production and distribution of goods, but so that-
    - (a) no law made under this paragraph with respect to primary production shall have effect in a State until approved by the Governor in Council of that State; and
    - (b) no law made under this paragraph shall discriminate between States or parts of States;
  - (viii) the control of overseas exchange and overseas investment; and the regulation of the raising of money in accordance with such plans as are approved by a majority of members of the Australian Loan Council;
    - (ix) air transport:
    - (x) uniformity of railway gauges;
  - (xi) national works, but so that, before any such work is undertaken in a State, the consent of the Governor in Council of that State shall \_\_\_\_\_\_\_be\_obtained\_and\_so\_that\_any\_such\_work\_so\_undertaken\_shall\_be\_carried out in co-operation with the State;
  - (xii) national health in co-operation with the States or any of them;
  - (xiii) family allowances; and
  - (xiv) the people of the aboriginal race.
- "(2.) Neither the Commonwealth nor a State may make any law for abridging the freedom of speech or of expression.
- "(3.) Section one hundred and sixteen of this Constitution shall apply to and in relation to every State in like manner as it applies to and in relation to the Commonwealth.
- "(4.) A regulation of a legislative character under the authority of any law made by the Parliament in the exercise of any power conferred by sub-section (1.) of this section—
  - (a) shall, subject to this section, take effect on the expiration of the fourteenth day after its contents have been notified in the manner

- provided by the Parliament to each senator and each member of the House of Representatives or on such later date as is specified in the regulation;
- (b) shall not take effect if, within fourteen days after its contents have been so notified, either House of the Parliament passes a resolution disapproving of the regulation; and
- (c) shall take effect on the date of its making or on such later date as is specified in the regulation, if the Governor-General in Council declares on specified grounds that the making of the regulation is urgently required.
- "(5.) This section shall continue in force until the expiration of a period of five years from the date upon which Australia ceases to be engaged in hostilities in the present war, and shall then cease to have effect, and no law made by the Parliament with respect to any matter specified in sub-section (1.) of this section shall continue to have any force or effect by virtue of this section after this section has ceased to have effect.".
- 7. The Parliament of New South Wales .- (i) Constitution. The Parliament of New South Wales consists of two Chambers, the Legislative Assembly and the Legislative Council. The Assembly consists of ninety members, elected in single-seat electoral districts, who hold their seats during the existence of the Parliament to which they are elected. The duration of Parliament is limited to three years. Until 1934 the Council was a nominee Chamber, consisting of a variable number of members appointed for life without a remuneration, but as from 23rd April, 1934, the Council was reconstituted and became a House of sixty members to serve without remuneration for a term of twelve years, with one-quarter of the members retiring every third year. The electorate comprises members of both Chambers, who vote as a single electoral body at simultaneous sittings of both Chambers. At the first elections in 1933, four groups of fifteen members were elected to serve respectively twelve years, nine years, six years, and three years. Any person resident for at least three years in Australia and entitled to vote at the election of members of the Legislative Assembly is eligible for election as a member of the Council, if nominated by two electors, an elector being a member of either of the two Houses for the time being.
- (ii) Particulars of Elections. Since the introduction of responsible government in New South Wales there have been thirty-three complete Parliaments, the first of which opened on 22nd May, 1856, and was dissolved on 19th December, 1857, while the thirty-third was dissolved on 13th April, 1944. The thirty-fourth Parliament opened on 22nd June, 1944. The elections of 1920, 1922 and 1925 were contested on the principle of proportional representation, but a reversion to the system of single seats and preferential voting was made at the later appeals to the people. Particulars of voting at elections from 1927 to 1941 are given below:—

NEW SOUTH WALES LEGISLATIVE ASSEMBLY ELECTIONS.

Year.	Electo	Electors Qualified to Vote.			tors who V	oted.	Percentage of Electors who Voted in Contested Electorates.		
	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.
1927 1930 1932 1935	714,886 724,471 739,009 769,220	694,607 716,314 725,999 759,493	1,409,493 1,440,785 1,465,008 1,528,713	591,820 682,747 690,094 654,383	673,676 676,993	1,150,777 1,356,423 1,367,087 1,294,752	96.42	81.25 94.79 96.37 95.60	82.54 94.94 96.39 95.85
1938 1941	803,517 834,752	804,316 850,029	1,607,833 1,684,781	608,727 698,100	606,767	1,215,494 1,425,752		95.41 94.03	95.78 92.52

The principle of one elector one vote was adopted in 1894, and that of compulsory enrolment in 1921. Compulsory voting was introduced at the 1930 election, and, as the table above shows, the percentage of electors who voted in contested electorates rose to over 96 in 1932, but declined to 93 in 1941.

The franchise was extended to women (Women's Franchise Act) in 1902, and was exercised for the first time in 1904.

- 8. The Parliament of Victoria.—(i) Constitution. Both of the Victorian legislative Chambers are elective bodies, but there is a considerable difference in the number of members of each House, as well as in the qualifications necessary for members and electors. The number of members in the Upper House is thirty-four, and in the Lower House, sixty-five. In the Legislative Council the tenure of the seat is for six years, but one member for each of the seventeen provinces retires every third year. Members of the Legislative Assembly are elected for the duration of Parliament, which is limited to three years. Single voting is observed in elections held for either House, plurality of voting having been abolished for the Legislative Assembly in 1899 and for the Legislative Council in 1937; for the latter House, however, it is still possible for an elector to be enrolled for more than one province, and such elector may select the province for which he desires to record his vote. A preferential system of voting (see Official Year Book No. 6, p. 1182) was adopted for the first time in Victoria at the election held in November, 1911. Compulsory voting was first observed at elections for the Legislative Assembly, 1927, and for the Legislative Council, 1937.
- (ii) Particulars of Elections. Since the introduction of responsible government in Victoria there have been thirty-four complete Parliaments, the first of which opened on 21st November, 1856, and closed on 9th August, 1859, while the thirty-fourth was dissolved on 30th April, 1943. The thirty-fifth Parliament was opened on 29th June, 1943. Particulars of voting at elections during the years 1928 to 1943 are given in the following table:—

# VICTORIAN ELECTIONS.

# LEGISLATIVE COUNCIL.

	Year.		Electors Enrolled.	Electors Enrolled in Contested Electorates.	Electors who Voted.	Percentage of Electors who Voted in Contested Electorates.
1928			444,278	268,164	85,372	31.84
1931			470,349	239,975	93,244	38.86
1934_		_ •=	469,395	160,980	47,375	29.43
1937			447,694	265,194	<del>- 208,925 -</del>	- 78.78-
1940			471,843	235,784	178,666	75.78
1943	• •		465,637	117,584	83,568	71.07
			1			ŀ

#### LEGISLATIVE ASSEMBLY.

Year.	El	Electors Enrolled.			tors who V	oted.	Percentage of Electors who Voted in Contested Electorates.		
	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.
	-66				8.6	C CO	i I		
1929	496,996	532,174	1,029,170	308,532	330,836	639,368	94.11	93.36	93.72
1932	510,809	544,492	1,055,301	335,512	351,530	687,042	94.60	93.82	94.20
1935	532,619	566,632	1,099,251	415,081	438,389	853,470	95.00	93.82	94.39
1937	550,618	585,978	1,136,596	383,507	413,923	797,430	94.22	93.72	93.96
1940	565,002	597,965	1,162,967	377,644	408,715	786,359	93.65	93.19	93.41
1943	596,595	665,035	1,261,630	392,160	401,519	883,679	81.87	91.57	87.00

The franchise was extended to women by the Adult Suffrage Act 1908, while voting at elections was made compulsory for the Legislative Assembly in 1926 and for the Legislative Council in 1935.

- 9. The Parliament of Queensland.—(i) Constitution. As stated previously the Legislative Council in Queensland was abolished in 1922, the date of Royal Assent to the Act being 23rd March, 1922. The Legislative Assembly is composed of sixty-two members, and the State is divided into that number of electoral districts. The Electoral Districts Act of 1931, assented to on 1st October, 1931, provided that from and after the end of the twenty-fifth Parliament (dissolved on 19th April, 1932) the number of members and electoral districts should be reduced from seventy-two to sixty-two. A system of optional preferential voting is in operation. (See Official Year Book No. 6, p. 1183.)
- (ii) Particulars of Elections. Since the establishment of responsible government in Queensland there have been twenty-nine complete Parliaments, the last of which was dissolved on 23rd February, 1944. Opinions differ regarding the opening date of the first Queensland Parliament. According to the Votes and Proceedings of the Legislative Assembly the House met for the first time on 22nd May, 1860, when the members were sworn and the Speaker elected. The Governor, however, was unable to be present on that date, but he duly attended on 29th May, 1860, and delivered the Opening Address.

At the elections held in May, 1915, the principle of compulsory voting was introduced for the first time in Australia. Of the number of electors enrolled at the 1941 elections, 90.29 per cent. went to the polls. Statistics regarding elections during the years 1929 to 1941 are given below:—

Year.	Electors Enrolled.			Elec	ctors who V	Percentage of Electors who Voted in Contested Electorates.			
	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.
1929	270,327	239,672	509,999	228,601	209,647	438,248	89.69	91.45	90.52
1932	274,986	250,958	525,944	236,266	220,628	456,894	92.59	93.14	92.86
1935	303,018	272,270	575,288	245,331	225,427	470,758	92.55	92.89	92.71
1938	318,402	288,157	606,559	280,841	258,196	539,037	92.09	92.97	92.51
1941	331,285	303,631	634,916	269,849	259,398	529,247	88.68	92.03	90.29

# QUEENSLAND LEGISLATIVE ASSEMBLY ELECTIONS.

The election of 1907 was the first State election in Queensland at which women voted, the right being conferred under the Elections Acts Amendment Act 1905.

10. The Parliament of South Australia.—(i) Constitution. In this State there is a Legislative Council composed of twenty members and a House of Assembly with thirty-nine members, both Chambers being elective. For the Legislative Council the State is divided into five districts, which return four members each, two of whom retire alternately. Thirty-nine districts return one member each to the House of Assembly; prior to 1938 there were forty-six members representing nineteen districts. A system of preferential voting is in operation. Voting was made compulsory by the Electoral Act Amendment Act 1942.

(ii) Particulars of Elections. Since the inauguration of responsible government in South Australia there have been thirty complete Parliaments, the first of which was opened on 22nd April, 1857. The thirtieth Parliament was opened on 3rd July, 1941, and was dissolved on 28th February, 1944. The duration of the twenty-eighth Parliament was extended from three to five years by the provisions of the Constitution (Quinquennial Parliament) Act 1933, but this Act was repealed by the Constitution Act Amendment Act (No. 2) 1939, and the three-year term was reverted to. Particulars of voting at the last five elections are given below:—

#### SOUTH AUSTRALIAN ELECTIONS.

Year.	El	ectors Enrol	led.	Elec	ctors who Vo	oted.	Percentage of Electors who Voted in Contested Electorates.		
	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Fotal.

#### LEGISLATIVE COUNCIL.

1927 1930 1933 1938 1941	100,376 (a) (a) 92,109 (a)	37,395 (a) (a) 37,026 (a)	137,771 133,274 133,152 129,135 115,952	46,686 (a) (a) 67,691 (a)	17,742 (a) (a) (a) 23,474 (a)	64,428 100,040 25,309 91,165 70,660	67.55 (a) (a) 73.49 (a)	59.91 (a) (a) 63.40 (a)	65.26 75.06 64.21 70.60 60.94
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(a) Not available.

#### House of Assembly.

1938 (a) (a)   364,884 (a)   (a)   223,136 (a) (a)   63.		\ · · · /	1 1 1			1 ) (		1 1 1		77 · 43 71 · 36 59 · 45 63 · 31 50 · 69
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(a) Not available.

South Australia was the first of the States to grant women's suffrage (under the Constitution Amendment Act 1894), the franchise being exercised for the first time at the Legislative Assembly election on 25th April, 1896.

- 11. The Parliament of Western Australia.—(i) Constitution. In this State both Chambers are elective. For the Legislative Council there are thirty members, each of the ten provinces returning three members, one of whom retires biennially. At each biennial election the member elected holds office for a term of six years, and automatically retires at the end of that period. The Legislative Assembly is composed of fifty members, one member being returned by each electoral district. Members of the Legislative Assembly are elected for three years.
- (ii) Particulars of Elections. Since the establishment of responsible government in Western Australia there have been seventeen complete Parliaments, the first of which was opened on 30th December, 1890, and the eighteenth Parliament was elected on 20th November, 1943. The preferential system of voting in use in Western Australia is described in Official Year Book No. 6, p. 1184. Elections for membership of both Houses which were due to be held early in 1942, were postponed by the Legislative Council

Postponement of Elections Act 1942 and the Legislative Assembly Duration and General Elections Postponement Act 1941. Particulars relating to more recent Assembly and Council elections are given in the tables following:—

#### WESTERN AUSTRALIAN ELECTIONS.

Year.	E	ectors Enro	iled.	Elec	ctors who V	oted.	Percentage of Electors who Voted in Contested Electorates.			
	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.	
			L	GISLATIVI	Counci	Ĺ <b>.</b>				
1932 1934 1936 1938 1940	57,454 62,168 63,407 62,992 62,745 56,021	19,889 22,323 21,987 23,419 23,598 23,868	77,343 84,491 85,394 86,411 86,343 79,889	17,145 31,590 18,479 19,132 24,904 17,609	5,508 10,189 6,394 6,971 8,013 5,454	22,653 41,779 24,873 26,103 32,917 23,063	56.29 53.39 45.03 52.64 41.96 51.01	48.29 47.23 40.03 45.57 35.29 45.47	54.16 51.75 43.62 50.54 40.11 49.58	
			LEG	ISLATIVE	Assembl	Υ.				
1930 1933 1936 1939 1943	122,576 124,776 130,065 138,240 137,100	107,500 112,419 117,400 127,747 137,756	230,076 237,195 247,465 265,987 274,856		63,807 89,802 64,575 101,510 (a)	139,013 186,012 136,309 205,738 b183,781	75·44 90.23 71.95 89.01 (a)	73.30 91.00 68.22 91.07 (a)	74 · 44 90 · 60 70 · 13 90 · 01 <i>b</i> S6 · 53	

<sup>(</sup>a) Not available.

Women's suffrage was granted by the Electoral Act of 1899. The first woman member to be elected to an Australian Parliament was returned at the 1921 election in this State. Voting for the Legislative Assembly was made compulsory in December, 1936, the first elections for which the provision was in force being those held on 18th March, 1939.

- (iii) Secession Referendum. On 8th April, 1933, the people of Western Australia voted overwhelmingly in favour of the State withdrawing from the Federal Commonwealth, the voting being:—In favour, 138,653; not in favour, 70,706.
- 12. The Parliament of Tasmania.—(i) Constitution. In Tasmania there are two legislative Chambers—the Legislative Council and the House of Assembly, both bodies being elective. The Council consists of eighteen members, elected for six years and returned from fifteen districts, Hobart returning three, Launceston two, and the remaining thirteen districts sending one member each. Three members retire annually, and the Council cannot be dissolved as a whole. There are five House of Assembly districts, corresponding to the Commonwealth electoral divisions, each returning six members, who are elected under a system of proportional representation which first came into force at the 1909 elections (see Official Year Book No. 6, p. 1185). The life of the Assembly was extended from three to five years by the Constitution Act 1936.

In 1924 and again in 1925 the House of Assembly contested, with at least temporary success, the power of the Legislative Council to amend money bills. The matter was settled by the Constitution Act 1926, which provides that all money bills shall originate in the Assembly, that all money votes shall be recommended by the Governor, and that the Council may amend bills other than those for appropriating public moneys or fixing a rate for income or land tax. The Council has no power to insert a provision for the appropriation of money or to impose or increase any burden on the people.

(ii) Particulars of Elections. The first Tasmanian Parliament opened on 2nd December, 1856, and closed on 8th May, 1861. There have been twenty-six complete

<sup>(</sup>b) Includes members of Forces not enrolled.

Parliaments since the inauguration of responsible government. Particulars of the voting at the last five elections for the House of Assembly are given hereunder:—

TASMANIAN HOUSE OF ASSEMBLY ELECTIONS.

Year.	El	ectors Enro	lled.	Elec	tors who V	Percentage of Electors who Voted in Contested Electorates.			
	Males.	Females.	Total.	Males.	Females.	Total.	Males.	Females.	Total.
1928	55,058	56,898	111,956	46,769	44,910	91,679	84.94	78.94	81.90
1931	59,024	59,706	118,730	56,674	56,105	112,779	96.02	93.97	94.99
1934	63,841	63,840	127,681	60,623	59,999	120,622	94.96	93.98	94 • 47
1937	66,223	65,778	132,001	62,880	61,580	124,460	94.95	93.62	94.29
1941	69,058	70,176	139,234	61,480	65,554	127,034	89.03	93.41	91.24

The present members of the Legislative Council have been elected at various dates and the following particulars are given of the last contested elections in two divisions in 1944:—Number of electors on the roll, 8,940; number of votes recorded, 7,365; percentage of persons who voted to the number on the roll, 82.38.

The suffrage was granted to women under the Constitution Amendment Act 1903 and compulsory voting came into force on the passing of the Electoral Act in 1928.

# § 3. Administration and Legislation.

1. The Commonwealth Parliaments.—The first Parliament of the Commonwealth was convened by proclamation dated 29th April, 1901, by his Excellency the late Marquis of Linlithgow, then Earl of Hopetoun, Governor-General. It was opened on 9th May, 1901, by H.R.H. the Duke of Cornwall and York, who had been sent to Australia for that purpose by His Majesty the King, the Rt. Hon. Sir Edmund Barton, G.C.M.G., K.O., being Prime Minister.

The following table gives the number and duration of Parliaments since Federation:—

## COMMONWEALTH PARLIAMENTS.

Number of	Parliamen	t.	Date of Opening.	Date of Dissolution.
First Second Third Fifth Sixth Seventh Eighth Ninth Tenth Eleventh Twelfth Thirteenth Fourteenth Fifteenth Sixteenth Seventeenth			9th May, 1901 2nd March, 1904 2oth February, 1907 1st July, 1910 9th July, 1913 8th October, 1914 14th June, 1917 26th February, 1920 28th February, 1923 13th January, 1926 9th February, 1929 2oth November, 1929 17th February, 1932 23rd October, 1934 30th November, 1937 2oth November, 1943	 23rd November, 1903 5th November, 1906 19th February, 1910 23rd April, 1913 30th July, 1914(a) 26th March, 1917 3rd November, 1919 6th November, 1922 3rd Ottober, 1925 9th October, 1928 16th September, 1929 27th November, 1931 7th August, 1934 21st September, 1937 27th August, 1940 7th July, 1943

<sup>(</sup>a) On this occasion, the Governor-General, acting on the advice of the Ministry, and under Section 57 of the Constitution, granted a dissolution of both the Senate and the House of Representatives, this being the only occasion on which a dissolution of both Houses has occurred.

2. Governors-General and Ministries.—The following statements show the names of the several Governors-General, and the Ministries which have directed the administration of the affairs of the Commonwealth since its inception:—

#### (a) GOVERNORS-GENERAL.

- Rt. Hon. Earl of Hopetoun (afterwards Marquis of Linlithdow), K.T., G.C.M.G., G.C.V.O. From 1st January 1901, to 9th January, 1903.
- Rt. Hon. Hallam, Baron Tennyson, G.C.M.G. From 17th July, 1902, to 9th January, 1903. (Acting).
- Rt. Hon. Hallam, Baron Tennyson, G.C.M.G. From 9th January, 1903. to 21st January, 1904. Rt. Hon. Henry Stafford, Baron Northcote, G.C.M.G., G.C.I.E., C.B. From 21st January, 1904, to 9th September, 1908.
- Rt. Hon. William Humble, Earl of Dudley, G.C.B., G.C.M.G., G.C.V.O., &c. From 9th September, 1908, to 31st July, 1911.
- Rt. Hon. Thomas, Baron Denman, G.C.M.G., K.C.V.O. From 31st July, 1911, to 18th May, 1914.
  Rt. Hon. Sir Ronald Craufurd Munro Ferguson (afterwards Viscount Novae of Raith),
  G.C.M.G. From 18th May, 1914, to 6th October, 1920.
- Rt. Hon. Henry William, Baron Forster of Lepe, G.C.M.G. From 6th October, 1920, to 8th October, 1925.
- Rt. Hon. John Lawrence, Baron Stonehaven, G.C.M.G., D.S.O. From 8th October, 1925, to 22nd January, 1931.
- Lieut.-Colonel the Rt. Hon. Arthur Herbert Tennyson, Baron Somers, K.C.M.G., D.S.O., M.C. From 3rd October, 1930, to 22nd January, 1931 (Acting).
- Rt. Hon. Sir Isaac Alfred Isaacs, G.C.M.G. From 22nd January, 1931, to 23rd January, 1936. General the Rt. Hon. Alexander Gore Arkwright, Baron Gowrie, V.C., P.C., G.C.M.G., C.B., D.S.O. From 23rd January, 1936.

#### (b) MINISTRIES.

- (i) BARTON MINISTRY, 1st January, 1901, to 24th September, 1903.
- (ii) DEARIN MINISTRY, 24th September, 1903, to 27th April, 1904
- (iii) Watson Ministry, 27th April, to 17th August, 1904.
- (iv) REID-McLean Ministry, 18th August, 1904, to 5th July, 1905.
- (v) DEAKIN MINISTRY, 5th July, 1905, to 13th November, 1908.
- (vi) FISHER MINISTRY, 13th November, 1908, to 1st June, 1909.
- (vii) DEAKIN MINISTRY, 2nd June, 1909, to 29th April, 1910.
- (viii) FISHER MINISTRY, 29th April, 1910, to 24th June, 1913.
  - (ix) COOK MINISTRY, 24th June, 1913, to 17th September, 1914.
  - (x) FISHER MINISTRY, 17th September, 1914, to 27th October, 1915.
- (xi) HUGHES MINISTRY, 27th October 1915, to 14th November, 1916.
- (xii) HUGHES MINISTRY, 14th November, 1916, to 17th February, 1917.
- (xiii) Hughes Ministry, 17th February, 1917, to 10th January, 1918.
- (xiv) Hughes Ministry, 10th January, 1918, to 9th February, 1923.
- (XV) BRUCE-PAGE MINISTRY, 9th February, 1923, to 22nd October, 1929.
- (xvi) Scullin Ministry, 22nd October, 1929, to 6th January, 1932.
- (xvii) Lyons Ministry, 6th January, 1932, to 7th November, 1938.
- (xviii) Lyons Ministry, 7th November, 1938, to 7th April, 1939.
- (xix) PAGE MINISTRY, 7th April, 1939, to 26th April, 1939.
- (xx) MENZIES MINISTRY, 26th April, 1939, to 14th March, 1940.
- (xxi) MENZIES MINISTRY, 14th March, 1940, to 29th August, 1941.
- (xxii) FADDEN MINISTRY, 29th August, 1941, to 7th October, 1941.
- (xxiii) Curtin Ministry, 7th October, 1941, to 21st September, 1943.
- (xxiv) CURTIN MINISTRY, 21st September 1943.

(c) SECOND CURTIN GOVERNMENT, from 21st September, 1943.

(The State from which each Minister comes is added in brackets.) DEPARTMENTS. MINISTERS. \*Prime Minister and Minister for Defence . . Rt. Hon. J. Curtin (W.A.). \*Minister for the Army ... RT. HON. F. M. FORDE (Qld.). \*Treasurer and Minister for Post-war Recon- Hon. J. B. Chifley (N.S.W.). struction \*Attorney-General and Minister for External Rt. Hon. H. V. Evatt, LL.D., K.C. Affairs (N.S.W.). HON. J. A. BEASLEY (N.S.W.). \*Minister for Supply and Shipping \*Minister for the Navy and Minister for Muni- Hon. N. J. O. Makin (S.A.). Minister for Trade and Customs ... SENATOR THE HON. R. V. KEANE (Vic.). Minister for Labour and National Service ... HON. E. J. HOLLOWAY (Vic.). \*Minister for Air and Minister for Civil Hon. A. S. Drakeford (Vic.). Aviation Minister for Commerce and Agriculture HON. W. J. SCULLY (N.S.W.). Senator The Hon. W. P. Ashley Postmaster-General and Vice-President of the

\*Minister for War Organization of Industry . . Hon. J. J. Dedman (Vic.).

Executive Council

Minister for the Interior Minister for Transport and Minister for Hon. E. J. WARD (N.S.W.). External Territories

Minister for Health and Minister for Social Senator The Hon. J. M. Fraser (W.A.). Services

Minister for Repatriation and Minister in Hon. C. W. Frost (Tas.). charge of War Service Homes

Minister for Home Security

Minister for Aircraft Production ... Minister for Information

(N.S.W.).

HON. H. P. LAZZARINI (N.S.W.). .. SENATOR THE HON. D. CAMERON (Vic.). HON. A. A. CALWELL (Vic.). . .

SENATOR THE HON. J. S. COLLINGS (Qld.).

• War Cabinet.

3. State Ministries.—The names of the members of the Ministries in each State in June, 1944, are shown in the following statement. The date on which each Ministry was sworn in is stated in parenthesis:-

# STATE MINISTERS, 1944. NEW SOUTH WALES (16th June, 1944).

Premier and Colonial Treasurer— THE HON. W. J. McKell.

Colonial Secretary, Deputy Premier, Minister for Mines and Minister for National Emergency Services-THE HON, J. M. BADDELEY.

Minister for Education-

THE HON. R. J. HEFFRON.

Attorney-General-

THE HON. C. E. MARTIN.

Minister for Conservation— THE HON. W. F. DUNN.

Minister for Labour and Industry and Minister for Social Welfare-THE HON. HAMILTON KNIGHT.

Minister of Justice and Vice-President of the Executive Council-THE HON. R. R. DOWNING, M.L.C. 3280.-3

Secretary for Public Works and Minister for Local Government-

THE HON. J. J. CAHILL.

Minister for Health-

THE HON. C. A. KELLY.

Minister for Housing-THE HON. J. McGIRR.

Secretary for Lands-

THE HON. J. M. TULLY.

Minister for Transport— THE HON. M. O'SULLIVAN.

Minister for Agriculture— THE HON. E. H. GRAHAM.

Assistant Ministers-

THE HON. C. R. EVATT, K.C. THE HON. W. E. DICKSON, M.L.C.

#### STATE MINISTERS—continued.

## VICTORIA (18th September, 1943).

centralization-

THE HON. A. A. DUNSTAN.

Minister of Public Instruction and Minister of Labour-

THE HON. T. T. HOLLWAY.

President of the Board of Land and Works, Commissioner of Crown Lands and Survey and Minister of Forests-

THE HON. A. E. LIND.

andAttorney-General, Solicitor-General Minister of Public Health-

THE HON. IAN MACFARLAN, K.C.

Chief Secretary-

THE HON. H. J. T. HYLAND.

Premier, Treasurer, and Minister of De- | Minister of Agriculture and a Vice-President of the Board of Land and Works-THE HON. N. A. MARTIN.

> Minister of Water Supply, and Minister in Charge of Electrical Undertakings-THE HON, J. G. B. McDonald.

> Commissioner of Public Works, and a Vice-President of the Board of Land and Works-

THE HON. J. H. LIENHOP, M.L.C.

Minister of Transport, Minister of Mines, and a Vice-President of the Board of Land and Works-

THE HON. J. A. KENNEDY, M.L.C.

Ministers without Portfolios-

THE HON, T. D. OLDHAM.

THE HON. G. J. TUCKETT, M.L.C. THE HON. G. L. CHANDLER, M.L.C.

## QUEENSLAND (27th April, 1944).

Premier and Chief Secretary-THE HON, F. A. COOPER.

Tronsurer\_

THE HON. E. M. HANLON,

Secretary for Health and Home Affairs-THE HON. T. A. FOLEY.

Secretary for Public Works-THE HON. H. A. BRUCE.

Secretary for Public Lands-THE HON. A. JONES.

Attorney-General-

THE HON. D. A. GLEDSON.

Secretary for Public Instruction-

THE HON. J. LARCOMBE.

Minister for Transport-

THE HON. E. J. WALSH.

Secretary for Labour and Employment and Secretary for Mines-

THE HON. V. C. GAIR.

Secretary for Agriculture and Stock-THE HON, T. L. WILLIAMS.

#### SOUTH AUSTRALIA (15th May, 1944).

Premier. Treasurer, and Minister of Immigration—

THE HON. T. PLAYFORD.

Chief Secretary, Minister of Mines, and Minister of Health-

THE HON. A. L. McEWIN, M.L.C.

Attorney-General, Minister of Education, Minister of and Industry and Employment—

THE HON. C. LEMPRIERE ABBOTT, K.C.

Commissioner of Crown Lands, Minister of Repatriation, and Minister of Irrigation— THE HON. R. J. RUDALL, M.L.C.

Commissioner of Public Works, Minister of Railways, Minister of Marine, and Minister of Local Government-

THE HON. M. McIntosh.

Minister of Agriculture and Minister of Afforestation-

THE HON. G. F. JENKINS.

### STATE MINISTERS—continued.

# WESTERN AUSTRALIA (8th December, 1943).

Premier and Treasurer-

THE HON. J. C. WILLCOCK.

Minister for Lands and Agriculture— THE HON. F. J. S. WISE.

Minister for Works, Water Supplies and Industrial Development-

THE HON. A. R. G. HAWKE.

Minister for Mines and Health— THE HON. A. H. PANTON. Chief Secretary and Minister for Police— The Hon. W. H. Kitson, M.L.C.

Minister for Railways and Justice— The Hon. E. Nulsen.

Minister for the North-west and Forests— The Hon. A. A. M. Coverley.

Minister for Social Services and Education—

THE HON. J. T. TONKIN.

Honorary Minister-

THE HON, E. H. GRAY, M.L.C.

## TASMANIA (30th November, 1943).

Premier and Minister for Education—
THE HON. R. COSGROVE.

Treasurer-

THE HON. E. DWYER-GRAY.

Attorney-General and Assistant Minister for Education—

THE HON. J. McDonald, M.L.C.

Minister for Lands and Works— THE HON. E. BROOKER. Minister for Agriculture, and Agricultural
Bank—

THE HON. JOHN L. MADDEN.

Chief Secretary and Minister for Transport—

THE HON. C. E. CULLEY.

Honorary Ministers-

THE HON. W. P. TAYLOR, M.C. (Minister for Forests).

THE HON. E. R. A. HOWROYD (Minister for Health).

THE HON. H. T. LANE (Minister for Mines).

4. The Course of Legislation.—The actual legislation by the Commonwealth Parliament up to the end of 1943 is indicated in alphabetical order in "Vol. XLI. of the Acts of the Parliament of the Commonwealth of Australia, passed during 1943, with Tables, Appendix and Indexes." A "Chronological Table of Acts passed from 1901 to 1943, showing how they are affected by subsequent legislation or lapse of time" is also given, and further "A Table of Commonwealth Legislation", for the same period, "in relation to the several provisions of the Constitution", is furnished. Reference should be made to these for complete information. In previous issues of the Official Year Book an analytic table was included showing the nature of Commonwealth legislation in force at the end of the latest year available. A classification of legislation, according to its relation to the several provisions of the Constitution, up to the end of the yeār 1928 will be found in No. 22, pp. 76–84.

# § 4. Cost of Parliamentary Government.

The following statement shows the cost of parliamentary government in the Commonwealth and in each State, as well as the cost per head of population, for the year ended 30th June, 1943. In order to avoid incorrect conclusions as to the cost of the Governor-General's or Governor's establishment, it may be pointed out that a very large part of the expenditure (with the exception of the item "Governor's salary") under the head of Governor-General or Governor represents official services entirely outside the Governor's personal interest, and carried out at the request of the Government.

# COST OF PARLIAMENTARY GOVERNMENT, 1942-43.

Particulars.	C'wlth.	N.S.W.	Vic.	Q'land.	S.A.	W.A.	Tas.	Total.
I. Governor-General or Governor—Governor's salary Other salaries Other expenses, including maintenance of house and	£ 10,000 2,208			£ 3,000 1,798	£ 5,000 1,863	£ (a)2,000 950		£ 33,000 13,330
grounds	b 17,531	2,753	5,325	(b)3,133	1,787	2,139	3,204	35,872
Total	29,739	12,547	11,202	7,931	8,650	5,089	7,044	82,202
2, Executive Council————————————————————————————————————	(c) (c)	159 40	672 19	40, 52.		60 38	(d) (d)	931 149
Total	(c)	199	691	92		98	(d)	1,080
3. Ministry— Salaries of Ministers Travelling expenses Other	22,750 8,418 177		11,250 (e) (e)	11,811 	7,750 	8,200 2,876 		91,615 12,565 2,215
Total	31,345	24,396	11,250	11,811	7,750	11,076	8,767	106,395
4. Parliament— A. Upper House: President and Chairman of Committees Allowance to members Railway passes Postage for members B. Lower House: Speaker and Chairman of Committees Allowance to members Polibrar recent	2,000 75,314	(f) 150 g 12,100 (i) 2,790 69,324	5,987 (h)9,000 360 (j) 2,538 27,855	2,000 34,029	800 6,800 1,226 54 1,400	16,684 4,036 140 1,800 28,226	7,190 1,100 (e) 350 12,291	8,199 73,011 33,222 3,471 12,878 260,156
Railway passes Postage for members	6,203	g 19,220 (h)3,366		11,745 2,491	2,390 385 1,875	6,789 350	1,650 (e)	53,794 14,098 3,199
Salaries of staff and contingencies Printing—		763			825		75	2,498
Hansard Other	8,441 10,737	5,667 4,751	4,711 5,049	2,953 740	2,750 4,585	3,017 198	2,607	27,539 28,667
Salaries Contingencies Library—	11,223 169	9,026 128		2,894	6,350 535	5,891 120	::	42,802 1,076
Salaries Contingencies Salaries of other officers Other D. Miscellaneous:	6,430 2,658 42,954 28,971	3,252 1,101 30,065 1,403	750	940 660 8,735 ••	945 425 7,893 1,000	50 215 8,111 244	66 4,089	13,755 5,875 114,354 31,618
Fuel, light, heat, power, and water Posts, telegraphs, telephones Furniture, stores, and sta- tionery Other	3,869 3,393 2,122 l 72,267	1,186 3.618 1,215 1,607	1,404 }953{ 91	689 1,001 218 2,467	2,230 1,176 2,716 2,063	121 337 176 1,217	} 413	26,837 80,406
Total		172,632		71,562	61,540	79,522		837,455

<sup>(</sup>a) Salary of Lieut.-Governor. (b) Commonwealth, includes interest and sinking fund on loans, £4,486, and new works, buildings, etc., £356; Queensland, Includes £650 allowances to Lieut.-Governor. (c) Included under Governor-General. (d) Duties performed by Chief Secretary's Department. (e) Not available separately. (f) Allowance to representative of Government in Legislative Council. (g) Estimated. (h) Both Houses. (i) Included with Lower House. (j) Includes Leader of the Opposition and Leader of the Labour Party. (k) Included with Upper House. (l) Includes Interest and sinking fund, Parliament House. Canberra, £36,538; and maintenance of members' rooms in capital cities, £11,067.

COST	OF	DARLIAMENTARY	GOVERNMENT—continued.
COST	()r	LACTIVATEDIATE	GUVERNIENI—communea.

Particulars.	C'wlth.	N.S.W.	Vic.	Q'land.	S.A.	W.A.	Tas.	Totai.
5. Electoral— Salaries Oost of elections, contingen-	£ 91,513	£ 2,898	£ 843	£ 3,136	£ 2,608	£ 4,410	£ (d)	£ 105,408
cles, etc.	42,675	8,286	27,241	8,672	1,319	1,944	2,161	92,298
Total	134,188	11,184	28,084	11,808	3,927	6,354	2,161	197,706
6 Royal Commissions, Select Committees, etc.	8,575		2,355			7	708	11,645
Total	8,575	,	2,355			7	708	11,645
GRAND TOTAL	539,475	220,958	139,224	103,204	81,867	102,146	49,609	1,236,483
Cost per head of population	1s. 6d.	18. 7d.	18. 5d.	28. od.	28. 8d.	48. 4d.	48. Id.	38. 5d.

Figures showing total cost and cost per head during each of the last five years are given in the next table.

#### COST OF PARLIAMENTARY GOVERNMENT.

Year.		C'wealth.	N.S.W.	Vic.	Q'land.	S.A.	W.A.	Tas.	Total.
		· ·		То	TAL.				
		£	£	£	£	£	£	ž	l ž
1938-39		516,455	232,709	114,497	106,942	97,383	113,793	49,270	1,231,049
1939-40	٠.	539,473	235,354	143,775	104,027	95,517	109,321	48,469	1,275,036
1940-41		592,482	264,255	112,533	125,642	94,292	104,310	49,174	1,342,688
1941-42		522,795	221,022	112,648	99,544	82,859	108,038	52,864	1,199,770
1942-43		539,475	220,958	139,224	103,204	81,867	102,146	49,609	1,236,483
			PER	HEAD OF	F POPULA	TION.			
		8. d.	8. d.	8. d.	8. d.	8. d.	8. d.	8. d.	8. d.
t938-39		16	т 8	1 3 1 6	2 I	3 3	4 11	4 2	3 7
1939-40		17	r 8	16	2 I	3 2	4 8	4 I	3 8
1940-41		18	111	1 2	2 5	3 2	4 5	4 1	3 10
1941-42		16	17	1 2	III	2 9	4 7	4 5	3 4
1942-43		16	17	1 5	2 0	2 8	4 4	4 1	3 5

# § 5. Government Employees.

1. Australia, 1939 to 1943.—The following table shows at June in each of the years 1939 to 1943, the number of employees of Commonwealth and Allied Governments, State and Semi-Government bodies, and Local Government authorities. These include not only administrative employees but also employees in business undertakings, public utilities operated by Governments, and persons engaged on construction of public works, as well as employees in Commonwealth munition factories and in factories connected with Government undertakings and utilities.

## GOVERNMENT EMPLOYEES-AUSTRALIA.

June—		onwealt Govern			ovt. and			l Govern thorities			Total.	
	М.	F.	Persons.	M.	F.	Persons.	м.	F.	Persons.	M.	F.	Persons.
1939 1940 1941 1942(b) 1943(b)	56,177 66,166 82,452 136,801 143,679	23,686 49,196		240,010	40,757 42,755 47,740	286,335 281,588 290,532 287,750 282,052	53,891 49,340 41,860		56,654 52,144 45,725		58,878 69,245 100,801	418,341 419,766 448,814 519,472 538,446

<sup>(</sup>a) Partly estimated.

<sup>(</sup>b) Includes United States of America authorities' civilian employees in Australia.

The figures in all cases exclude personnel of defence forces. The increase in number of employees of the Commonwealth and Allied Governments in 1942 and 1943 is mainly due to expansion of Government munition factories, Allied Works Projects and administrative organizations of Allied Governments and war-time departmental controls. The diminution in number of employees of State and Semi-Government authorities since 1941 was due to a curtailment of peace-time work (mainly construction work) offset to some extent by the development of war activities undertaken on behalf of the Commonwealth.

2. Commonwealth and States, etc., June, 1942 and 1943.—The number of employees of the Commonwealth and Allied Governments and of the State Governments, Semi-Government and Local Government authorities in each State as at June, 1942 and 1943, are shown in the following table:—

## GOVERNMENT EMPLOYEES JUNE, 1942 AND 1943.

	!		1942.			1943.	
Employed by-	) 	Males.	Females.	Persons.	Males.	Females.	Persons.
Commonwealth Allied Government New South Wales Victoria Queensland South Australia Western Australia Tasmania	and ts(a)	136,801 109,056 69,628 47,539 29,223 18,186 8,238	49,196 19,092 15,142 6,104 5,532 3,753 1,982	185,997 128,148 84,770 53,643 34,755 21,939 10,220	143,679 105,220 65,178 41,377 26,817 18,716 8,286	71,720 21,483 16,083 7,116 6,450 4,276 2,045	215,399 126,703 81,261 48,493 33,267 22,992 10.331
Total		418,671	100,801	519,472	409,273	129,173	538,446

<sup>(</sup>a) Includes United States of America Authorities' civilian employees in Australia.

# § 6. Diplomatic and other Representives Overseas and in Australia.

The following statement shows the various diplomatic and other representatives overseas and in Australia.

# AUSTRALIAN DIPLOMATIC AND OTHER REPRESENTATIVES OVERSEAS.

His Majesty's Envoy Extraordinary and Minister Plenipotentiary to-

United States of America, Washington, D.C.— The Hon. Sir Owen Dixon, K.C.M.G.

China, Chungking-

Sir Frederic W. Eggleston.

Netherlands, London-

The Rt. Hon. S. M. Bruce, C.H., M.C.

Union of Soviet Socialist Republics, Moscow—

The Hon. James J. Maloney, M.L.C.

High Commissioner for Australia in-

United Kingdom, London—

The Rt. Hon. S. M. Bruce, C.H., M.C.

Canada, Ottawa-

Major-General The Hon. Sir William T. Glasgow, K.C.B., C.M.G., D.S.O., V.D.

India, New Delhi-

Lieut.-General Sir Iven Gifford Mackay, K.B.E., C.M.G., D.S.O., V.D.

New Zealand, Wellington-

The Hon. T. G. D'Alton.

# Official Representative in New Caledonia, Noumea—Noel Deschamps.

### Australian Government Trade Commissioner-

India-H. R. Gollan, D.S.O., M.C., Simla.

#### Australian Government Commissioner-

Egypt-James Payne, Cairo.

# Acting Australian Trade Commissioners-

United States of America-J. U. Garside, New York.

Canada-R. R. Ellen, Toronto.

# DIPLOMATIC AND OTHER REPRESENTATIVES IN AUSTRALIA.

## Envoy Extraordinary and Minister Plenipotentiary of the-

United States of America, Canberra-

The Hon, Nelson Trusler Johnson.

China, Canberra-

His Excellency Dr. Hsu Mo.

Netherlands, Canberra-

His Excellency Baron F. C. van Aerssen Beyeren van Voshol, M.W.O.

Union of Soviet Socialist Republics, Canberra-

His Excellency Andrei P. Vlasov.

#### High Commissioner for-

His Majesty's Government in the United Kingdom, Canberra-

The Rt. Hon. Sir Ronald H. Cross, Bt., M.P.

Canada, Canberra-

The Rt. Hon. Mr. Justice T. C. Davis.

New Zealand, Canberra-

Hon. J. G. Barclay.

#### Commissioner for Malta-

Captain H. C. Curmi, O.B.E., Melbourne.

#### TRADE COMMISSIONERS OF OVERSEAS GOVERNMENTS IN AUSTRALIA.

#### United Kingdom-

His Majesty's Senior Trade Commissioner, Sydney-

Sir R. W. Dalton, C.M.G.

His Majesty's Trade Commissioners, Melbourne-

A. W. Burton, M.B.E.

H. F. Gurney.

His Majesty's Trade Commissioner, Brisbane-

J. R. Adams.

#### Canada-

Government Trade Commissioner-

F. Palmer, Melbourne.

Acting Government Trade Commissioner-

K. F. Noble, Sydney.

#### New Zealand-

Government Trade and Tourist Commissioner and New Zealand Supply Liaison

W. Taylor, Sydney.

New Zealand Government Officer and New Zealand Supply Liaison Officer— J. A. Malcolm, Melbourne.

India--

Trade Commissioner—

R. R. Saksena, Sydney.

## Netherlands Indies-

Trade Commissioner-

J. van Holst Pellekaan, Melbourne.

# § 7. Consular Representatives of Foreign Countries in Australia.

The following tabular statement shows the number of consular representatives of foreign countries in each State at 1st January, 1944:—

CONSULAR REPRESENTATIVES IN AUSTRALIA AT 1st JANUARY, 1944.

,	y 4			Number of Consular Representatives in—								
	Country.			N.S.W.	Vic.	Q'land.	S.A.	W.A.	Tas.	Tota Aust		
Argentina				ı	1					1		
Belgium				4	1	1	I	1	I	9		
Bolivia				1		1 ;				į .		
Brazil				1	1					1 2		
Chile				2	1			;		3		
China				4	2	I	• •	1		1 8		
Colombia				1	1			'		1		
Costa Rica				, т				!				
Czechoslovakia				I	1	1	I	1		1 3		
Denmark				2	2	2	I	2	I	10		
Dominican Rep	ublic			1			1	• • •		1		
Ecuador				2		1						
Greece				4	2	1	1	3		1		
Honduras				2		1 [				) :		
Latvia				I	1	1	1			1 4		
Liberia							T			j 1		
Netherlands	• •			4	2	4	1	1		12		
Vicaragua				I						1		
Norway				3	1	3	3	4	2	16		
Panama				1		1		!		2		
Paraguay		٠.		I		!		1		1 2		
Peru					1		I	· • i		1 2		
Poland				3	ĭ	'		• •		4		
Portugal				2	1	1	1	I		(		
Salvador					I					. 1		
Spain				1 1	I	!	!	1		' 2		
Sweden				4	I	3 !	3	1	I	13		
Switzerland				I	1	I	]			] 3		
Jnited States of	f Amer	ica		8	3	2	1	2		16		
Venezuela				1	`	l i		[		1		
Yugoslavia	••	• •	••	1	I		••	1	• •	3		
Tota	.ì		••	55	27	24	17	20	5	a148		

<sup>(</sup>a) In addition, Northern Territory has a Consul for the Netherlands.

Countries having Consuls-General or Senior Consuls in Sydney are Argentina, Belgium, Brazil, Chile, China, Costa Rica, Czechoslovakia, Denmark, Ecuador, Greece, Honduras, Netherlands, Nicaragua, Norway, Paraguay, Poland, Portugal, Sweden, Switzerland and United States of America.

The Consuls-General in London for Latvia, Mexico and Turkey have jurisdiction over Australia and its Territories.

Particulars of the names and addresses of the various Consular representatives, as well as their rank and year of appointment, are contained in a publication issued by the Department of External Affairs, Canberra, entitled "Diplomatic and Consular List including British Commonwealth Representatives and Trade Commissioners in Australia."