

Chapter Two

Government

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There are three levels of government in Australia.

The six Australian colonies federated in 1901 to form the Commonwealth of Australia. Most of the Commonwealth Parliament's legislative powers are enumerated in section 51 of the Constitution. Areas of power not specified remain the responsibility of the States and Territories. A system of local government, established under State legislation, creates a third tier of government in Australia. In 1991, Australia had 842 elected members of Parliament, of whom 224 were Commonwealth and 618 State and Territory members.

Both the State and the Commonwealth systems of government derive from the British Westminster system, although many features of the Commonwealth Constitution (including the federal structure) are based on the United States Constitution. Generally, however, the salient features of the Westminster system have been retained. Ministers are members of Parliament, and are required to be accountable and answerable to it. In the twentieth century, Australia has been characterised by a strong party system and adversarial style of politics between the government and opposition.

This chapter outlines the basic features of the constitutional structure of the Commonwealth Parliament and Government and its electoral system, and provides details of the Ministry, and other political leaders.

The Australian Constitution is reproduced in the Year Book from time to time, the latest being the 1992 edition.

A chapter outlining Australia's prehistory to Federation was contained in the 1991 and earlier Year Books.

PARLIAMENTARY GOVERNMENT

Scheme of parliamentary government

Under the Australian Constitution the legislative power of the Commonwealth of Australia is vested in the Parliament of the Commonwealth, which consists of the Queen, the Senate and the House of Representatives. The Queen is represented throughout the Commonwealth by the Governor-General. In each Australian State there is a State

Governor, who is the representative of the Queen for the State. The Governor has such powers within the State as are conferred upon him/her by the Letters Patent constituting his/her office, and he/she exercises these powers in accordance with instructions issued to him/her by the Queen, detailing the manner in which his/her duties are to be fulfilled.

No Act of the Parliament of the United Kingdom passed after the commencement of the *Australia Act 1986* extends, or is deemed to extend, to the Commonwealth of Australia or to an Australian State or Territory as part of the law of the Commonwealth, of the State or of the Territory. Further, the restrictions that formerly existed on the legislative powers of the Parliaments of the States were removed by the Act.

In the Commonwealth Parliament the Upper House is known as the Senate, and in the bicameral State Parliaments as the Legislative Council. The Legislature in all States was bicameral until 1922 when the Queensland Parliament became unicameral upon the abolition of the Upper House. In the Commonwealth Parliament the Lower House is known as the House of Representatives; in the State Parliaments of New South Wales, Victoria and Western Australia as the Legislative Assembly; and in the State Parliaments of South Australia and Tasmania as the House of Assembly. The single House of Parliament in Queensland, the Northern Territory and the Australian Capital Territory is known as the Legislative Assembly. The extent of the legislative powers of each of the seven Parliaments is defined by the Australian and State Constitutions respectively. In those States that have a bicameral legislature, the Legislative Assembly or House of Assembly, as the case may be, is the larger House.

The members of the Parliaments of each State are elected by the people, the franchise extending to Australian citizens who are at least 18 years of age and possess certain residential qualifications. For the Commonwealth Parliament the qualifications for the franchise are identical for both Houses, extending to Australian citizens and British subjects who are on the Commonwealth Electoral Roll and who are not less than 18 years of age.

The Sovereign

On 7 February 1952 the then Governor-General of the Commonwealth of Australia,

acting with advice of members of the Federal Executive Council, proclaimed Princess Elizabeth as Queen Elizabeth the Second, Queen of this Realm and of all Her other Realms and Territories, Head of the Commonwealth, Defender of the Faith, Supreme Liege Lady in and over the Commonwealth of Australia. By the *Royal Style and Titles Act 1973*, which Her Majesty assented to in Canberra on 19 October 1973, the Commonwealth Parliament assented to the adoption by Her Majesty, for use in relation to Australia and its Territories, of the Style and Titles set out in the Schedule to that Act. On the same day, also in Canberra, Her Majesty issued a Proclamation, under the Great Seal of Australia, appointing and declaring that Her Majesty's Style and Titles should henceforth be, in relation to Australia and its Territories, 'Elizabeth the Second, by the Grace of God Queen of Australia and Her other Realms and Territories, Head of the Commonwealth'.

The Governor-General

Powers and functions. Under the Australian Constitution, the Governor-General exercises the executive power of the Commonwealth of Australia, and certain other powers and functions conferred by the Constitution that include, among others, the powers to appoint times for holding the sessions of the Parliament, to prorogue Parliament, and to dissolve the House of Representatives; to cause writs to be issued for general elections of members of the House of Representatives; to assent in the Queen's name to a proposed law passed by both Houses of the Parliament; to choose and summon Executive Councillors, who hold office during the Governor-General's pleasure; and to appoint Ministers of State for the Commonwealth of Australia. In addition, the Governor-General, as the Queen's representative, is Commander-in-Chief of the Defence Forces.

Many Acts of the Commonwealth Parliament provide that the Governor-General may make regulations to give effect to the Acts. The Governor-General may also be authorised by statute to issue proclamations, for example, to declare an Act in force. The Governor-General has been given power by statute to legislate for certain of the Australian Territories. Under the provisions of the Constitution, as well as by the conventions of responsible government in British Commonwealth countries, the Governor-

General's executive functions are exercised on the advice of Ministers of State.

Holders of office. The present Governor-General is His Excellency the Honourable William George Hayden, AC. Those persons who have held the office of Governor-General from the inception of the Commonwealth of Australia are pictured in *Year Book Australia 1988*.

Administrators. In addition to the holders of the office of Governor-General, certain persons have, from time to time, been appointed by the Queen to administer the Government of the Commonwealth of Australia. These persons are appointed in the event of the death, incapacity, removal from office or absence from Australia of the Governor-General.

Governors of the States

Powers and functions. The Queen is represented in each of the Australian States by a Governor, the office having been constituted by Letters Patent issued under the Great Seal of the United Kingdom on various dates. The Governors of the States exercise prerogative powers conferred on them by these Letters Patent, their commissions of appointment and the Governor's Instructions given to them under the Royal Sign Manual and Signet or other instrument, as specified in the Letters Patent. In addition, they have been invested with various statutory functions by State Constitutions and the Commonwealth *Australia Act 1986*, as well as under the Acts of the Parliaments of the States.

A Governor of a State assents in the Queen's name to Bills passed by the Parliament of the State. Since the enactment of the *Australia Act 1986*, an Act of Parliament of a State that has been assented to by the Governor of the State is no longer subject to disallowance by the Queen or suspension pending signification of the Queen's pleasure. The Governor administers the prerogative of mercy by the reprieve or pardon of criminal offenders within his jurisdiction, and may remit fines and penalties due to the Crown in right of the State. In the performance of his functions generally, particularly those conferred by statute, the Governor of a State acts on the advice of Ministers of State for the State.

2.1 STATE GOVERNORS, HOLDERS OF OFFICE, MAY 1993

New South Wales	His Excellency REAR ADMIRAL PETER ROSS SINCLAIR, AO
Victoria	His Excellency JUSTICE RICHARD McGARVIE
Queensland	Her Excellency Mrs MARY MARGUERITE LENEEN FORDE
South Australia	Her Excellency the Honourable DAME ROMA FLINDERS MITCHELL, AC, DBE
Western Australia	His Excellency the Honourable SIR FRANCIS THEODORE PAGE BURT, AC, KCMG, QC
Tasmania	His Excellency GENERAL SIR PHILLIP BENNETT, AC, KBE, DSO
Northern Territory	The Honourable JAMES HENRY MUIRHEAD, AC QC

Source: Department of the Parliamentary Library.

COMMONWEALTH GOVERNMENT

The following table shows the number and duration of parliaments since Federation.

Commonwealth Parliaments and Ministries

2.2 COMMONWEALTH PARLIAMENTS

<i>Number of Parliament</i>	<i>Date of opening</i>	<i>Date of dissolution</i>
First	9 May 1901	23 November 1903
Second	2 March 1904	5 November 1906
Third	20 February 1907	19 February 1910
Fourth	1 July 1910	23 April 1913
Fifth	9 July 1913	(a)30 July 1914
Sixth	8 October 1914	26 March 1917
Seventh	14 June 1917	3 November 1919
Eighth	26 February 1920	6 November 1922
Ninth	28 February 1923	3 October 1925
Tenth	13 January 1926	9 October 1928
Eleventh	6 February 1929	16 September 1929
Twelfth	20 November 1929	27 November 1931
Thirteenth	17 February 1932	7 August 1934
Fourteenth	23 October 1934	21 September 1937
Fifteenth	30 November 1937	27 August 1940
Sixteenth	20 November 1940	7 July 1943
Seventeenth	23 September 1943	16 August 1946
Eighteenth	6 November 1946	31 October 1949
Nineteenth	22 February 1950	(a)19 March 1951
Twentieth	12 June 1951	21 April 1954
Twenty-first	4 August 1954	4 November 1955
Twenty-second	15 February 1956	14 October 1958
Twenty-third	17 February 1959	2 November 1961
Twenty-fourth	20 February 1962	1 November 1963
Twenty-fifth	25 February 1964	31 October 1966
Twenty-sixth	21 February 1967	29 September 1969
Twenty-seventh	25 November 1969	2 November 1972
Twenty-eighth	27 February 1973	(a)11 April 1974
Twenty-ninth	9 July 1974	(a)11 November 1975
Thirtieth	17 February 1976	8 November 1977
Thirty-first	21 February 1978	19 September 1980
Thirty-second	25 November 1980	(a)4 February 1983
Thirty-third	21 April 1983	26 October 1984
Thirty-fourth	21 February 1985	(a)5 June 1987
Thirty-fifth	14 September 1987	19 February 1990
Thirty-sixth	8 May 1990	8 February 1993
Thirty-seventh	4 May 1993	

(a) A dissolution of both the Senate and the House of Representatives was granted by the Governor-General under section 57 of the Constitution.

Source: Department of the Parliamentary Library.

The following list shows the name of each office since 1 January 1901 and the dates of Commonwealth Government Ministry to hold its term of office.

2.3 COMMONWEALTH GOVERNMENT MINISTRIES, 1901 TO 1991

(i)	BARTON MINISTRY	1 January 1901 to 24 September 1903
(ii)	DEAKIN MINISTRY	24 September 1903 to 27 April 1904
(iii)	WATSON MINISTRY	27 April 1904 to 17 August 1904
(iv)	REID-McLEAN MINISTRY	18 August 1904 to 5 July 1905
(v)	DEAKIN MINISTRY	5 July 1905 to 13 November 1908
(vi)	FISHER MINISTRY	13 November 1908 to 2 June 1909
(vii)	DEAKIN MINISTRY	2 June 1909 to 29 April 1910
(viii)	FISHER MINISTRY	29 April 1910 to 24 June 1913
(ix)	COOK MINISTRY	24 June 1913 to 17 September 1914
(x)	FISHER MINISTRY	17 September 1914 to 27 October 1915
(xi)	HUGHES MINISTRY	27 October 1915 to 14 November 1916
(xii)	HUGHES MINISTRY	14 November 1916 to 17 February 1917
(xiii)	HUGHES MINISTRY	17 February 1917 to 8 January 1918
(xiv)	HUGHES MINISTRY	10 January 1918 to 9 February 1923
(xv)	BRUCE-PAGE MINISTRY	9 February 1923 to 22 October 1929
(xvi)	SCULLIN MINISTRY	22 October 1929 to 6 January 1932
(xvii)	LYONS MINISTRY	6 January 1932 to 7 November 1938
(xviii)	LYONS MINISTRY	7 November 1938 to 7 April 1939
(xix)	PAGE MINISTRY	7 April 1939 to 26 April 1939
(xx)	MENZIES MINISTRY	26 April 1939 to 14 March 1940
(xxi)	MENZIES MINISTRY	14 March 1940 to 28 October 1940
(xxii)	MENZIES MINISTRY	28 October 1940 to 29 August 1941
(xxiii)	FADDEN MINISTRY	29 August 1941 to 7 October 1941
(xxiv)	CURTIN MINISTRY	7 October 1941 to 21 September 1943
(xxv)	CURTIN MINISTRY	21 September 1943 to 6 July 1945
(xxvi)	FORDE MINISTRY	6 July 1945 to 13 July 1945
(xxvii)	CHIFLEY MINISTRY	13 July 1945 to 1 November 1946
(xxviii)	CHIFLEY MINISTRY	1 November 1946 to 19 December 1949
(xxix)	MENZIES MINISTRY	19 December 1949 to 11 May 1951
(xxx)	MENZIES MINISTRY	11 May 1951 to 11 January 1956
(xxxi)	MENZIES MINISTRY	11 January 1956 to 10 December 1958
(xxxii)	MENZIES MINISTRY	10 December 1958 to 18 December 1963
(xxxiii)	MENZIES MINISTRY	18 December 1963 to 26 January 1966
(xxxiv)	HOLT MINISTRY	26 January 1966 to 14 December 1966
(xxxv)	HOLT MINISTRY	14 December 1966 to 19 December 1967
(xxxvi)	McEWEN MINISTRY	19 December 1967 to 10 January 1968
(xxxvii)	GORTON MINISTRY	10 January 1968 to 28 February 1968
(xxxviii)	GORTON MINISTRY	28 February 1968 to 12 November 1969
(xxxix)	GORTON MINISTRY	12 November 1969 to 10 March 1971
(xl)	McMAHON MINISTRY	10 March 1971 to 5 December 1972
(xli)	WHITLAM MINISTRY	5 December 1972 to 19 December 1972
(xlii)	WHITLAM MINISTRY	19 December 1972 to 11 November 1975
(xliii)	FRASER MINISTRY	11 November 1975 to 22 December 1975
(xliv)	FRASER MINISTRY	22 December 1975 to 20 December 1977
(xlv)	FRASER MINISTRY	20 December 1977 to 3 November 1980
(xlvi)	FRASER MINISTRY	3 November 1980 to 7 May 1982
(xlvii)	FRASER MINISTRY	7 May 1982 to 11 March 1983
(xlviii)	HAWKE MINISTRY	11 March 1983 to 13 December 1984
(xlix)	HAWKE MINISTRY	13 December 1984 to 24 July 1987
(l)	HAWKE MINISTRY	24 July 1987 to 4 April 1990
(li)	HAWKE MINISTRY	4 April 1990 to 20 December 1991
(lii)	KEATING MINISTRY	20 December 1991 to 24 March 1993
(liii)	KEATING MINISTRY	24 March 1993

Source: Department of the Parliamentary Library.

In *Year Book Australia 1924*, the names are given of each Ministry up to the Bruce-Page Ministry together with the names of the successive holders of portfolios therein. *Year Book Australia 1953* contains a list which covers the period between 9 February 1923, the date on which the Bruce-Page Ministry assumed power, and 31 July 1951, showing the names of all persons who held office in each Ministry

during that period. The names of members of subsequent Ministries are listed in issues of the *Year Book Australia*, 1953 to 1975-76 inclusive, and in successive issues from 1980.

Particulars of the Second Keating Ministry at May 1993 are shown below.

2.4 SECOND KEATING MINISTRY, AT MAY 1993

Prime Minister	The Hon. P. J. Keating, MP
Special Minister of State	The Hon. Frank Walker, QC, MP (Vice-President of the Executive Council)
Minister for Aboriginal and Torres Strait Islander Affairs	The Hon. Robert Tickner, MP
Minister for Housing, Local Government and Community Services	The Hon. Brian Howe, MP (Deputy Prime Minister)
Minister for Health	Senator The Hon. Graham Richardson
Minister for Family Services	Senator The Hon. Rosemary Crowley
<i>Minister Assisting the Prime Minister for the Status of Women</i>	
Minister for Veterans' Affairs	Senator the Hon. John Faulkner (Manager of Government Business in the Senate)
<i>Parliamentary Secretary</i>	<i>The Hon. Andrew Theophanous, MP</i>
Minister for Foreign Affairs	Senator the Hon. Gareth Evans, QC (Leader of the Government in the Senate)
Minister for Trade	Senator the Hon. Peter Cook
Minister for Development Co-operation and Pacific Island Affairs	The Hon. Gordon Bilney, MP
Minister for Defence	Senator the Hon. Robert Ray (Deputy Leader of the Government in the Senate)
Minister for Defence Science and Personnel	Senator the Hon. John Faulkner
<i>Parliamentary Secretary</i>	<i>The Hon. Gary Punch, MP</i>
Treasurer	The Hon. J. S. Dawkins, MP
Assistant Treasurer	The Hon. George Gear, MP
<i>Parliamentary Secretary</i>	<i>The Hon. Gary Johns, MP</i>
Minister for Finance	The Hon. Ralph Willis, MP
Minister for Employment, Education and Training	The Hon. Kim C. Beazley, MP (Leader of the House)
Minister for Schools, Vocational Education and Training	The Hon. Ross Free, MP
<i>Parliamentary Secretary</i>	<i>The Hon. Warren Snowdon, MP</i>
Minister for the Environment, Sport and Territories	The Hon. Ros Kelly, MP
Minister for Immigration and Ethnic Affairs	Senator the Hon. Nick Bolkus
<i>Minister Assisting the Prime Minister for Multicultural Affairs</i>	
Minister for Primary Industries and Energy	The Hon. Simon Crean, MP
Minister for Resources	The Hon. Michael Lee, MP
<i>Parliamentary Secretary</i>	<i>Senator the Hon. Nick Sherry</i>

... continued

2.4 SECOND KEATING MINISTRY, AT MAY 1993 — *continued*

Minister for Industry, Technology and Regional Development	The Hon. Alan Griffiths, MP
Minister for Science and Small Business	Senator the Hon. Chris Schacht
<i>Minister Assisting the Prime Minister for Science</i>	
<i>Parliamentary Secretary</i>	<i>The Hon. Ted Lindsay, MP</i>
Minister for Transport and Communications	Senator the Hon. Bob Collins
Minister for Communications	The Hon. David Beddall, MP
<i>Parliamentary Secretary</i>	<i>The Hon. Neil O'Keefe, MP</i>
Minister for Social Security	The Hon. Peter Baldwin, MP
<i>Parliamentary Secretary</i>	<i>The Hon. Con Sciacca, MP</i>
Minister for the Arts and Administrative Services	Senator the Hon. Bob McMullan
<i>Parliamentary Secretary</i>	<i>The Hon. Janice Crosio, MBE, MP</i>
Minister for Industrial Relations	The Hon. Laurie Brereton, MP
<i>Minister Assisting the Prime Minister for Public Service Matters</i>	
Attorney-General	The Hon. Michael Lavarch, MP
Minister for Consumer Affairs	The Hon. Jeannette McHugh, MP
Minister for Justice	The Hon. Duncan Kerr, MP
<i>Parliamentary Secretary</i>	<i>The Hon. Peter Duncan, MP</i>
Minister for Tourism	The Hon. Michael Lee, MP

NOTE: Cabinet Ministers are shown in bold type. As a general rule, there is one Department in each portfolio. Except for the Department of Health, Housing, Local Government and Community Services and the Department of Foreign Affairs and Trade, the title of each Department reflects that of the Portfolio Minister. There is also a Department of Veterans' Affairs in the Health, Housing, Local Government and Community Services Portfolio.

Source: *Department of the Parliamentary Library*.

Dr J. R. Hewson, MP(LP) is the leader of the Opposition.

2.5 STATE OF THE PARTIES IN THE COMMONWEALTH PARLIAMENT, MAY 1993

<i>House of Representatives</i>		<i>Senate</i>	
ALP	80	ALP	32
LP	49	LP	29
NPA	16	AD	8
IND	2	NPA	5
		OTHER	2

NOTE: Senate composition after Senators elected at 13 March 1993 election have taken up their seats in the Senate (1 July 1993) will be; ALP 30, LP 30, NPA 5, AD 8, Others 3.

Source: *Department of the Parliamentary Library*.

Numbers and salaries of Commonwealth Government Ministers

Under sections 65 and 66, respectively, of the Australian Constitution the number of Ministers of State was not to exceed seven, and the annual sum payable for their salaries was not to exceed £12,000, each provision to operate, however, 'until the Parliament otherwise provides'.

Subsequently, the number and salaries have increased from time to time, and as at 15 August 1991 the number of Ministers was 30 and ministerial salaries ranged from \$106,848 for the Prime Minister, to \$69,327 for the Deputy Prime Minister, \$56,503 for the Treasurer and for the Leader of the Government in the Senate, \$50,144 for the Leader of the House, and \$46,722 for a Minister other than the above. Where more

than one office is held only one salary is payable, that being the higher salary.

All amounts shown in the foregoing paragraphs are in addition to amounts payable as parliamentary salaries and allowances.

PARLIAMENTS AND ELECTIONS

Qualifications for membership and for franchise — Commonwealth Parliament

Any Australian citizen, 18 years of age or over and who is, or is qualified to become, an elector of the Commonwealth Parliament is qualified for membership of either house of the Commonwealth Parliament. Any Australian citizen (or British subject who was on the Commonwealth Roll as at 25 January 1984) over 18 years of age is qualified to enrol and vote at federal elections. Residence in a subdivision for a period of one month before enrolment is necessary to enable a qualified person to enrol. Enrolment and voting are compulsory for all eligible persons.

The principal reasons for disqualification of persons otherwise eligible for election as members of either Commonwealth House are: membership of the other House; allegiance to a foreign power; being attainted of treason; being convicted and under sentence for any offence punishable by imprisonment for one year or longer; being an undischarged bankrupt or insolvent; holding an office of profit under the Crown (with certain exceptions); or having a pecuniary interest in any agreement with the public service of the Commonwealth except as a member of an incorporated company of more than 25 persons. Persons convicted of treason and not pardoned, or convicted and under sentence for any offence punishable by imprisonment for five years or longer, or of unsound mind, or persons who are holders of temporary entry permits under the *Migration Act 1958* or are prohibited non-citizens under that Act, are excluded from enrolment and voting.

Commonwealth Parliaments — representation and elections

From the establishment of the Commonwealth of Australia until 1949 the Senate consisted of 36 members, 6 being returned by each of the original federating States. The Australian Constitution empowers the Commonwealth

Parliament to increase or decrease the size of the Parliament, and, as the population of Australia had more than doubled since its inception, the Parliament passed the *Representation Act 1948* which provided that there should be 10 Senators from each State instead of six, thus increasing the total to 60 Senators, enlarging both Houses of Parliament and providing a representation ratio nearer to the proportion which existed at Federation. The *Representation Act 1983* further provided for 12 Senators for each State from the first meeting of the thirty-fourth Parliament.

The *Senate (Representation of Territories) Act 1973* made provision for two Senators to be elected from both the Northern Territory and the Australian Capital Territory. Elections for the Territory Senators are held at the same time as general elections for the House of Representatives.

In accordance with the Constitution, the total number of State Members of the House of Representatives must be as nearly as practicable twice the total number of State Senators. Consequent upon the increase in the size of the Senate in 1949, the number of State Members was increased from 74 to 121. In 1955 there were 122 State Members; in 1969, 123; in 1974, 124; in 1977, 121; in 1980, 122. From the first meeting of the thirty-fourth Parliament, there was a further increase of 23 to 145 State Members flowing from the increase in the number of State Senators to 72.

Since the redistribution of electorates in 1949 giving effect to the increase in the size of the House of Representatives, further redistributions have taken place in 1955, 1968, 1974 (Western Australia only), 1977, 1979 (Western Australia only), 1984, when the size of the Parliament was increased again, 1988–89 (Victoria and Western Australia only) and 1991 (New South Wales, Queensland, South Australia, Tasmania and the Australian Capital Territory). Redistributions must be held whenever the representation entitlement of a State changes, when more than one-third of the electorates in a State deviates from the quota by more than 10 per cent for more than two months, or every seven years. The quota (or average number) of electors is the basis for electoral distribution. There may be a deviation from the quota of up to 10 per cent in order to achieve equality of

enrolment midway between redistributions. In determining boundaries, Redistribution Committees take account of economic, social and regional interests, means of communication and travel, the trend of population changes, physical features and area, and the existing boundaries of electoral divisions.

The Electoral Commissioner determines the representation entitlements of the States and Territories during the tenth month after the first meeting of a new House of Representatives. Determinations are based on the latest population statistics as provided by the Australian Statistician. The quota is ascertained by dividing the number of people of the Commonwealth by twice the number of Senators representing the States. The population of the Territories and all

Senators representing the Territories are excluded from calculation when determining the quota. The population of each State and Territory is then divided by the quota to determine their representation entitlements. If there is a remaining fraction of over half a quota, the State or Territory is entitled to an additional seat. This accounts for the minor fluctuations in the size of the House of Representatives. The representation entitlements of the States at the three most recent determinations are shown in the following table, which also shows the Territorial representation and the total size of the Parliament. Under section 24 of the Constitution, Tasmania remains entitled to the five seats guaranteed to any original State in 1901.

2.6 REPRESENTATION ENTITLEMENTS OF THE STATES AND TERRITORIES

<i>State/Territory</i>	<i>1981</i>	<i>1984</i>	<i>1988</i>	<i>1991</i>
State				
New South Wales	43	51	51	50
Victoria	33	39	38	38
Queensland	19	24	24	25
South Australia	11	13	13	12
Western Australia	11	13	14	14
Tasmania	5	5	5	5
Territories				
Northern Territory	1	1	1	1
Australian Capital Territory	2	2	2	2
Total Parliament	125	148	148	147

Source: Department of the Parliamentary Library.

From 1922 to 1968 the Northern Territory was represented in a limited capacity by one member in the House of Representatives. In May 1968 the *Northern Territory Representation Act 1922* was amended to give full voting rights to the Member for the Northern Territory effective from 15 May 1968, the day on which the Act received Royal assent.

From 1948 to 1967 the Australian Capital Territory was represented in a limited capacity by one member in the House of Representatives. The Member for the Australian Capital Territory was granted full voting rights on 21 February 1967.

Following the passing of the *Australian Capital Territory Representation (House of Representatives) Act 1973* the Australian

Capital Territory was divided into two electoral divisions.

Members of the House of Representatives are elected for the duration of the Parliament, which is limited to three years. At 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 to the number of members to which the State is entitled.

In 1948, amendments to the *Commonwealth Electoral Act 1918* changed the system of scrutiny and counting of votes in Senate elections from the alternative vote to that of proportional representation. The method of voting for both the Senate and the House of Representatives is preferential.

Particulars of voting at Senate elections and elections for the House of Representatives up to 1984 appear in earlier issues of *Year Book Australia*. Full details are contained in the *Election Statistics* issued by the Electoral Commissioner following each election.

The numbers of electors and of primary votes cast for the major political parties in each State and Territory at the 1990 election for each House of the Commonwealth Parliament were as follows:

2.7 COMMONWEALTH PARLIAMENT ELECTIONS, 24 MARCH 1990

	NSW	Vic.	Qld	SA	WA	Tas.	NT	ACT	Australia
HOUSE OF REPRESENTATIVES									
Electors enrolled	3,630,841	2,781,547	1,805,141	966,431	982,901	310,076	78,994	172,200	10,728,131
Number of votes recorded for									
Australian Labor Party	1,380,780	951,674	695,291	339,218	316,186	115,053	34,106	71,830	3,904,138
Liberal Party	975,083	1,018,740	476,560	381,172	392,870	140,722	..	55,755	3,440,902
National Party	377,687	154,069	280,120	..	21,681	..	..	..	833,557
Country National Party	..	..	..	..	..	..	27,668	..	27,668
Australian Democrats	342,540	319,149	193,817	135,546	75,197	24,876	..	23,091	1,114,216
Call to Australia	21,646	52,554	..	22,297	..	..	..	..	96,497
Others	256,935	70,944	25,809	15,521	88,765	8,853	6,483	9,386	482,696
Formal votes	3,354,671	2,567,130	1,671,597	893,754	894,699	289,504	68,257	160,062	9,899,674
Informal votes	108,134	94,334	38,065	34,143	34,418	9,774	2,387	4,871	326,126
Total votes recorded	3,462,805	2,661,464	1,709,662	927,897	929,117	299,278	70,644	164,933	10,225,800
SENATE									
Electors enrolled	3,630,841	2,781,547	1,805,141	966,431	982,901	310,076	78,994	172,200	10,728,131
Number of votes recorded for									
Australian Labor Party	1,356,430	938,245	653,070	337,137	304,632	120,195	37,343	66,495	3,813,547
Liberal Party	..	..	490,523	376,073	392,820	128,374	..	58,082	1,445,872
National Party	..	..	227,696	3,667	26,801	..	..	..	258,164
Liberal-National Party	1,280,382	1,149,170	..	..	..	..	..	..	2,429,552
Country Liberal Party	..	..	..	..	..	..	29,045	..	29,045
Australian Democrats	393,521	365,376	209,030	149,158	85,324	22,888	..	28,510	1,253,807
Call to Australia	69,744	29,608	18,469	18,701	..	..	..	..	136,522
Western Australian Green Party	..	..	..	..	76,381	..	..	..	76,381
Environment	..	..	..	..	..	..	..	..	..
Independents	27,046	16,655	30,967	..	..	..	..	..	74,668
Others	211,019	80,466	44,441	23,387	22,140	19,835	2,335	8,584	412,207
Formal votes	3,338,142	2,579,520	1,674,196	908,123	908,098	291,292	68,723	161,671	9,929,765
Informal votes	145,429	96,171	42,112	23,438	26,733	9,300	1,977	3,905	349,065
Total votes recorded	3,483,571	2,675,691	1,716,308	931,561	934,831	300,592	70,700	165,576	10,278,830

NOTE: Details of the Commonwealth Parliament elections held on 13 March 1993 not available at the time of going to press.

Source: Department of the Parliamentary Library.

Parliamentary salaries and allowances

The basic salary payable to a Senator or Member of the House of Representatives was \$66,387 at 15 August 1991. In addition, Senators or Members receive an electoral allowance of \$22,685 in the case of a Senator or a Member representing an electorate of less than 2,000 square kilometres, \$26,975 in the case of a Member representing an electorate of

2,000 square kilometres or more, but less than 5,000 square kilometres, or \$32,895 in the case of a Member representing an electorate of 5,000 square kilometres or more.

Referendums

In accordance with section 128 of the Constitution, any proposed law for the alteration of the Constitution, in addition to being passed by an absolute majority of each House of

Parliament, (except in circumstances specified in section 128 of the Constitution which permits a referendum to proceed if passed by only one chamber), must be submitted to a referendum of the electors in each State and Territory and must be approved by a majority of the electors in a majority of the States and by a majority of all the voters who voted before it can be presented for Royal assent.

Since 1901, 42 proposals have been submitted to referendums. The consent of the electors has been received in eight cases: the first in relation to the election of Senators in 1906, the second (1910) and third (1928) in respect of State Debts, the fourth in respect of Social Services in 1946 and the fifth in respect of Aborigines in 1967. The remaining three proposals in relation respectively to Senate casual vacancies, maximum retirement age for justices of the High Court and judges of other Federal Courts, and the right of electors in the Territories to vote in referendums for the alteration of the Constitution,

were approved in May 1977. In addition to referendums for alterations of the Constitution, other Commonwealth referendums have been held — two prior to Federation regarding the proposed Constitution and two regarding military service during World War I. A National song poll was held on 21 May 1977. Voting was preferential and after the distribution of preferences *Advance Australia Fair* became the National song of Australia.

For further details of referendums see *Year Book Australia 1966*, pages 66–68, *Year Book Australia 1974*, pages 90–91, *Year Book Australia 1977–78*, pages 72–73 and *Year Book Australia 1986*, pages 55–56.

The States and Territories

This section contains summarised information; for greater detail refer to *State Year Books*.

2.8 GOVERNMENT LEADERS IN STATES AND TERRITORIES, MAY 1993

New South Wales	THE HON. J. J. FAHEY, M.P. (LP)
Victoria	THE HON. J. G. KENNETT, M.P. (LP)
Queensland	THE HON. W. K. GOSS, MLA (ALP)
South Australia	THE HON. L. M. F. ARNOLD, MP (ALP)
Western Australia	THE HON. R. COURT, MLA (LP)
Tasmania	THE HON. R. J. GROOM, MHA (LP)
Northern Territory	THE HON. M. PERRON, MLA (CLP)
Australian Capital Territory	THE HON. R. FOLLETT, MLA (ALP)

Source: *Department of the Parliamentary Library*.

2.9 OPPOSITION LEADERS IN STATES AND TERRITORIES, MAY 1993

New South Wales	R. J. CARR, M.P. (ALP)
Victoria	THE HON. J. H. KENNAN, QC, M.P. (ALP)
Queensland	R. E. BORBIDGE, MLA (NP)
South Australia	THE HON. D. C. BROWN, M.P. (LP)
Western Australia	THE HON. C. M. LAWRENCE, MLA (ALP)
Tasmania	THE HON. M. W. FIELD, MHA (ALP)
Northern Territory	B. R. EDE, MLA (ALP)
Australian Capital Territory	K. CARNELL, MLA (LP)

Source: *Department of the Parliamentary Library*.

2.10 STATE OF THE PARTIES IN THE STATES AND TERRITORIES, MAY 1993

New South Wales — Legislative Assembly		Legislative Council	
ALP	47	ALP	18
LP	31	LP	13
NPA	17	NPA	7
IND	4	IND	2
		AD	2
Victoria — Legislative Assembly		Legislative Council	
ALP	27	ALP	14
LP	52	LP	24
NPA	9	NPA	6
Queensland — Legislative Assembly			
ALP	54		
NPA	26		
LP	9		
South Australia — House of Assembly		Legislative Council	
ALP	21	ALP	10
LP	22	LP	10
NPA	1	AD	2
IND	3		
Western Australia — Legislative Assembly		Legislative Council	
ALP	24	ALP	15
LP	26	LP	14
NPA	6	NPA	3
IND	1	IND	2
Tasmania — House of Assembly		Legislative Council	
LP	19	LP	1
ALP	11	ALP	1
IND	5	IND	17
Northern Territory — Legislative Assembly			
CLP	14		
ALP	9		
IND	2		
Australian Capital Territory — Legislative Assembly			
ALP	8		
LP	6		
IND	3		

NOTE: Explanation of abbreviations:

AD — Australian Democrats; ALP — Australian Labor Party; CLP — Country-Liberal Party; IND — Independent; LP — Liberal Party; NPA — National Party of Australia.

Source: Department of the Parliamentary Library.

ACTS OF THE COMMONWEALTH PARLIAMENTS

In the Commonwealth Parliament 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 Australian Constitution. In all States, other than South Australia and Tasmania, laws are enacted in the name of the Sovereign by and with the consent of the Legislative Council (except in

Queensland) and Legislative Assembly. In South Australia and Tasmania laws are enacted in the name of the Governor of the State, with the advice and consent of the Parliament in the case of South Australia, and of the Legislative Council and House of Assembly in the case of Tasmania. Generally, assent to Bills passed by the Legislatures is given by the Governor-General or State Governor acting on behalf of, and in the name of, the Sovereign. In certain special cases Bills are reserved for the Royal assent. The Parliaments of the States are empowered generally, subject to the Australian Constitution, to make laws in and for their respective States in all cases



whatsoever. The power of the States to make laws was enhanced in 1986 by the enactment by the Commonwealth Parliament of the *Australia Act 1986* and the accompanying *Australia (Request and Consent) Act 1986*. Subject to certain limitations they may alter, repeal, or vary their Constitutions. Where a law of a State is inconsistent with a law of the Commonwealth Parliament, the latter law prevails and the former law is, to the extent of the inconsistency, invalid.

The enactment of Commonwealth Parliament legislation

The legislation passed by the Commonwealth Parliament between 1901 and 1973, and which was then still in operation, was published in a consolidated form entitled *Acts of the Parliament 1901-1973*. Since 1974, annual volumes of Acts have also been published. The consolidation contains a chronological table of Acts passed from 1901 to 1973, showing how they are affected by subsequent legislation or lapse of time, together with a table of legislation of the Commonwealth Parliament passed between 1901 and 1973 in relation to the several provisions of the Australian Constitution. Reference should be made to these for complete information.

In 1991 the number of enactments of the Commonwealth Parliament was 216.

NATIONAL ANTHEM AND COLOURS OF AUSTRALIA

Details of the official proclamation issued on 19 April 1984 are as follows:

His Excellency, the Governor-General of the Commonwealth of Australia, issued the following Proclamation on 19 April 1984:

I, SIR NINIAN MARTIN STEPHEN, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby declare:

- (a) that the anthem 'God Save The Queen' shall henceforth be known as the Royal Anthem and be used in the presence of Her Majesty The Queen or a member

of the Royal Family;

- (b) that the National Anthem shall consist of the tune known as 'Advance Australia Fair' with the following words:

*Australians all let us rejoice,
For we are young and free,
We've golden soil and wealth for
toil;*

*Our home is girt by sea;
Our land abounds in nature's gifts
Of beauty rich and rare,
In history's page, let every stage
Advance Australia Fair.
In joyful strains then let us sing,
Advance Australia Fair.*

*Beneath our radiant Southern Cross
We'll toil with hearts and hands;
To make this Commonwealth of ours
Renowned of all the lands;
For those who've come across the
seas*

*We've boundless plains to share;
With courage let us all combine
To Advance Australia Fair.
In joyful strains then let us sing,
Advance Australia Fair.*

- (c) that the Vice-Regal Salute to be used in the presence of His Excellency The Governor-General shall consist of the first four bars and the last four bars of the tune known as 'Advance Australia Fair';
- (d) that the National Anthem shall be used on all official and ceremonial occasions, other than occasions on which either the Royal Anthem or the Vice-Regal Salute is used; and
- (e) that green and gold (Pantone Matching System numbers 116C and 348C as used for printing on paper) shall be the national colours of Australia for use on all occasions on which such colours are customarily used.