

Chapter 3

GOVERNMENT AND ADMINISTRATION

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Chapter 3

GOVERNMENT AND ADMINISTRATION

Since 1 January 1901, Australia has been a federation of six States. In 1911 two territories, the Australian Capital Territory and the Northern Territory, were transferred to the Commonwealth from New South Wales and South Australia.

Government is exercised in three jurisdictions:

- Commonwealth Government, with powers derived from a written constitution and centred in Canberra, the national capital;
- State Government with residual powers (powers not reserved for the Commonwealth) which in Tasmania is centred in Hobart; and
- Local Government with authority derived from State acts.

The main responsibilities of the Commonwealth Government are:

Foreign affairs and diplomatic representation; maintenance of the armed forces; customs and excise; posts and telegraphs; control of broadcasting and television; control of civil aviation; repatriation of ex-servicemen; immigration; industrial arbitration for national industries; control of coinage and currency; overseas trade promotions; employment service; pensions; national health benefits; federal territories and overseas dependencies; census and statistics; meteorological service; federal courts and police; control of banking; collection of sales and income taxes; housing assistance and defence service homes; scientific and industrial research; management of State and national debt; light-houses and navigation.



State Parliament House.

Photo: Tasphoto Services

The Tasmanian Government provides the greater number of community services including, transport, education, health, community welfare, housing, consumer affairs, forestry, fisheries, fire, police, emergency, agricultural and farming services. The Tasmanian Government is also responsible for prisons, courts, libraries, probation, racing and gaming, and labour and industry.

Local Government is mainly responsible for the maintenance of: parks; recreational and sporting facilities; roads and cemeteries; and provides town planning, sewerage, water, waste disposal and public health services.

During the two years to September 1991 the main Tasmanian political event was a Royal Commission conducted by Mr William Carter into the attempted bribery of Labor MHA, James Cox in June 1989 following the State election held on 13 May 1989.

3.1 COMMONWEALTH GOVERNMENT

Legislative power of the Commonwealth is vested in the Commonwealth Parliament which consists of the Sovereign, Queen Elizabeth II (represented by the Governor-General), the Senate and the House of Representatives. The Queen's status is set out by the *Australia Act 1986*.

3.1.1 The Governor-General

Under the Commonwealth Constitution, ultimate executive power is vested in the Crown and is exercised by the Governor-General as the direct representative of the Sovereign. The present Governor-General is His Excellency the Honourable William George Hayden, AC, who was sworn in on 16 February 1989.

3.1.2 Commonwealth Parliament

The Senate

Since 1984 each State has been represented by 12 senators and, in addition, the Australian Capital Territory and the Northern Territory have been represented by two senators each since the election of 13 December 1975. Each senator's term is normally six years, as half the senate seats come up for election every three years. However, in the case of a double dissolution of both Houses, half the senators are elected

for a six-year term (the first six elected in each State) and half for a three-year term.

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

If a vacancy occurs in the Senate, the appropriate State Government, usually by a joint sitting of parliament, nominates a replacement, of the same political affiliation, who sits for the remainder of the term.

The House of Representatives

The founders of the parliamentary system, when designing the House of Representatives, envisaged a legislative body representing the national interest. The party holding a majority of seats in the House of Representatives, therefore controlling the House, provides the Government. The federal election of March 1990 returned the Labor Government under the leadership of Prime Minister Robert Hawke for a fourth term.

Australia is divided into 148 single-member electorates of which five must be Tasmanian. All five Tasmanian seats were held by the Liberal Party from November 1975 until July 1987 when Duncan Kerr (ALP) replaced Michael Hodgman in Denison.

3.1 TASMANIAN SENATORS, SEPTEMBER 1991

<i>Senator</i>	<i>Office address</i>	<i>Party affiliation</i>	<i>Year of retirement</i>
Archer, B.R.	111 Wilson Street, Burnie, 7320	Liberal	1993
Aulich, T.	87 George Street, Launceston, 7250	ALP	1993
Bell, R.	371 Elizabeth Street, North Hobart, 7000	Aust. Democrats	1996
Calvert, P.H.	3 Brooke Street, Hobart, 7000	Liberal	1996
Coates, J.	16 Victoria Street, Hobart, 7000	ALP	1993
Devereux, J.R.	14 Rosny Hill Road, Rosny Park, 7018	ALP	1996
Harradine, R.W.B.	Marine Board Building, 1 Franklin Wharf, Hobart, 7000	Independent	1993
Newman, J.N.	11 Elphin Road, Launceston, 7250	Liberal	1996
Sherry, N.J.	59 Best Street, Devonport, 7310	ALP	1996
Tate, Hon. M.C.	Marine Board Building, 1 Franklin Wharf, Hobart, 7000	ALP	1993
Walters, M.S.	Marine Board Building, 1 Franklin Wharf, Hobart, 7000	Liberal	1993
Watson, J.O.W.	46 St John Street, Launceston, 7250	Liberal	1996

3.2 TASMANIAN MEMBERS OF THE HOUSE OF REPRESENTATIVES

<i>Member</i>	<i>Office address</i>	<i>Party affiliation</i>	<i>Electorate</i>
Burr, M.A.	Cnr Brisbane and George Streets, Launceston, 7250	Liberal	Lyons
Goodluck, B.J.	Marine Board Building, 1 Franklin Wharf, Hobart, 7000	Liberal	Franklin
Kerr, D.J.C.	115 Collins Street, Hobart, 7000	ALP	Denison
Miles, C.G.	TGIO Building, 75 Wilson Street, Burnie, 7320	Liberal	Braddon
Smith, W.L.	65 Cameron Street, Launceston, 7250	Liberal	Bass

Election of members is carried out in accordance with the principles of the absolute majority through use of preference voting. If a vacancy occurs, it is filled by holding a by-election. Elections must be held at least every three years.

In the Senate the Liberal Party won three seats, the ALP won two seats and the other seat went to the Australian Democrats.

3.3 HOUSE OF REPRESENTATIVES MEMBERSHIP BY STATE

New South Wales	51
Victoria	38
Queensland	24
South Australia	13
Western Australia	14
Tasmania	5
Northern Territory	1
Australian Capital Territory	2
Total	148

Representation in the House of Representatives is based upon the general principle of having, as nearly as practicable, electorates with equal numbers of electors. This is provided by regular electoral redistributions undertaken by an independent Electoral Commission.

1990 House of Representatives and Senate Election

On 16 February 1990 the Prime Minister announced an election for the House of Representatives and the Senate for 24 March.

The election resulted in the Labor Party retaining Denison with the Liberal Party retaining the other four Tasmanian seats.

3.2 TASMANIAN GOVERNMENT

3.2.1 Historical Summary

In its short history, Tasmania has experienced several forms of government; beginning with autocratic rule, it graduated to responsible self-government as a British colony and finally surrendered some sovereign powers to take its place as an original Australian State.

The evolution of the system of bi-cameral responsible government within a federal system falls into five distinct phases:

1803-1825: The island was part of the colony of New South Wales and its lieutenant-governors and commandants were subordinate to the Governor in Sydney.

1825-1851: On 14 July 1825, Van Diemen's Land was created a separate colony with a Lieutenant-Governor directly responsible to the Secretary of State in London. A nominated Legislative Council was established.

1851-1856: The passage of the *Australian Constitution Act 1850* by the Parliament in London was followed by the establishment of a new Legislative Council in which 16 members were elected and eight were nominees of the Lieutenant-Governor. The newly constituted Council first sat on 1 January 1852.

1856-1901: By the *Constitution Act 1854*, two houses of parliament, the House of Assembly and the Legislative Council were established, both houses being elected. The first Parliament sat on 2 December 1856 (the first year in which the island was officially called Tasmania); representatives of the Crown carried the title of Governor.

1901: The Tasmanian Constitution was limited by the establishment of the Commonwealth Constitution. In effect, the Parliament of Tasmania may make laws operative within the State upon all matters not within the exclusive power of the Australian Parliament but, on those matters for which the Australian Government may also legislate, the Tasmanian law may be superseded by the passing of an act by the Commonwealth Parliament.

Tasmania's legislature consists of the Queen, represented by the Governor, and two houses of parliament, the Legislative Council (upper house) and the House of Assembly (lower house).

3.2.2 The Governor

The Governor of Tasmania is the representative of the Sovereign in the State and exercises the powers of the Crown in State matters. The

Queen appoints the Governor on the advice of the Premier, generally for a five-year term. Powers and duties of the Governor are similar to those of the Governor-General and were gazetted/issued in March 1986.

On all official State occasions, he performs the ceremonial functions as the representative of the Queen. The Governor summons and terminates parliament; in special circumstances he may dissolve it after considering the advice of his Premier. Bills which have passed all stages in parliament are submitted to the Governor for his assent. He opens each session of Parliament by outlining the legislative program of the government, but takes no other part in the sittings of either House.

His executive powers include the appointment of ministers of the Crown, judges and other important State officers but not those whose appointments may be made by certain statutory corporations. By appointing ministers of the Crown, the Governor creates the Executive Council of the day and he is required by his instructions to be guided by the advice of this body. Should he feel it necessary to act against the advice of the Executive Council, he may do so, but the reasons for such action must be immediately reported to the Queen.

3.4 SUCCESSION OF GOVERNORS, ACTING GOVERNORS, ADMINISTRATORS, FROM 1924

Name	Designation	Term of office	
		From	To
Sir James O'Grady, KCMG	Governor	23.12.24	23.12.30
Hon. Sir Herbert Nicholls, KCMG	Lieutenant-Governor	23.12.30	4. 8.33
Sir Ernest Clark, KCB, KCMG, CBE	Governor	4. 8.33	4. 8.45
Hon. Sir John Morris	Administrator	4. 8.45	24.12.45
Admiral Sir Hugh Binney, KCB, KCMG, DSO	Governor	24.12.45	8. 5.51
Hon. Sir John Morris, KCMG	Administrator	8. 5.51	22. 8.51
Rt. Hon. Sir Ronald Cross, Bart, KCMG, KCVO	Governor	22. 8.51	4. 6.58
Hon. Sir Stanley Burbury, KBE	Administrator	4. 6.58	21.10.59
Rt. Hon. Lord Rowallan, KT, KBE, MC, TD	Governor	21.10.59	25. 3.63
Hon. Sir Stanley Burbury, KBE	Administrator	25. 3.63	24. 9.63
Lt-General Sir Charles Gairdner, GBE, KCMG, KCVO, CB	Governor	24. 9.63	11. 7.68
Hon. Sir Stanley Burbury, KBE	Administrator	11. 7.68	2.12.68
Lt-General Sir Edric Bastyan, KCMG, KCVO, KBE, CB	Governor	2.12.68	30.11.73
Hon. Mr Justice Green	Administrator	30.11.73	5.12.73
Hon. Sir Stanley Burbury, KCMG, KCVO, KBE	Governor	5.12.73	30. 9.82
Hon. Sir Guy Green, KBE	Lieutenant-Governor	1. 4.82	30. 9.82
Sir James Plimsoll, AC, CBE	Governor	1.10.82	8. 5.87
Hon. Sir Guy Green, KBE	Lieutenant-Governor	9. 5.87	18.10.87
General Sir Phillip Bennett, AC, KBE, DSO	Governor	19.10.87	

Governor of Tasmania

Tasmania's present Governor is H.E. General Sir Phillip Harvey Bennett, AC, KBE, DSO who was sworn in as Tasmania's 30th Governor on 19 October 1987. He was born in Perth, Western Australia, on 27 December 1928 and started his military career at the Royal Military College Duntroon. On 13 April 1984 he was promoted to General and



Photo:
Government House

appointed Chief of the Defence Force. He was awarded the Distinguished Service Order for service in Vietnam in 1968-69 and is a companion of the Order of Australia and Knight Commander of the Order of the British Empire.

3.2.3 The Cabinet and Executive Government

In Tasmania, as in the other States and the Commonwealth, executive government is based on the system which was evolved in Britain in the 18th century, and which is generally known as 'Cabinet', or 'responsible' government. Its essence is that the head of the State (in Tasmania, the Governor) should perform governmental acts on the advice of his ministers; that he should choose his ministers of State from members of parliament belonging to the party, or coalition of parties, commanding a majority in the popular House; that the ministry, the Cabinet, so chosen should be collectively responsible to that House for the government of the country and that the ministry should resign or advise an election if it ceases to command a majority there.

The Cabinet system operates chiefly by means of constitutional conventions, customs or understandings, and through institutions that do not form part of the legal structure of government. In law, the executive power of the State is exercised by the Governor who is advised by the Executive Council which he himself has appointed.

Premiers

The present Premier of Tasmania is The Honourable Ray Groom, who took up office in February 1992 after his party won the State election called by the previous minority Labor Premier, Mr Michael Field.

Before entering politics Mr Groom had a successful career as an Australian Rules footballer with VFL club Melbourne.

He was first elected to Federal Parliament as the member for Braddon in 1975, which seat he held until he resigned from national politics in 1984.

In the Fraser government he had several junior portfolios, serving as minister for the environment, minister for housing and community development and as minister for employment and industrial relations.

After resigning from Federal Parliament Mr Groom moved to Hobart with his family and became a senior adviser to the then Premier Mr Robin Gray.

In 1986 he was elected to the seat of Denison in the State Parliament, and was given responsibility for the portfolios of forests, mines and sea fisheries.

3.5 PREMIERS FROM 1939

Name of Premier	Term of office	
	From	To
A.G. Ogilvie (a)	22. 6.34	10. 6.39
E. Dwyer-Gray	11. 6.39	18.12.39
R. Cosgrove	18.12.39	18.12.47
E. Brooker	18.12.47	25. 2.48
R. Cosgrove	25. 2.48	26. 8.58
E.E. Reece	26. 8.58	26. 5.69
W.A. Bethune	26. 5.69	3. 5.72
E.E. Reece	3. 5.72	31. 3.75
W.A. Neilson	31. 3.75	1. 12.77
D.A. Lowe	1.12.77	11.11.81
H.N. Holgate	11.11.81	26. 5.82
R.T. Gray	26. 5.82	29. 6.89
M.W. Field	29. 6.89	17. 2.92
R.J. Groom	17. 2.92	

(a) Tasmania had an unbroken succession of Labor premiers, starting with the Ogilvie Ministry (1934) until the electoral defeat of the Reece government on 26 May 1969.

He was elected Deputy Premier in 1988, and successfully unseated the leader of the opposition Robin Gray at his second attempt in December 1991.

He became State Premier in February 1992, after leading the Liberal Party to a 'landslide' victory

3.2.4 The House of Assembly

The Tasmanian Lower House comprises 35 members elected for a term of four years from five seven-member electorates.

Death of a Statesman

Tasmania lost one of its greatest politicians when Roy Fagan, former Labor Deputy Premier, died in 1990. Born at Waratah, he was educated at Waratah State School, St Virgils College and the University of Tasmania where he graduated in law and arts.

Roy Fagan was a practising barrister before entering politics as a member for Wilmot (now Lyons) in 1946. He held the position of Attorney-General before becoming Eric Reece's deputy in 1958, a position he held until 1972 when the ALP returned to government after briefly being in opposition. As Minister for Industrial Development in the 1960s and early 70s he was largely responsible for large-scale resource-based industrial development, using hydro power to establish export industries for the State. He believed in the need for the population of Tasmania to grow so that its industrial development might expand and lower the



State's high unemployment rate. Roy Fagan believed his most satisfying achievement in his 28 years in the House was the abolition of capital punishment.

Photo: *The Mercury*

Electoral System

Tasmania uses proportional representation known as the Hare-Clark system in elections for the Assembly.

- Party groups, if officially registered, are identified on ballot papers.
- Candidates' positions within groups are rotated so that in 'preferred' positions all candidates appear on the same number of ballot papers.
- A valid vote must show at least seven preferences.
- To secure election, candidates must gain a quota—the total first preference votes divided by eight, plus one vote.
- On polling day, no media advertising and no soliciting of votes near the polling booth is permitted.
- The constituencies are the same five divisions used for House of Representatives elections.
- There are no by-elections; a vacant seat is filled by a count-back of the vote at the last election.

1992 State Election

The May 1989 poll had resulted in the election of 17 Liberals, 13 Labor and a record 5 Independents.

3.6 1992 PARTY DISTRIBUTION OF VOTES IN ELECTORATES (%)

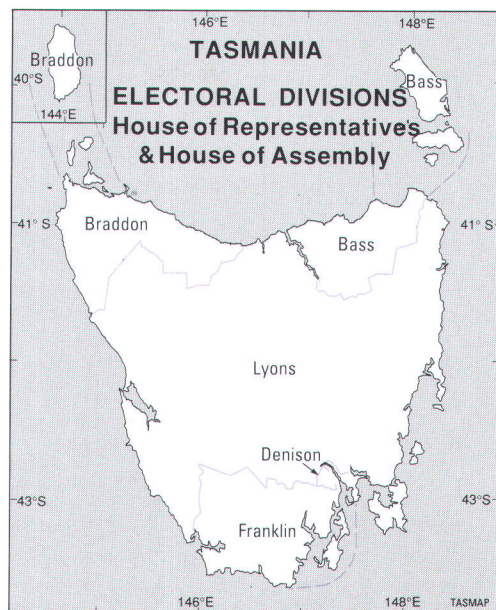
Elect- orate	Australian		
	Labor Party	Liberal Party	Green Independents
Bass	28.70	53.77	10.50
Braddon	20.11	63.72	8.19
Denison	32.46	42.39	16.84
Franklin	32.74	44.61	14.86
Lyons	26.19	55.83	11.48
Tasmania	27.97	52.20	12.32

3.7 MEMBERS OF THE HOUSE OF ASSEMBLY AS AT FEBRUARY 1992

<i>Electoral division</i>	<i>Member's name</i>	<i>Party affiliation</i>
Bass	Armstrong, L.J.E.	Green Ind.
	Benneworth, A.J.	Liberal
	Beswick, The Hon. R.J.	Liberal
	James, G.H.	ALP
	Madill, The Hon. F.L.	Liberal
	Napier, S.D.	Liberal
Braddon	Patmore, The Hon. P.J.	ALP
	Bonde, W.B.	Liberal
	Cains, C.S.	Liberal
	Cornish, The Hon. R.	Liberal
	Field, The Hon. M.W.	ALP
	Groom, The Hon. F.R.	Liberal
Denison	Hollister, D.L.	Green Ind.
	Rundle, The Hon. A.M.	Liberal
	Amos, J.J.	ALP
	Barker, J.S.	Liberal
	Brown, R.J.	Green Ind.
Franklin	Groom, The Hon. R.J.	Liberal
	Hodgman, The Hon. W.M.	Liberal
	Jackson, The Hon. J.L.	ALP
	White, The Hon. J.C.	ALP
	Aird, The Hon. M.A.	ALP
	Bates, G.M.	Green Ind.
Lyons	Bladel, The Hon. F.M.	ALP
	Cleary, The Hon. T.J.	Liberal
	Davison, B.F.	Liberal
	Hodgman, The Hon. P.C.L.	Liberal
	Lennon, P.A.	ALP
Lyons	Braid, The Hon. I.M.	Liberal
	Gray, The Hon. R.T.	Liberal
	Llewellyn, D.E.	ALP
	Mainwaring, R.G.	Liberal
	Milne, C.A.	Green Ind.
	Page, The Hon. G.R.	Liberal
	Polley, M.R.	ALP

Officers of the House of Assembly

Speaker—The Hon. G.R. Page
 Chairman of Committees—Mr J.S. Barker
 Clerk—Mr P.T. McKay
 Clerk Assistant and Sergeant-at-Arms—
 Mr P.M. Bennison



This left the Independents holding the balance of power in the parliament, and no one party able to govern in its own right.

After lengthy negotiations, the five Independents and the parliamentary Labor Party signed an "Accord" which ensured the Labor Party majority support in the parliament.

The Accord ended in October 1990 after Cabinet endorsed the Forests and Forest Industry Strategy.

Uneasy days followed for the government, unable to count on a majority in the house.

The Green Independents continued to fight the progress of the legislation, desperately putting forward several motions of no confidence in the government.

The legislation was eventually forced through the House of Assembly in November 1991, when the Labor and Liberal parties combined their numbers to ensure its success.

An election was called by Michael Field for February 1992, which resulted in the election of 19 Liberal, 11 Labor and 5 Green Independents.

This was described by the press as a "Landslide" victory for the Liberal Party, and ensured them an absolute majority in the parliament.

3.2.5 The Legislative Council

The Legislative Council has the tradition of being a non-party house; in 1991 the composition of the house was 17 Independents one Labor Party representative and one Liberal Party member. The leader for the Government in the Legislative Council therefore cannot rely upon a vote taken on party lines to ensure the passage of any government bill. Contrary to the House of Assembly where parties usually dominate to ensure the passage of Government legislation,

no such certainty exists with legislation through the Council. As a result it is not unusual for legislation to be amended or even rejected. Where conflict occurs between the two Houses, 'managers' are appointed from each House to meet and attempt to resolve the dispute. Occasionally, even such 'Managers Conferences' fail to resolve the differences.

Following conflict between the two Houses of Parliament over a money bill during 1924 and 1925, the *Constitutional Amendment Act 1926* was passed. This Act defined the relations between the two Houses especially with regard to the passing of money bills.

3.8 MEMBERS OF THE LEGISLATIVE COUNCIL, JUNE 1991

<i>Electoral division</i>	<i>Member's name</i>	<i>Year of retirement</i>
South Esk	Archer, The Hon. R.C.	1992
Cornwall	Bailey, The Hon. R.F.	1996
Derwent	Batt, The Hon. C.L. (a) (b)	1997
Westmorland	Brookes, The Hon. H.G.	1997
Russell	Fletcher, The Hon. A.W.	1993
Newdegate	Ginn, The Hon. R.W.	1993
West Devon	Hiscutt, The Hon. H.J.	1995
Meander	Hope, The Hon. R.T.	1997
Tamar	Loone, The Hon. J.A.	1995
Buckingham	Lowe, The Hon. D.A. (c)	1992
Pembroke	McKay, The Hon. P.C. (d)	1995
Huon	Meyer, The Hon. A.Y.	1996
Hobart	Petrusma, The Hon. H.	1994
Gordon	Schulze, The Hon. P.R.	1994
Macquarie	Shaw, The Hon. G.A.	1992
Mersey	Squibb, The Hon. G.B.	1996
Queenborough	Stopp, The Hon. E.J.C.	1995
Monmouth	Wilson, The Hon. S.J.	1993
Launceston	Wing, The Hon. D.G.	1994

(a) Endorsed by the Australian Labor Party.

(b) Leader for the Government.

(c) Deputy Leader for the Government.

(d) Endorsed by the Liberal Party.

Officers of the Legislative Council

President—The Hon. G.A. Shaw

Deputy President and Chairman of

Committees—The Hon. S.J. Wilson

Clerk—Mr R.J.S. McKenzie

Usher of the Black Rod—Mr D.T. Pearce

Clerk-Assistant—Ms W.M. Peddle

Second Clerk-Assistant and Clerk of
Committees—Ms Inta Andra Mezgailis

- The Legislative Council retains the right to reject any bill, including a money bill.
- The Council is specifically prevented from amending bills to raise revenue for the ordinary annual services of the Government and bills imposing land and income tax.
- It can suggest to the House of Assembly that amendments be made but the adoption or rejection of such amendments is at the discretion of the Assembly.

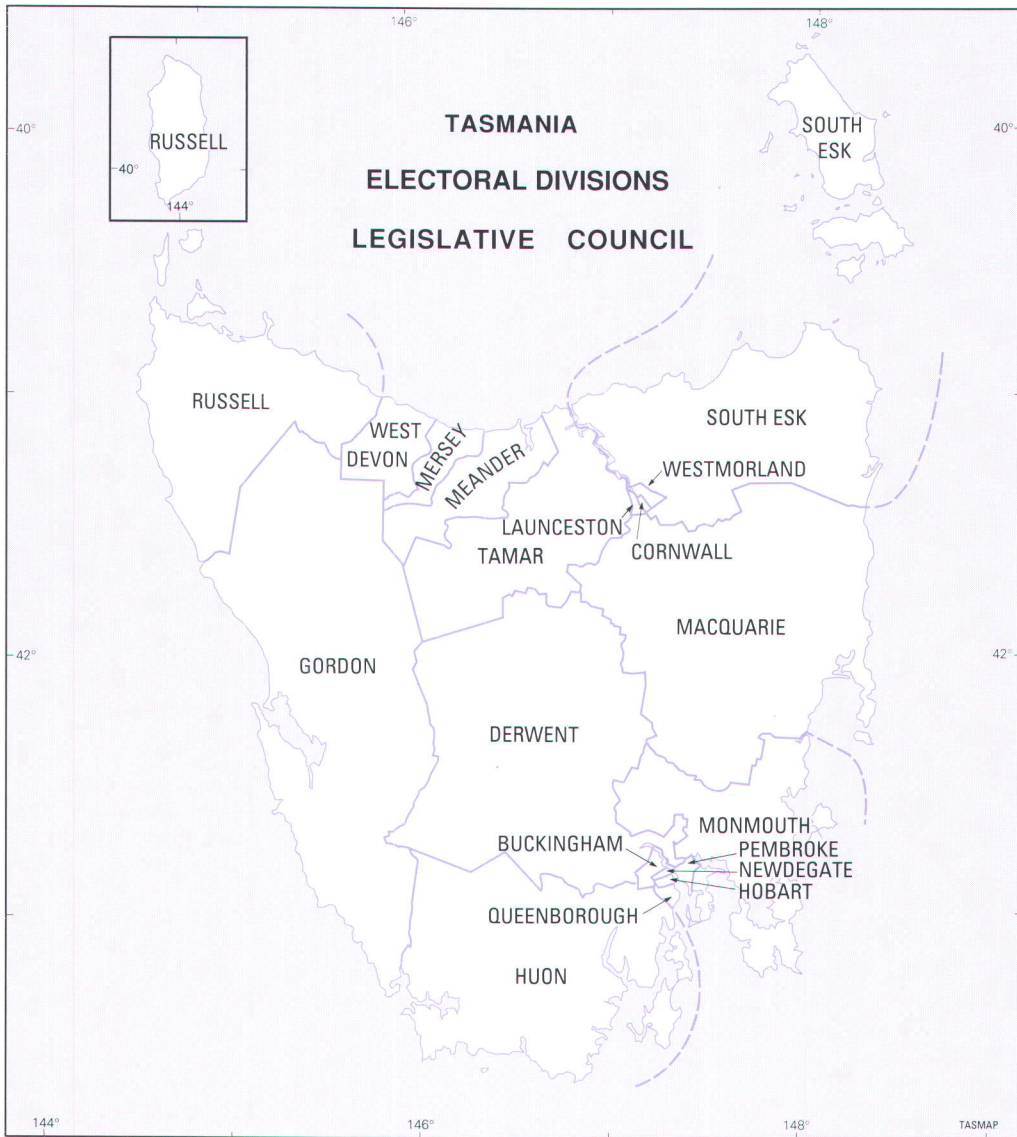
Apart from the above specific exception, the Council retains the right to amend money bills, e.g. those dealing with loan funds or probate. The House of Assembly is given the sole right to initiate bills for the raising of revenue and the imposition of taxes. Finally, the powers of the two houses are declared equal in all matters except for these specific exceptions.

Legislative Council Elections

Members of the Legislative Council are elected by 19 single member electorates for six-year terms by preferential voting. Elections are held every year to elect three members except for every sixth year when four members are elected.

As for the Assembly, candidates' names are rotated on the ballot papers. To be elected a candidate must obtain 50 per cent of the valid votes plus one, including preferences. A valid vote must show at least three preferences.

Rotational elections were held for the electorates of Mersey, Cornwall and Huon in 1990 and for Derwent, Westmorland and Meander in 1991. Devonport Mayor, Geoff Squibb, was elected to the seat of Mersey which was left vacant by the retirement of Mr Harry Braid after 18 years as a councillor. Mr Squibb received 4570



primary votes and went on to gain a clear majority of preference votes to finish with 9147 votes. Launceston solicitor, Mr Ray Bailey replaced sitting Cornwall member, Mr Robin McKendrick. Mr Bailey polled 5010 votes to Mr McKendrick's 4398 in a close contest. The sitting member for Huon, Mr Athol Meyer, topped the poll with 8275 votes to be returned for another term.

Derwent sitting member, Mr Charles Batt was returned to the Council while Mr George Brookes replaced Mr Chellis in Westmorland.

Mr Reg Hope had a resounding win in the Meander Legislative Council election polling 9125 votes (80 per cent of the vote). His only challenger, Ald Mary Binks polled 1757 votes.

3.2.6 Departments

When deciding on the structure of his new 10 member cabinet, the Premier, Mr Ray Groom, revised many of the sweeping changes made to the public service by the previous government of Mr Field.

Ministers and their Portfolios as at April 1992

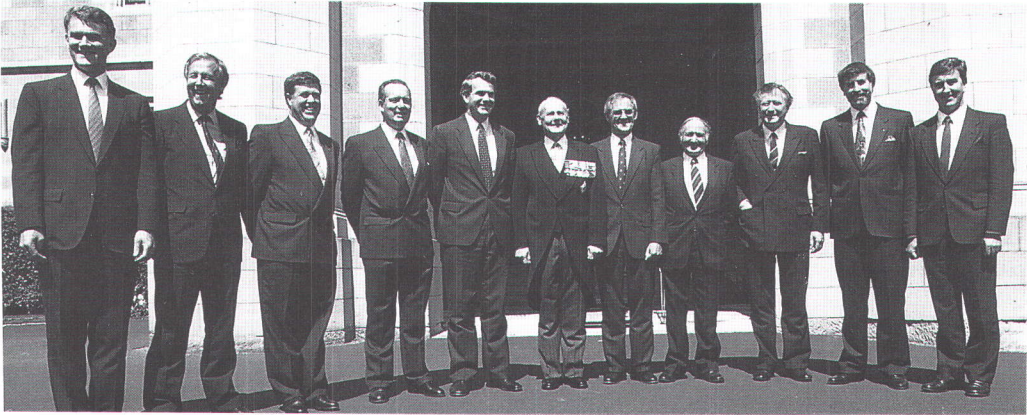
The Hon. R.J. Groom	Premier, Treasurer and Minister for Economic Development
The Hon. R.J. Beswick	Deputy Premier, Minister for Education and the Arts, and Minister for Employment, Industrial Relations and Training
The Hon. I.M. Braid	Minister for Construction, Minister for Local Government, Racing and Gaming, and Minister Assisting the Treasurer
The Hon. T.J. Cleary	Minister for Environment and Planning, Minister for Parks, Wildlife and Heritage, Inland Fisheries and Small Business
The Hon. R.Cornish	Attorney-General, Minister for Justice, Finance and Budget Management
The Hon. R.T. Gray	Minister for Primary Industry, Fisheries and Energy
The Hon. F.R. Groom	Minister for Health and Minister for Community Services
The Hon. P.C. Hodgeman	Minister for Tourism, Sport and Recreation
The Hon. F.L. Madill	Minister for Police and Emergency Services and Minister for Roads and Transport
The Hon. A.M. Rundle	Minister for Forests, Minister for Mines and Minister Assisting the Minister for Economic Development

The separate portfolios of Mines, Racing and Gaming, Local Government and Inland Fisheries have been returned.

Also, The Department of Primary Industry has been renamed the Department of Primary Industry, Fisheries and Energy, which Mr Groom said would recognise the importance of the Tasmanian fishing industry.

The Department of Administrative Services and Consumer Affairs has been abolished and many of its functions will be performed by the department of Premier and Cabinet or the department of Treasury and Finance.

Consumer Affairs and Electoral Office responsibilities will be held by the Department of Justice.



The Governor, General Sir Phillip Bennett, centre, with the Cabinet, from left, Mr Ron Cornish, Mr Tony Rundle, Mr John Cleary, Dr Frank Madill, the Premier, Mr Ray Groom, Mr John Beswick, Mr Ian Braid, Mr Robin Gray, Mr Roger Groom and Mr Peter Hodgman.

Photo: The Mercury

The administration of Inland Fisheries has been moved to the Department of Parks, Wildlife and Heritage which may also gain Environment and Planning.

The Ambulance Service will now be administered by the Department of Health.

3.3 LOCAL GOVERNMENT

As at 30 September 1991, local government in Tasmania was administered by the councils of 40 municipalities and the six cities of Hobart, Launceston, Glenorchy, Devonport, Burnie and Clarence. Each council is responsible for the provision of many of the services necessary for the organisation and welfare of the community which it represents.

In Tasmania there are only two categories of local government, a municipality or a city. Before a municipality can petition to become a city, it must have had, for five years before the petition, an average population of not less than 20 000.

For any of a number of reasons, the Minister administering the Local Government Act may consider it necessary to recommend suspension of the elected councillors and the appointment of a commission, or in certain cases, an administrator to carry on municipal government in a particular municipality.

A councillor must be an elector of, and either reside or carry on business in, the municipality.

Findings of Royal Commission

The Findings of the bribery royal commissioner, Mr William Carter were released in a twelve-hundred page, three-volume report on 5 November, 1991. In his conclusion, Mr Carter wrote that 'this commission was principally established to identify those who were involved in the attempted bribery of Jim Cox, other than Edmund Rouse and Tony Aloï'. Findings and recommendations from the report included:

- No criminal charges to be laid against anyone, but that the managing director of ENT, Mr David McQuestin was unlawfully involved as an accessory after the fact;
- Mr Robin Gray knew of the Rouse bribery attempt, Mr Gray's conduct was 'grossly improper' but Mr Carter was 'not prepared to find, on the evidence, that it was unlawful';
- Edmund Rouse was the central figure in the bribery attempt; and
- No witness was to receive payment of their legal costs.

Mr Carter concluded that 'there is much to be said for now consigning this unfortunate episode in Tasmania's political and legal history to the history books' and he expressed a wish that 'this report will not, in itself, become an instrument of even further conflict and division'.

Devonport Centenary

The city of Devonport celebrated its centenary in 1990. Devonport was formed in February 1890 when the original twin Mersey River towns of Torquay on the east side and Formby on the west amalgamated. The proposed amalgamation was a sensitive issue which was debated at many meetings. Unanimous support was lacking with the opponents of the proposal including two leading and outspoken citizens, Bartholomew Thomas of Formby and Torquay's Robert Stewart. A Bill was passed in State Parliament on 22 November 1889 to constitute the town of Devonport, subject to the amalgamation receiving support by referendum.

The referendum was held on 11 February 1890 and resulted in Torquay voting 27 against and 96 for, and Formby 116 for with no votes against. The amalgamation proposal was passed. The citizens returned to vote for Town Board representatives - those elected were: Messrs Arthur Gatenby, Henry Teesdale Smith, William Holyman and Roger Winspear for Torquay and Messrs John Henry, William Aikenhead, Thomas Pressland Cowle and David Cocker for Formby. William Aikenhead was appointed chairman at the first meeting of the Town Board on 14 February 1890.

Councils may comprise six, nine, 12 or 15 councillors. The Warden, Deputy Warden and Treasurer are elected by the council members on an annual basis. The electors of Hobart elect the Lord Mayor and in Glenorchy, Devonport, Burnie and Clarence the electors elect the Mayor. However, the Mayor of Launceston is elected by Council members. The office of warden is comparable with that of the mayor of a city or the president of a shire in other States.

In September 1990 Alderman Terry Martin became Mayor of Glenorchy. Alderman Martin's father, Terry senior, was Glenorchy's first mayor when the municipality was proclaimed a city in 1965. Terry Martin was

returned as Mayor unopposed in the March 1991 local government elections.

Also in the March 1991 elections Burnie's Ald Sandra French became the State's third woman mayor when she was elected Mayor of Burnie. She replaced Rex Collins who retired a week before the election.

In Westbury Cr Janet Keeling and Cr Richard Archer lost their places in the new North Ward after a five-way contest saw Crs John Digney, Laurie Masters and Denise Swan elected. In the new South Ward Cr Philip Beveridge and Cr George Spencer were unsuccessful in the seven-way battle for three vacancies. Elected were Crs Michael McGee, Perc Bellinger and Syd West.

Both Cathy Edwards, Mayor of Clarence, and Graeme Beams, Mayor of Launceston, were re-elected for a second term.

The State Government replaced the Portland Council with an administrator in June 1991. Mr Terry Stuart, a former Ulverstone warden was selected as administrator of the municipality which covers an area of the far north-east including St Helens. His role was to prepare a report for the Minister for Environment and Planning on the effectiveness of the council's operations and administration. The Portland Council's nine members asked for their own dismissal after negotiations to resolve a leadership battle collapsed.

3.4 BIBLIOGRAPHY

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