

CONSTITUTION AND PARLIAMENT

CONSTITUTION

The Constitution of Victoria is contained in an Act passed by the Parliament at Westminster in 1855 and known in Victoria as The Constitution Act. That Act, together with *The Constitution Act Amendment Act 1958* (which consolidates the many constitutional provisions passed by the Victorian Parliament itself since 1855), provides the legal and constitutional background to a system of responsible Cabinet government based on a legislature of two Houses, both elected upon adult suffrage. The Victorian Constitution has also been affected by the establishment of the Commonwealth Constitution by the Commonwealth of Australia Constitution Act of 1900, by which legislative and executive powers upon certain specified matters were granted to the Australian Parliament and Government, some of them exclusively, and provision was made that, in the case of inconsistency of valid laws, the Australian law should prevail. In the result, the Parliament of Victoria may now make laws in and for Victoria upon all matters not exclusively granted to the Australian Government by the Commonwealth Constitution, but upon some of these matters the Victorian law may be superseded by the passing of an Australian Act. Local government, that is, the control exercised by municipal councils within their respective districts, is a matter of State law and wholly within the legislative control of the Victorian Parliament.

Australian Constitutional Convention

On 7 October 1970 in the Victorian Legislative Council the Minister for Local Government moved "That the Legislative Council of Victoria, recognizing that the present relationships between the Commonwealth and States call for urgent review, and that a durable and acceptable adjustment of powers and responsibilities within the Federal system can only be achieved by effective amendments to the Constitution, requests the Government of Victoria to invite other States to join with the Victorian Parliament in preparing such amendments and subsequently in conferring with the Commonwealth Parliament, with a view to submitting agreed amendments to a referendum of the Australian people."

On the same day a similar motion was moved in the Victorian Legislative Assembly by the Attorney-General. Both resolutions were passed, and eventually resulted in the first meeting of the Australian Constitutional Convention in Sydney on 3 September 1973.

The initial proposal for a Convention of this kind had been made in 1969 in the Victorian Legislative Council. The proposal had lapsed, but the motions which were later passed in 1970 were framed in substantially similar terms. The immediate cause underlying these calls for constitutional reform was the growing financial position of the Australian Government, and the consequent decline of State responsibilities.

Apart from any feelings of the States over their financial dependence on the Australian Government, there was a general need for a review of the Constitution. It was by this time almost seventy years old. Australia and the world had changed but constitutional provisions had hardly changed at all. Constitutional amendment had proved a difficult procedure in the past, and of twenty-six proposals put to the people at various referenda, only five had been passed. Some sections of the Constitution had been interpreted by the High Court in a manner unwelcome to both the Australian and State Governments. There had been various attempts at constitutional review, such as the Royal Commission in 1929 and the Joint Committee on Constitutional Review in 1959, but none of the proposals of these bodies had been implemented. Other federations were undertaking full-scale reviews of outdated constitutions—Canada had set up far-reaching machinery for the purpose in 1967. The advantage of the convention method for Australia was that it could involve representatives from all levels of government and most shades of political opinion, which might go some way towards offsetting the apparent reluctance of Australian electors to approve proposals for constitutional reform. Victoria's proposal was accepted by all the States, and resolutions in similar terms were carried in all other State Parliaments.

By the time the Convention met in Sydney in September 1973, the Steering Committee had made a number of decisions which were important to the outcome of the Convention. First, it was decided at an early stage to seek Australian Government participation in the Convention, and the Australian Government readily accepted. This was of great importance as proposals for referenda can only be initiated by the Australian Parliament under Section 128 of the Constitution, and any Convention in which the Australian Government was not a participant would be handicapped.

Second, it was decided that local government should be represented at the Convention, although with limited speaking and voting rights. This decision may well prove to have far-reaching value; by making the Convention representative of the third tier of government, the prospect of success at referenda was enhanced. Similarly it was decided that the Northern Territory and the Australian Capital Territory should have representation.

Yet another decision of immediate importance was the form of the agenda. Fairly obviously, any attempt to frame and pass substantive motions for constitutional reform at the first session of the Convention would not have been successful. To achieve instant agreement between States and the Australian Government, the political parties, small States and large States, centralist and federalist, would have been an impossible task; and even if small majorities had been obtained on some issues, the existence of substantial discontented minorities would probably have jeopardised any forthcoming referenda. So it was decided that motions would take the form of referrals of specified areas of the Constitution to Standing Committees for examination and report, which would give delegates a chance to air their views without endangering the success of the Convention.

Items for consideration ranged from troublesome questions of distribution of financial resources under the Constitution, the inclusion of local government in the Constitution, and the allocation of powers between Australian and State Governments, through basic questions of the enactment of a Bill of Rights and less emotive questions of reform of the judicial processes, to technical matters such as alteration of amendment procedures and technical updating of Constitutional provisions.

The Convention was opened in the Sydney Town Hall on Monday, 3 September 1973 by the then Governor-General, Sir Paul Hasluck. In his Address, Sir Paul referred to the Convention as "one of the fateful occasions in Australian history", which would be "recorded in history as a monumental flop or an honoured landmark", and exhorted delegates to approach their task of constitutional reform with the aim of seeking the best form of government for the people of Australia, rather than pursuing sectional political or legal interests. The Prime Minister proposed a vote of thanks to the Governor-General, which was seconded by the Premier of Victoria. On Monday afternoon, the first working session of the Convention began in the New South Wales Legislative Assembly Chamber.

It is impossible at this stage to assess the success or failure of the Convention. Because of expected political considerations, delegates did not always find it easy to pursue only the national interest without reflecting the interests of their own party or level of government, but this was probably to be expected at this time of difficult inter-governmental relationships. It was this feature of the Convention which drew the attention of most commentators, and led to some pessimism during the week of the Convention. On the other hand, the Convention appeared successful as all motions were passed unanimously. There were some tangible results, such as the agreement between the Australian and all State Governments (except Queensland) on the proposal for a revised form of the reference power. The Leader of the Federal Opposition also indicated that, when next in power, his party would look favourably upon some kind of income tax sharing system with the States.

The real success of the Convention lies in the future. Proposals will eventually have to prove acceptable in three ways: their formulation will have to be acceptable to a majority at the next Convention, to both Houses of the Australian Parliament, and to the Australian electors, according to the requirements of Section 128 of the Constitution.

Four Standing Committees have been established. Committee A will deal with finance and the economy; Committee B with amendment procedures, new States, Territories, and the relationship with the Crown; Committee C with allocation of heads of power; and Committee D with election procedures, the Judiciary, and a Bill of Rights. The Standing Committees, like the Convention itself, are as fully representative as possible, and will be advised by academic and practising lawyers, economists, and political scientists. They will be forewarned by the Convention debates of the divergent views with which they might have to contend, and by using this as a basis on which to proceed, there is a good chance that in many areas they will be able to frame proposals acceptable to the Convention and the Australian Parliament. Some proposals are found to be less controversial than others; the chances of introducing a retiring age for High Court judges, for instance, are infinitely higher than the chances of amending Section 96 of the Constitution.

The referendum problem remains. The Convention method has reduced the likelihood of any significant group in the community opposing the proposals, and at the same time has helped to publicise the issues and the need for constitutional reform. The future success of the Convention will ultimately lie with the ability of politicians to reach an acceptable compromise in the interests of good government, and to convince the Australian people that they have done so.

Constitutional Convention 1973, 1974

EXECUTIVE

Governor

Under the Victorian Constitution, the ultimate executive power is vested in the Crown and is exercised by the Governor as the Queen's representative.

The Governor's authority is derived from Letters Patent (issued in 1900 and amended in 1913) under the Great Seal of the United Kingdom, from the Commissions of Appointment, and from the Governor's Instructions issued under the Royal Sign Manual and Signet.

As the Queen's representative, the Governor summons and prorogues Parliament and at the beginning of each session outlines the Government's legislative programme in his opening speech. In the name of the Queen he gives assent to Bills which have passed all stages in Parliament, with the exception of those especially reserved for the Royal Assent. These include Bills dealing with special subjects such as divorce, or the granting of land and money to himself. His functions in relation to the Legislature are contained in The Constitution Act and The Constitution Act Amendment Act.

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

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

The Governor also has power to appoint a Deputy to exercise his functions as the Queen's representative during his temporary absence from the seat of government whether within or without Victoria.

In the execution of the powers and authorities vested in him, the Governor shall be guided by the advice of the Executive Council, which is a body created under the Governor's Instructions and which in practice gives effect to Cabinet and ministerial decisions. If in any case he shall see sufficient cause to dissent from the opinion of the Council, he may act in the exercise of his powers and authorities in opposition to the opinion of the Council, reporting the matter to the Queen without delay, with the reasons for his so acting.

This exercise of discretionary powers emphasises the Governor's position as one above and beyond party politics and in extreme cases provides a

safeguard of the Constitution. The general nature of his position is such that he is the guardian of the Constitution and bound to see that the great powers with which he is entrusted are not used otherwise than in the public interest.

On all official State occasions he performs the ceremonial functions as the representative of the Crown, and so becomes the focal point and the unifying symbol of the community.

The present Governor is the Hon. Sir Henry Arthur Winneke, K.C.M.G., O.B.E., who assumed office on 1 June 1974.

A list of representatives of the Sovereign since the establishment of the Port Phillip District in 1839 is set out on pages 1149-50 of the *Victorian Year Book* 1973.

Lieutenant-Governor

The Lieutenant-Governor is appointed by a Commission from the Sovereign under the Sign Manual and Signet. In the Commission reference is made to the Letters Patent constituting the office of Governor, and the Lieutenant-Governor is expressly authorised and required by his Commission to administer the Government of the State of Victoria in the events dealt with in such Letters Patent, namely, the death, incapacity, or removal of the Governor, or his departure from the State, or his assuming the administration of the Government of Australia.

The Lieutenant-Governor assumes control in any of these events by issuing a proclamation. He then becomes His Excellency the Lieutenant-Governor of Victoria.

However, should the Governor be only temporarily absent for a short period from the seat of government or from the State (except when he administers the Government of Australia) he may, by an Instrument under the Public Seal of the State, appoint the Lieutenant-Governor as his Deputy.

The present Lieutenant-Governor is the Hon. John McIntosh Young, Q.C., who assumed office on 31 July 1974.

Executive Council

Section 15 of *The Constitution Act Amendment Act* 1958 provides that officers appointed as responsible Ministers of the Crown shall also be members of the Executive Council, and provision for their appointment appears in the Letters Patent constituting the office of Governor.

The Executive Council, consisting of Executive Councillors under summons, namely, members of the current Ministry, usually meets weekly or as required. The quorum of three comprises the Governor and at least two Ministers. These meetings are of a formal nature and are presided over by the Governor or in his absence by his Deputy.

Where it is provided in the statutes that the Governor in Council may make proclamations, orders, regulations, appointments to public offices, etc., the Governor acts formally with the advice of the Executive Council, but actually in accordance with Cabinet or ministerial decisions.

Cabinet

Formation and composition of Cabinet

Victoria has followed the system of Cabinet government evolved in Britain. The Queen's representative in Victoria, the Governor, acts by

convention upon the advice of a Cabinet of Ministers, the leader of whom is called the Premier, although there is no mention of Cabinet as such in the Victorian Constitution.

The authority under which Victorian Ministers are appointed is contained in section 15 of *The Constitution Act Amendment Act 1958*, which provides that the Governor may, from time to time, appoint up to seventeen officers who are either members or capable of being elected members of either House of Parliament. No Minister shall hold office for a longer period than three months unless he is or becomes a member of the Legislative Council or the Legislative Assembly. This section further provides that not more than five of such officers shall at any one time be members of the Legislative Council and not more than thirteen members of the Legislative Assembly.

In practice, a Ministry remains in office only while it has the support of a majority in the Legislative Assembly, and when a change of Government occurs and a new Ministry is to be appointed the Governor "sends for" that member of the Legislative Assembly whom he thinks would be supported by a majority in that House and asks him whether he is able and willing to form a new Government with himself as leader. If that member can assure the Governor accordingly, he may then be commissioned by the Governor to form a Ministry.

The names of those persons who are chosen to serve in his Ministry are then submitted by the Premier-elect to the Governor for appointment by him as responsible Ministers of the Crown.

Powers of Cabinet

The Cabinet is responsible politically for the administrative acts of the Government, but the constitutional powers as set out in *The Constitution Act* and other Acts are vested in the individual Ministers and the Governor in Council, namely, the Governor with the advice of the Executive Council. Cabinet as such has no legal powers.

Government administration includes departments under direct ministerial control as well as certain public statutory corporations which are subject to varying degrees of ministerial direction. Ministers are sworn in with appropriate portfolios which indicate their particular responsibilities.

Functions and methods of procedure

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

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

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

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

Ministries 1943 to 1974

VICTORIA—MINISTRIES FROM 1943(a)

Ministry and name of Premier	Date of assumption of office	Date of retirement from office	Duration of office (days)
Albert Arthur Dunstan	18 September 1943	2 October 1945	746
Ian Macfarlan	2 October 1945	21 November 1945	51
John Cain	21 November 1945	20 November 1947	730
Thomas Tuke Hollway	20 November 1947	3 December 1948	380
Thomas Tuke Hollway	3 December 1948	27 June 1950	572
John Gladstone Black McDonald	27 June 1950	28 October 1952	855
Thomas Tuke Hollway	28 October 1952	31 October 1952	4
John Gladstone Black McDonald	31 October 1952	17 December 1952	48
John Cain	17 December 1952	31 March 1955	835
John Cain	31 March 1955	7 June 1955	69
Henry Edward Bolte	7 June 1955	23 August 1972	6,288
Rupert James Hamer	23 August 1972	Still in office	

(a) A complete list since responsible government in 1855 is shown on pages 1150-1 of the *Victorian Year Book 1973*.

Ministry at 30 November 1974

The last triennial elections for the Legislative Council and the last general election for the Legislative Assembly were held conjointly on 19 May 1973. At 30 November 1974 the 62nd Ministry, led by the Hon. Rupert James Hamer, E.D., consisted of the following members :

VICTORIA—62ND MINISTRY AT 30 NOVEMBER 1974

From the Legislative Assembly

The Hon. R. J. Hamer, E.D.	Premier, Treasurer, and Minister of the Arts
The Hon. L. H. S. Thompson	Deputy Premier and Minister of Education
The Hon. E. R. Meagher, M.B.E., E.D.	Minister of Transport
The Hon. J. C. M. Balfour	Minister for Fuel and Power and Minister of Mines
The Hon. J. F. Rossiter	Chief Secretary
The Hon. V. F. Wilcox, Q.C.	Attorney-General
The Hon. W. A. Borthwick	Minister for Conservation, Minister of Lands, and Minister of Soldier Settlement
The Hon. J. A. Rafferty	Minister of Labour and Industry and Minister of Consumer Affairs
The Hon. I. W. Smith	Minister of Agriculture
The Hon. R. C. Dunstan, D.S.O.	Minister of Public Works
The Hon. A. H. Scanlan	Minister of Health
The Hon. B. J. Dixon	Minister for Youth, Sport and Recreation and Assistant Minister of Education

From the Legislative Council

The Hon. Murray Byrne	Minister for State Development and Decentralization, Minister of Tourism, and Minister of Immigration
The Hon. V. O. Dickie	Minister of Housing and Minister for Aboriginal Affairs
The Hon. A. J. Hunt	Minister for Local Government and Minister for Planning
The Hon. W. V. Houghton	Minister for Social Welfare
The Hon. F. J. Granter	Minister of Water Supply and Minister of Forests

JUDICIARY

The following tables show members of the Victorian Judiciary at 30 November 1974 :

VICTORIA—SUPREME COURT AT 30 NOVEMBER 1974

Chief Justice

The Hon. John McIntosh Young

Puisne Judges

The Hon. Sir George Augustus Pape	The Hon. Hibbert Richard Newton
The Hon. Sir Alistair Duncan Grant Adam	The Hon. Francis Robert Nelson
The Hon. Sir Gregory Gowans	The Hon. Kevin Victor Anderson
The Hon. Sir Oliver James Gillard	The Hon. William Charles Crockett
The Hon. John Erskine Starke	The Hon. William Kaye
The Hon. Edward Hamilton Esler Barber	The Hon. John Gerald Norris
The Hon. Murray Vincent McInerney	The Hon. Benjamin James Dunn
The Hon. George Hermann Lush	The Hon. Peter Murphy
The Hon. Clifford Inch Menhennitt	The Hon. William Oliver Harris
	The Hon. Basil Lathrop Murray, C.B.E.

VICTORIA—JUDGES OF THE COUNTY COURT AT 30 NOVEMBER 1974

George Leo Dethridge, C.M.G. (*Chairman*)

Trevor George Rapke	John Philip Somerville
Hubert Theodore Frederico	William Joseph Martin
Norman Alfred Vickery	Ian Gray
Arthur Charles Adams	Alec James Southwell
Dermot William Corson	Joseph Raymond O'Shea
John Xavier O'Driscoll	James Galvin Gorman
James Herbert Forrest	Robert John Davern Wright
Clive William Harris	Geoffrey Michael Byrne
Eric Edgar Hewitt	Harold George Ogden
Gordon Just	Nubert Solomon Stabey
Roland John Leckie	Bruce Finlay McNab
Ivan Frederick Charles Franich	Kevin Francis Coleman
Thomas Bernard Shillito	Gordon Henry Spence

All information about the jurisdictions, powers, functions, etc., of the Courts is set out in the section on justice and the administration of the law in Chapter 27 of this *Year Book*.

LEGISLATURE

State Parliament

The Constitution Act, creating a Legislative Council and a Legislative Assembly, was assented to by Her Majesty in Council on 21 July 1855, and came into operation in Victoria on 23 November 1855. Under this Act, Her Majesty was given power "by and with the advice and consent of the said Council and Assembly to make laws in and for Victoria in all cases whatsoever". Certain of these unlimited powers, however, are now exercised by the Australian Parliament.

By virtue of the provisions of Act No. 7270 of 1965 membership of the Assembly was increased from sixty-six to seventy-three after the election of April 1967, while membership of the Council was increased from thirty-four to thirty-six by the addition of one member in July 1967, and one in June 1970. Council members are elected from two-member

provinces for six year terms and Assembly members from single-member electorates for three year terms. Both Houses are elected on adult suffrage, and their powers are normally co-ordinate, although Money Bills must originate in the Legislative Assembly.

The provisions of the Constitution dealing with the Parliament have been frequently amended, as The Constitution Act gives the Victorian Parliament power to "repeal alter or vary" the Act itself, provided that the second and third readings of certain amending Bills are passed by an absolute majority of the members of each House. The most frequently amended sections of the Constitution dealing with the Parliament have been those setting out the relations between the Council and the Assembly, and the qualifications of candidates and voters. The right, extended in the original Constitution Act, to assume the privileges, immunities, and powers of the House of Commons (as they stood at that time) was taken up in 1857 by the first Act passed by the Victorian Parliament. These include very wide powers to punish contempt. The publication of parliamentary reports and proceedings was made absolutely privileged in 1890.

The landmarks of Assembly suffrage were : 1857, manhood suffrage ; 1899, plural voting abolished ; and 1908, women's franchise. Adult suffrage for the Council was introduced in 1950. Payment of members has also been frequently adjusted. The present complex scale makes extra payments to the Leader of the third party as well as to the Leader of the Opposition ; Government, Opposition, and third party Whips and the Deputy Leader of the Opposition are also specially rewarded. Electorates are graded as "metropolitan", "urban", "inner country", and "outer country", and carry different allowances.

Parliament is summoned, prorogued, or dissolved by proclamation issued by the Governor. The duration of a Parliament depends upon the life of the Assembly (limited to three years), but may be ended by the Governor dissolving the Assembly before the expiration of that period. The Legislative Council cannot be dissolved except in special circumstances arising from disagreements between the two Houses. Its members are elected for six years, half of them retiring every three years. Members are eligible for re-election. A session is that period between the summoning of Parliament and prorogation. When Parliament is prorogued all business on hand lapses and, if it is to be continued in the next session, it must be reintroduced.

There are three political parties represented in the Parliament of Victoria: the Liberal Party, the Australian Labor Party, and the Country Party. (See pages 104-5 for lists of members.) Of the thirty-six members of the Legislative Council, twenty-one belong to the Liberal Party, nine to the Australian Labor Party, and six to the Country Party. Of the seventy-three members of the Legislative Assembly, forty-six belong to the Liberal Party, eighteen to the Australian Labor Party, and eight to the Country Party, and there is one Independent Labor member. The Liberal Party, having won the majority of seats at the general election of the Assembly in 1955, formed a Government which was returned to office at the general elections in 1958, 1961, 1964, 1967, 1970, and 1973. The Leader of that Party holds the office of Premier. The Australian Labor Party forms the official Opposition Party, while the Country Party sits on the corner benches on the Government side of the Assembly Chamber.

Functions of Parliament

The functions of Parliament consist of passing legislation and taking action to make available finances or funds as required for State expenditure. Legislation can be initiated by any member of Parliament in either House with the exception that all Money Bills, such as Bills for imposing a duty, rate, tax, or impost, or Bills for appropriating any part of the revenue of the State, must originate in the Assembly on the motion of a Minister. They may be rejected, but not altered, by the Council. The Council, however, may suggest amendments in such Bills, provided these amendments will not have the effect of increasing any proposed charge or burden on the people and the Assembly may accept the suggested amendments if it so desires. In practice, almost all Bills are introduced by the Government in office as a result of policy decisions taken in Cabinet.

Parliamentary procedure

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

The President of the Council holds office for the balance of the period for which he is elected as a member and may again be appointed if he retains his seat in the House. The election of a Speaker is the first business of a new Assembly after the members have taken the oath of allegiance. After this the Chairman of Committees is elected. The same order in debate is observed in Committee as in the House itself, the Chairman having final authority over all points of order arising when he is in the Chair.

The sittings of each House commence with the reading of the Lord's Prayer by the presiding officer. Before the business of the day, as set down on the Notice Paper, is called on, Ministers may be questioned on matters under their administrative control; notices of motion, such as motions for the introduction of Bills, or motions of a substantive or abstract nature, are given; petitions are presented; papers are laid on the Table; and messages from the Governor and from the other House are read. At this stage, members have the opportunity of moving a motion "that the House do now adjourn" which under the Standing Orders enables discussion on matters of urgent public importance.

Under "Orders of the Day" which then follows, Bills are dealt with in their various stages. All Bills, with the exception of the annual Appropriation Bill, when passed by both Houses are presented by the Clerk of the Parliaments to the Governor, who, acting on the advice of his "Council of Legislation", gives the Royal Assent. This advice is set

out at the commencement of each Bill and is as follows : " Be it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria. . . ". The Appropriation Bill is presented by the Speaker to the Governor for assent. Unless otherwise provided, all Acts come into force on the day of assent.

Private legislation, 1962 ; Money Bills, 1963 ; Parliamentary Committees, 1964 ; Resolving deadlocks between the two Houses, 1965 ; Parliamentary privilege, 1966 ; Presiding Officers of Parliament, 1967 ; Administrative machinery of Parliament, 1968 ; Hansard, 1969 ; Houses of Parliament, 1970 ; Parliamentary Papers, 1971 ; Conduct of debate, 1972 ; Royal Commissions, 1974

Australian Labor Party In Victoria*

Origins

Before the formal inauguration of the Party in 1891, there had been ample evidence of Labor sentiment among early migrants, many of whom had left their homelands because of repression. In 1840 several trade benefit societies had been established under the Friendly Societies Act, and were followed by certain craft groups. Attempts at political organisation were, however, hampered by the restricted franchise and the high personal costs involved in seeking representation in the Legislature. In 1859 C. J. Don, a member of the executive of the Political and Social Labour League, the first non-official Labor organisation in Australia, was elected to the Legislative Assembly. It is claimed that this was the first time that a member of the working classes was elected to such office in the British colonies. After 1860 there was an increase in the number of trade unions and by 1880 Victoria had eighty such bodies, and most States had established formal Trades and Labor Councils.

Trade Union Congresses were now beginning to press actively for some form of political organisation within each State, and following the collapse of the National Liberal League—a temporary alliance between radical Liberals and Labor—and the Shearers and Maritime Strikes of 1890, the Trades Hall Parliamentary Committee was successful in arranging official recognition for the Progressive Political League.

The formal inauguration of the Australian Labor Party in Victoria occurred on 10 June 1891 when recommendations of the Trades Hall Parliamentary Committee were officially adopted through a scheme drafted by delegates from the Melbourne, Ballarat, Bendigo, and Geelong Trade Councils, the Miners and Shearers Union, and the Social Democratic League. As a result of these recommendations the Progressive Political League came into being and was established as the official voice of Labor within the State. The League was originally headed by an Interim Executive comprising Convention delegates and Trades Council appointees, but this body was soon superseded by a permanent executive consisting of a president, two vice-presidents, a treasurer, a secretary, and five members, all of whom were elected to office at a combined meeting of the delegates from all the branches.

The Central Council of the League was required to meet at least once a year, and the Party platform enunciated four major electoral reforms

* It is intended to publish historical surveys of the other major political parties in the Victorian Parliament in future issues of the *Victorian Year Book*.

which were to be emphasised. These were manhood suffrage, abolition of plural voting, equal voting weight between electorates, and the extension of voting facilities.

Three years after its foundation, the Progressive Political League at a conference of 110 representatives from various branches of the League, from unions, and from other labour organisations, altered its name to the United Liberal and Labor Party of Victoria. Membership in this body incorporated all trades groups, labour organisations, and working men's clubs, and those existing members who adhered to the platform. In 1896 a fresh reorganisation of the Party arranged for restriction in membership to trade and labour unions, and to members of all party branches. It also arranged a revision in title and the Party became known as the United Labor Party of Victoria.

Labor movements

Several reform movements took place during the next few years. In 1897 the Victorian Labor Federation was launched. It divorced itself from political aims and drafted a declaration of Industrial Co-operative Principle—among other moves debarring Members of Parliament from office in the Federation. The Federation, however, was short-lived. On 23 February 1901 a new organisation, the Political Labor Council of Victoria, was formed which rapidly replaced all earlier efforts at development. Within a month, it had eighty affiliated unions and branches.

Two events in 1903 gave additional impetus to Labor. The first was the engagement of Tom Mann, a prominent English socialist and trade union organiser, who encouraged the enrolment of workers into unions, and fostered the formation of Political Labor Council branches throughout the State, some sixty to eighty of which were formed in one year. The second event was the holding of an inaugural annual conference represented by union and branch delegates. This combination of industrial and political representation has continued to date. At the inaugural conference, a new Political Labor Council constitution was set out in great detail and it provided for a more decentralised organisation at all levels. This structure did not change substantially until 1970.

During its first ten years, representation by branches to the Council varied from one per branch to a maximum of four. In the latter case, branch membership was expected to exceed 151 members. In 1901, however, representation to the Council was altered to comprise one member from each branch and union. In 1903 a Victorian delegate from each of the Federal and State Parliamentary Labor Parties was added. Originally in 1891, local branches determined the selection of candidates for Parliament. In 1894, however, this selection was qualified by approval from the Central Executive, and two years later, all arrangements for selection, through poll, were made the responsibility of the secretary of the Central Executive. In 1901 nominations reverted to branches which conducted the selection ballots subject to a pre-ballot approval by the Central Executive. This machinery existed until 1955 when the Executive once again assumed responsibility for selection. In the late 1960s local branch representation was also allowed on the selection committee. This arrangement was finally varied in a substantial manner by a restructuring in 1970.

Constitutional amendments

In 1891 it was ruled that all candidates for Parliament had to be bound to platform policy. In 1896 a suitable pledge was incorporated in the rules ; seven years later this rule was strengthened by a decision that the elected parliamentary candidate should vote on all matters affecting the platform in accordance with the decision of the Caucus majority. In 1905 the State pledge was modified, requiring parliamentary members to abstain from joining a Ministry unless a majority of the seats was held by Labor. This rule could only be broken if the Conference ruled otherwise. Certain of these requirements were later varied to cater for the fact that some of the Labor governments were actually minority governments.

In 1906 alterations to the constitution and platforms propounded by the annual Conference took immediate effect, but in 1911 all such variations became effective only after the existing Parliament had terminated its session. A major restructuring of the Victorian party took place in 1970 when the Federal Executive approved a completely new constitution which included proportional representation for multiple electorates, an increased proportion of branch, as compared with union, representation in State Council gatherings (which had replaced the former annual Conference), and several other features. An administrative Committee with restricted jurisdiction also replaced the former State Executive. These proposals have since been amended.

State Parliamentary Labor Party

Meetings of the State Parliamentary Labor Party were initially held from 1890 at the present Parliament House. Between 1901 and 1927 these meetings were held, with two exceptions, at the Exhibition Buildings, where the Victorian Parliament was in temporary residence. Minutes were first recorded on 22 November 1900. In 1902 members were expected to accept majority decisions, but in 1906 the general rules of the Political Labor Council provided for a pledge binding members to the platform and to majority decisions of the State Party where the fate of government was involved. Members could not join any alliance or government without permission of Conference. This rule held until 1918 when a clause was added requiring the State Party to report members who were disloyal to the pledge, or who were considered otherwise unworthy. This revised pledge was not changed until 1962 even though several occasions arose later when the Party Leader did, at his discretion, grant members permission to vote in accordance with their own wishes if the subject Bill was not within the pledge.

On 27 March 1913 the State Parliamentary Labor Party agreed to a Constitution and Standing Orders, which were subsequently revised. Eight special rules providing for the conduct of ballots were adopted in 1924.

After 1962, liaison meetings were held each month between officers of the State Political Labor Council and the State Executive. In 1969 the State Political Labor Council was authorised to make decisions which provided for collective action, subject to such proposals conforming to the State Platform, Conference, and Executive. These decisions were, in turn, subject to Federal A.L.P. Conference or Executive determination. In the restructuring of 1970, references to the Parliamentary Party were left out.

As early as 1902 the party had, when not in ministerial office, participated in the election of "The Leader and Secretary and Whip of the Opposition". This process continued until 1926 when it was terminated. From 1913 Party committees were elected to cover the ambits of portfolios or departments, but this practice was discontinued in 1967 when shadow ministers undertook these functions. It was proposed in 1970 to re-establish the committees to support the shadow ministers.

Under the current practice the President or Speaker of the Parliamentary Chamber recognises the leader of the majority party sitting in opposition to the Ministry, unless that Party waives its claim, and the title then falls to the party sitting on the corner benches. The Labor Party Executive consists of five members—the Leader and the Deputy from each House, and the Secretary.

The State Parliamentary Labor Party is entitled to a representative on the general party policy committees, and it is also allowed to elect representatives to several Parliamentary Committees and to the Councils of Victoria's three universities, and the Victoria Institute of Colleges.

Relations with the Federal body

The first Labor Federal Conference was held shortly after the Industrial Congress in 1902. Since then, with only two exceptions, regular triennial conferences occurred until 1951, when it was decided to make them biennial meetings. There were also several special conferences, but they were convened to deal with matters of unusual or special importance.

The Conference of 1908 adopted standing Orders and Rules covering the machinery of work, and until 1915 it confined its decisions to Federal policy only. From that year onwards, however, the Conference continued to acquire additional powers until it became the Labor Party's supreme policy and structural organ.

In 1915 an Executive body was created to administer the machinery, and make rulings and minor determinations within the meaning of Conference decisions. This body was not elected from Federal Conference but came from the State parties, each of which elected two members. This Executive was responsible for the appointment of the President and the Secretary of the Labor Party. Members who were not delegates to Conference, and this applied even to the Chairman of the Conference, could attend and speak at meetings, but they had no voting rights.

In 1918 the Federal Party adopted its present title, and the Victorian Labor Party became a branch of this body. Six years later a common constitution was suggested and it was drafted along the lines of the one existing in Western Australia which was modelled on that of a single industrial—political organisation.

In 1930 the Australian Council of Trade Unions was recognised as a separate Australian industrial structure, and as a result the Australian Labor Party Federal Executive and the Australian Council of Trade Unions were left to work out common processes. This led to the formation of a Federal Advisory Committee consisting of two representatives each from the Federal Executive, the Australian Council of Trade Unions, and the Federal Parliamentary Party.

Agenda items for Conference meetings are provided by Federal and

State Executives, the Federal Parliamentary Party, State Conference, and the Women's Federal Executive. Special items are also accepted if they have the support of two thirds of the credentialled Conference delegates.

In 1924 Conference framed a defence platform, and in the same year a country policy, and in 1936 a banking and monetary platform which was implemented in 1945. Although four Committees reported on issues at the 1934 Conference, in 1948 all policy was reported on by a single Committee. This responsibility was, eleven years later, divided among three Committees, and later still in 1961 among six Committees. In 1967 the number of Committees was further increased to eighteen. Policy Committees at present function in any interregnum periods and report in detail to the Executive, which in turn makes recommendations for final decision by Conference.

Two further administrative decisions are worth noting. In 1948 it was decided that the President should not be a delegate to Conference from any of the States, and that the State Executive should have no power of direction over Federal parliamentarians.

In 1957 Conference made itself the supreme governing and policy making body of the Party, and its decisions bound all State branches and affiliates, the Federal and State Parliamentary Parties, and the Federal Executive.

In 1958 it was decided that a Federal Secretariat should be established, and this body commenced operations on 1 October 1963. However, it ceased to function on 26 April 1969 when the duties were taken over by the Secretary of a State branch in a part-time capacity.

Federal Executive

A permanent form of administration between Conferences was first proposed in 1905 and later accepted in 1915. Three years later Conference officers were elected, but their office was distinct from that of the Executive. In 1921, the Executive was empowered by the State branches to be the sole administrative and interpretive organ of the Party. Within three years it became competent to hear appeals against State Congress or Executive decisions, and gained plenary powers to deal with, and determine, matters affecting the general welfare of the Party. Decisions of the Executive were binding but the right of appeal to Federal Conference was retained.

Representation from State and other bodies

Representation from the States at the Conferences has always remained at six persons from each State, despite periodic suggestions that this should be arranged on a proportional population basis. In 1963 it was decided that the Federal Party should be composed of all State Labor Parties, and Branches in other Australian Territories, and in 1967 it was agreed that the Federal Parliamentary Party should be represented by the Leader and the Deputy Leader in each House, while at State level this representation should be confined to only the State Party leader, or his proxy.

In 1969 the Northern Territory was allowed to provide one representative for the Federal Executive and one for the Conference. In 1973 both the Australian Capital Territory and the Young Labor Federal Executive were allowed representation at the Conference.

Policy making

The first three Victorian platforms of 1891–1896 approved Federation on a democratic basis, to be drafted by a convention and approved by referendum. Since then the Party has generally advocated wider powers to the Australian Parliament to make it more national, with the States or regional administration handling delegated matters of detail. In 1901, a platform was approved “to secure for wealth producers beneficial legislation by the return of Federal and State Labor candidates”, and in 1906, part of the State objective read: “to secure the full results of their industry to all producers by collective ownership of monopolies and the extension of State and Municipal functions in this regard”.

The Federal Platform of 1908 included a plank called collective organisation of industry with reference to State rural, secondary, and distributive enterprises. This was amended at a Federal Conference by a strong assertion that the revised objective should be achieved by strictly constitutional means.

Conditions after the First World War provoked greater interest in socialism, and T. J. Ryan of the Queensland Branch was elected to represent Australia at the International Socialist Congress. In 1921 an Australian Trade Union Congress laid down the principle, as defined in the socialisation objective, and this was adopted by the Federal A.L.P. Conference in the same year. The hardships of the depression of the 1930s led to the establishment of socialisation committees to propagate the objective.

A preamble describing the philosophy of democratic socialism was inserted in the Party's constitution in 1953 and four years later an interpretation of democratic socialism was added. It was decided in 1965 to affiliate with the Socialist International.

The Russian Revolution in 1917 created some interest in the ideas of communism, but this centred more on the socialist end rather than on the communist method. In 1924 Federal Conference indicated clearly its opposition to communism, and declared against any acceptance of affiliation by the new Communist Party, or any individual Labor Party membership by avowed communists. In 1930 the President ruled against any individual Party member advocating the policy of the Communist Party. Later, in 1945, the President ruled that no Party member could officially represent Labor at demonstrations or functions at which the Communist Party was officially represented. This did not, however, debar union officials from industrial gatherings. Subsequent decisions at Conferences held in 1948, 1951, and 1955 certified and affirmed the Party's previously indicated opposition to communism.

Press relations

The press has for many years enjoyed unrestricted entry at State Conferences, and the agenda and the proceedings at these meetings have frequently been published. At Federal Conference it has been the procedure to admit the Labor press, but in 1936 this system was altered and until 1961 it became customary for the Press Committee to supply the daily press with information. From 1963 onwards the press has been admitted to Federal Conferences, the only exception being those occasions when special matters were under consideration.

Party members, on being vouched for, are allowed unrestricted attendance at Conference, and little or no effort is made to restrict other members of the public—with the result that sessions are now virtually public. A check on attendance rolls between 1902 and 1969 reveals that of the 1,323 credentialled delegates, 45 per cent present were parliamentary representatives, while the remainder consisted mostly of public representatives, and leaders in municipal or industrial affairs.

Participation by women and youth

A women's organisation existed officially within the Party from 1903. It achieved full recognition in 1918, but was finally terminated at its own request in 1971. For a long period women were given representation on the State Conference and on the Executive, when dealing mostly with matters close to their interests. Most other States had similar groups for varying periods, and these have combined to generate a Federal Women's Conference and Executive which has been in existence since 1930.

A Labor Guild of Youth existed from 1926 to 1928, and again from 1932 to 1934, but it was not until 1949 that such a body was firmly established. Other States have similar groups, and a Federal Executive has been given representation on A.L.P. Federal Conferences since 1967.

Members of the Victorian Parliament

Political parties

In the following pages political party affiliations of Members of State Parliament are indicated thus :

- (ALP) Australian Labor Party
- (IND. LAB.) Independent Labor
- (LP) Liberal Party
- (NP) National Party of Australia (Victoria)

Legislative Council

President : The Hon. Sir Raymond William Garrett, A.F.C., A.E.A.

Chairman of Committees : The Hon. Graham John Nicol.

Clerk of the Parliaments and Clerk of the Legislative Council : Alfred Reginald Bruce McDonnell, Esquire.

Members of the Legislative Council who were elected at the 1973 triennial election are shown in the first table on the following page:

VICTORIA—LEGISLATIVE COUNCIL : MEMBERS ELECTED 19 MAY 1973
(Term of office commenced 15 July 1973)

Member	Province	Number of electors on rolls	Number of electors who voted	Total percentage of electors who voted
Block, Hon. Peter David (LP)	Boronia	195,299	182,911	93.66
Bradbury, Hon. Archibald Keith (NP)	North-Eastern	60,396	56,883	94.18
Campbell, Hon. William Montgomery (LP)	East Yarra	130,865	120,136	91.80
Crozier, Hon. Digby Glen (LP)	Western	65,190	62,484	95.85
Dickie, Hon. Vance Oakley (LP)	Ballaarat	66,556	53,256	95.04
Elliot, Hon. Douglas George (ALP)	Melbourne	117,092	103,920	88.75
Fry, Hon. William Gordon (LP)	Higinbotham	134,910	126,220	93.56
Galbally, Hon. John William, Q.C. (ALP)	Melbourne North	120,381	113,239	94.07
Gleeson, Hon. Stanley Edmond (LP)	South-Western	111,040	104,673	94.27
Grimwade, Hon. Frederick Sheppard (LP)	Bendigo	70,416	67,075	95.26
Hider, Hon. Charles Allen Moir (LP)	Monash	133,950	123,202	91.98
Houghton, Hon. William Vasey (LP)	Templestowe	182,576	170,866	93.59
Hunt, Hon. Alan John (LP)	South-Eastern	188,690	176,793	93.69
Knight, Hon. Alexander Wilson (ALP)	Melbourne West	155,477	145,962	93.88
Long, Hon. Richard John (LP)	Gippsland	93,725	88,342	94.26
McDonald, Hon. Stuart Richard (NP)	Northern	65,624	62,346	95.00
Tripovich, Hon. John Matthew (ALP)	Doutta Galla	146,825	137,633	93.74
Wright, Hon. Kenneth Irving (NP)	North-Western	49,972	47,521	95.10

Members of the Legislative Council who did not come up for election at the 1973 triennial election are shown in the following table :

VICTORIA—LEGISLATIVE COUNCIL : MEMBERS ELECTED 30 MAY 1970
(Term of office commenced 27 June 1970)

Member	Province	Number of electors on rolls	Number of electors who voted	Total percentage of electors who voted
Byrne, Hon. Murray (LP)	Ballaarat	60,232	57,781	95.93
Clarke, Hon. Michael Alastair (NP)	Northern	59,797	57,607	96.34
Dunn, Hon. Bernard Phillip (NP)	North-Western	47,475	45,585	96.02
Eddy, Hon. Randolph John (ALP)	Doutta Galla	126,260	118,243	93.65
Garrett, Hon. Sir Raymond William, A.F.C., A.E.A. (LP)	Templestowe	148,433	140,895	94.92
Granter, Hon. Frederick James (LP)	Bendigo	63,239	60,246	95.27
Gross, Hon. Kenneth Samuel (LP)	Western	60,281	58,329	96.76
Hamer, Hon. Rupert James, E.D. (LP) (a)	East Yarra	121,326	112,982	93.12
Hamilton, Hon. Harold Murray, E.D. (LP)	Higinbotham	122,449	115,714	94.50
Hauser, Hon. Vernon Thomas (LP)	Boronia	152,109	144,618	95.08
Jenkins, Hon. Owen Glyndwr (LP)	South-Western	95,644	91,408	95.57
Kent, Hon. Daniel Eric (ALP)	Gippsland	85,763	81,221	94.70
Nicol, Hon. Graham John (LP)	Monash	124,218	114,453	92.14
O'Connell, Hon. Geoffrey John (ALP) (b)	Melbourne	112,014	102,045	91.10
Swinburne, Hon. Ivan Archie, C.M.G. (NP)	North-Eastern	55,008	52,293	95.06
Thomas, Hon. Herbert Arthur (ALP) (c)	Melbourne West	130,320	123,749	94.96
Walton, Hon. John Malcolm (ALP)	Melbourne North	112,869	107,092	94.88
Ward, Hon. Hector Roy (LP)	South-Eastern	150,158	142,464	94.88

- (a) The Hon. Rupert James Hamer, E.D. resigned to contest the by-election for the Legislative Assembly Electoral District of Kew held on 17 April 1971. At a by-election held on the same day the Hon. Haddon Storey (LP) was elected in his stead.
- (b) The Hon. Geoffrey John O'Connell died on 20 April 1972. The Hon. Ivan Barry Trayling (ALP) was declared elected unopposed in his stead on 9 June 1972.
- (c) Elected on 24 October 1970 at a by-election following the decision on 4 September 1970 by the Court of Disputed Returns that Mr R. W. Walsh's election on 30 May 1970 was void. The figures shown are for the by-election.

Legislative Assembly

The following list shows members of the Legislative Assembly elected at the general election held on 19 May 1973. It also includes details of electoral districts and voting at this last general election.

Speaker : The Hon. Kenneth Henry Wheeler.

Chairman of Committees : Ian Francis McLaren, O.B.E.

Clerk of the Legislative Assembly: John Harold Campbell, Esquire.

VICTORIA—LEGISLATIVE ASSEMBLY: MEMBERS ELECTED 19 MAY 1973

Member	District	Number of electors on rolls	Number of electors who voted	Total percentage of electors who voted
Amos, Derek Godfrey Ian (ALP)	Morwell	26,145	24,842	95.02
Austin, Thomas Leslie (LP)	Hampden	18,886	18,076	95.71
Balfour, Hon. James Charles Murray (LP)	Narracan	24,435	23,213	95.00
Baxter, William Robert (NP)	Murray Valley	21,834	20,285	92.91
Billing, Norman Alexander William, K.St.J. (LP)	Heatherton	41,119	38,724	94.18
Birrell, Hayden Wilson (LP)	Geelong	25,651	23,895	93.15
Borthwick, Hon. William Archibald (LP)	Monbulk	37,569	34,618	92.15
Burgin, Cecil William (LP)	Polwarth	19,961	19,242	96.40
Chamberlain, Bruce Anthony (LP)	Dundas	19,231	18,487	96.13
Creliin, Maxwell Leslie (LP)	Sandringham	27,997	25,909	92.54
Curnow, Esmond Julian (ALP)	Kara Kara	17,649	16,964	96.12
Dixon, Hon. Brian James (LP)	St Kilda	27,629	24,753	89.59
Doube, Hon. Valentine Joseph (ALP)	Albert Park	22,662	20,657	91.15
Dunstan, Hon. Roberts Christian, D.S.O. (LP)	Dromana	29,585	27,336	92.40
Ebery, William Thomas (LP)	Midlands	25,671	24,246	94.41
Edmunds, Cyril Thomas (ALP)	Moonee Ponds	26,505	25,048	94.50
Evans, Alexander Thomas (LP)	Ballaarat North	27,142	25,810	95.09
Evans, Bruce James (NP)	Gippsland East	21,039	19,751	93.88
Fogarty, William Francis (ALP)	Sunshine	27,665	25,915	93.67
Fordham, Robert Clive (ALP)	Footscray	24,789	23,380	94.32
Ginifer, John Joseph (ALP)	Deer Park	48,933	46,208	94.43
Goble, Dorothy Ada (LP)	Mitcham	33,118	30,885	93.26
Guy, Athol George (LP)	Gisborne	34,656	32,119	92.68
Hamer, Hon. Rupert James, E.D. (LP)	Kew	27,988	25,263	90.26
Hann, Edward James (NP)	Rodney	21,133	19,993	94.61
Hayes, Geoffrey Phillip (LP)	Scoresby	60,500	56,846	93.96
Holding, Allan Clyde (ALP)	Richmond	21,865	19,176	87.70
Jona, Walter (LP)	Hawthorn	27,479	24,614	89.57
Jones, Barry Owen (ALP)	Melbourne	26,740	23,372	87.40
Kirkwood, Carl (ALP)	Preston	25,692	23,922	93.11
Lacy, Norman (LP)	Ringwood	40,734	37,880	92.99
Lind, Alan Alfred Campbell (ALP)	Dandenong	43,253	41,099	95.02
Loxton, Samuel John Everett (LP)	Prahran	27,715	24,297	87.67
McAlister, Ronald Graham Henry (ALP) (a)	Brunswick East	23,862	18,093	75.82
McCabe, James Edmund (LP)	Lowan	19,483	18,594	95.44
McClure, Daryl Hedley Robert (LP)	Bendigo	26,483	25,474	96.19
MacDonald, James David (LP)	Glen Iris	26,543	24,659	92.90
McInnes, Neil Malcolm (NP)	Gippsland South	22,106	20,675	93.53
McKellar, Donald Kelso (LP)	Portland	19,784	18,919	95.63
McLaren, Ian Francis, O.B.E. (LP)	Bennettswood	30,790	29,158	94.70
Maclellan, Robert Roy Cameron (LP)	Gippsland West	20,882	19,730	94.48
Meagher, Hon. Edward Raymond, M.B.E., E.D. (LP)	Frankston	48,210	44,828	92.98
Mitchell, Hon. Thomas Walter (NP)	Benambra	20,866	19,698	94.40
Mutton, John Patrick (IND. LAB.)	Coburg	23,606	22,556	95.55
Plowman, Sidney James (LP)	Evelyn	25,863	24,029	92.91
Rafferty, Hon. Joseph Anstice (LP)	Glenhuntly	29,421	27,337	92.92
Ramsay, James Halford (LP)	Balwyn	29,826	27,489	92.16
Reese, William Frederick Llewellyn (LP)	Moorabbin	30,410	28,592	94.02
Roper, Thomas William (ALP)	Brunswick West	24,023	22,810	94.95
Ross-Edwards, Peter (NP)	Shepparton	22,929	21,922	95.61
Rossiter, Hon. John Frederick (LP)	Brighton	25,865	24,085	93.12
Scanlan, Hon. Alan Henry (LP)	Oakleigh	26,814	25,194	93.96
Simmonds, James Lionel (ALP)	Reservoir	31,004	29,165	94.07
Skeggs, Bruce Albert Edward (LP)	Ivanhoe	28,776	26,940	93.62
Smith, Aurel V. (LP)	Bellarine	32,047	30,235	94.35
Smith, Hon. Ian Winton (LP)	Warrnambool	21,228	20,434	96.26
Stephen, William Francis (LP)	Ballaarat South	25,732	24,311	94.48
Stirling, Gordon Francis (ALP)	Williamstown	31,041	29,342	94.53
Suggett, Robert Harris (LP)	Bentleigh	28,686	27,153	94.66
Tanner, Sir Edgar Stephen, C.B.E., E.D. (LP)	Caulfield	29,360	26,679	90.87
Templeton, Thomas William, J.P. (LP)	Mentone	30,301	28,088	92.70
Thompson, Hon. Lindsay Hamilton Simpson (LP)	Malvern	27,707	25,146	90.76
Trewin, Thomas Champion (NP)	Benalla	19,885	18,855	94.82
Treize, Neil Benjamin (ALP)	Geelong North	28,721	26,962	93.88
Vale, Roy Mountford (LP) (b)	Greensborough	49,360	43,534	89.48
Wheeler, Hon. Kenneth Henry (LP)	Essendon	29,556	28,102	95.08
Whiting, Milton Stanley (NP)	Mildura	20,024	18,880	94.29
Wilcox, Hon. Vernon Francis, Q.C. (LP)	Camberwell	25,878	24,118	93.20
Wilkes, Frank Noel (ALP)	Northcote	25,584	23,889	93.37
Williams, Morris Thomas (LP)	Box Hill	46,122	43,414	94.13
Wilton, John Thomas (ALP)	Broadmeadows	47,641	45,100	94.67
Wiltshire, Raymond John (LP)	Syndal	41,413	39,093	94.40
Wood, Alan Raymond (LP)	Swan Hill	19,808	18,829	95.06

(a) Elected on 12 April 1975 at a by-election following the resignation of Mr David Leon Frank Bornstein.

(b) Elected on 13 October 1973 at a by-election following the decision on 11 September 1973 by the Court of Disputed Returns that Mr Roy Mountford Vale's election on 19 May 1973 was void.

Number of Parliaments and their duration

Between 1856 and 1974 there have been forty-six Parliaments. The forty-sixth Parliament was opened on 19 June 1973. A table showing

the duration in days of each Parliament (1856 to 1927), the number of days in session, and the percentage of the latter to the former was published in the *Victorian Year Book* 1928-29, page 21. Similar information for the twenty-ninth to the thirty-ninth Parliaments (1927 to 1955) was published in the *Victorian Year Book* 1952-53, 1953-54 (released in 1959), page 31. As from the commencement of the thirty-eighth Parliament (20 June 1950), information about the duration of each Parliament, the number of sittings of each House, and the percentage of the latter to the former is shown in the following table :

**VICTORIA—DURATION OF PARLIAMENTS
AND NUMBER OF SITTINGS OF EACH HOUSE**

Number of Parliament	Period	Duration of Parliament (a)	Sittings			
			Legislative Assembly		Legislative Council	
			Number of sittings	Percentage of sittings to duration	Number of sittings	Percentage of sittings to duration
		days				
Thirty-eighth	1950-1952	865	131	15.1	81	9.4
Thirty-ninth	1952-1955	852	92	10.8	61	7.2
Fortieth	1955-1958	1,038	139	13.4	99	9.5
Forty-first	1958-1961	1,059	150	14.2	103	9.7
Forty-second	1961-1964	1,015	149	14.7	112	11.0
Forty-third	1964-1967	980	146	14.9	119	12.1
Forty-fourth	1967-1970	1,002	152	15.2	124	12.4
Forty-fifth	1970-1973	1,036	154	14.9	126	12.2

(a) Calculated from the date of opening to the date of dissolution of the Parliament.

Cost of parliamentary government

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

The table shows this expenditure for the State for the years ended 30 June 1970 to 1974. In order to avoid incorrect conclusions about the cost of the Governor's establishment, it is pointed out that a large part of the expenditure (with the exception of the item "Salary") under the general heading "Governor" represents official services.

**VICTORIA—COST OF PARLIAMENTARY GOVERNMENT
(\$'000)**

Period	Governor		Ministry	Parliament		Electoral	Royal Commissions, Select Committees, etc.	Total
	Salary	Other expenses (a)		Salaries of members	Other expenses (b)			
1969-70	20	218	168	1,138	1,184	506	114	3,349
1970-71	20	218	146	1,294	1,655	357	193	3,883
1971-72	20	254	403	1,183	1,339	101	175	3,475
1972-73	20	294	383	1,173	1,769	657	185	4,481
1973-74	20	397	548	1,623	2,231	378	41	5,238

(a) Includes salaries of staff and maintenance of house and gardens.

(b) Includes cost of members' railway passes, parliamentary staff, and maintenance.

Parliamentary salaries and allowances were amended as from 1 December 1968. As from that date, the President of the Legislative Council and the Chairman of Committees, the Speaker of the Legislative Assembly and the Chairman of Committees, and Ministers of the Crown receive salaries and allowances only in connection with their offices.

Victorian Acts passed during 1973

VICTORIA—ACTS PASSED BY PARLIAMENT, 1973

- | | | | |
|------|--|------|--|
| 8385 | The Constitution Act Amendment (Qualifications) Act amends <i>The Constitution Act Amendment Act 1958</i> to reduce the qualifying age for members of the Legislative Council and the Legislative Assembly to eighteen years, to reduce the voting age to eighteen years, to provide for the appointment of Assistant Postal Voting Officers, to repeal section 11 of <i>The Constitution Act</i> , and for other purposes | 8393 | Melba Trust Fund Act further varies the objects of certain trusts declared in a trust deed relating to a fund called the Melba Trust Fund raised for the benefit of limbless soldiers in Victoria, and for other purposes |
| 8386 | Hungarian Reformed Church of Australia (Victorian District) Incorporation Act incorporates the Hungarian Reformed Church of Australia (Victorian District), and for other purposes | 8394 | Hospitals and Charities (Guarantee) Act amends the <i>Hospitals and Charities Act 1958</i> to authorise the Treasurer of Victoria to guarantee the repayment of certain moneys borrowed pursuant to the Act, and for other purposes |
| 8387 | Melbourne Family Care Organization Act relates to the Melbourne Family Care Organization and makes new provisions regarding the investment of the proceeds of sale of certain land at South Melbourne and for that purpose amends the <i>Melbourne Orphan Asylum Sale Act 1875</i> , and for other purposes | 8395 | Water (Amendment) Act amends the <i>Water Act 1958</i> to provide for the appropriation of irrigation waters, the creation of easements on new subdivisions coming within the Commission's jurisdiction, the transference of property of a redundant authority to another authority, and for other purposes |
| 8388 | Gas and Fuel Corporation (Colonial Gas Holdings Limited) Act makes provision with respect to an offer by the Gas and Fuel Corporation of Victoria for shares in Colonial Gas Holdings Limited, and for other purposes | 8396 | Geelong Harbor Trust (Lands) Act amends the <i>Geelong Harbor Trust Act 1958</i> in relation to certain lands vested, or to be vested, in the Geelong Harbor Trust Commissioners, and for other purposes. This Act provides for the sale by the Trust of lands vested in it by the Crown and makes minor consequential amendments to the Principal Act |
| 8389 | Boilers and Pressure Vessels Act amends the <i>Boilers and Pressure Vessels Act 1970</i> , and for other purposes | 8397 | Latrobe Valley (Amendment) Act amends the <i>Latrobe Valley Act 1958</i> and for other purposes. This Act makes provision for the appointment of a manager to the Board and makes several minor consequential amendments to the Act |
| 8390 | State Electricity Commission (Yallourn Council) Act amends subsection 5 of section 30 of the <i>State Electricity Act 1958</i> | 8398 | Maryborough Land Act provides for the closing of Station Street and part of Victoria Street in the Town of Maryborough, and for other purposes |
| 8391 | Home Finance (Amendment) Act amends the <i>Home Finance Act 1962</i> to increase the value of dwelling-houses in respect of which loans may be made | 8399 | The Constitution Act Amendment (Presiding Officers) Act makes further provision with respect to the turn of office of the presiding officers of the Legislative Council and the Legislative Assembly, amends <i>The Constitution Act Amendment Act 1958</i> , and for other purposes |
| 8392 | Zoological Gardens (Amendment) Act amends the <i>Zoological Gardens Act 1967</i> to provide for the borrowing of money by the Zoological Board to improve the gardens and makes minor amendments to the Principal Act to keep up with changes in the Ministry | | |

VICTORIA—ACTS PASSED BY PARLIAMENT, 1973—*continued*

- 8400 Constitutional Convention (Alternate Members) Act amends the *Constitutional Convention Act 1972* to make provision with respect to alternate members
- 8401 Ballarat (Sovereign Hill) Land Act permanently reserves certain lands in the Parish of Ballarat for recreation and public purposes, authorises the granting of a lease of the whole or any part of the lands to the Ballarat Historical Park Association, and for other purposes
- 8402 Taxation Appeals (Commencement) Act amends the *Taxation Appeals Act 1972* in relation to the commencement thereof, and for other purposes
- 8403 Patriotic Funds (Amendment) Act amends the *Patriotic Funds Act 1958* and for other purposes. This Act provides for the Governor in Council, on the application of the trustees, to define the purpose of the fund if its resources are inadequate to serve its intended purpose. It also provides for the trustees of the fund, with the sanction of the Governor in Council to transfer the fund to another charity
- 8404 Abattoir and Meat Inspection Act authorises the Victorian Abattoir and Meat Inspection Authority to license abattoirs, and for other purposes. This Act provides for the establishment of the Victorian Abattoir and Meat Inspection Authority and the licensing and inspection of slaughtering and pet food establishments
- 8405 Valuation of Land (Valuers) Act amends the *Valuation of Land Act 1960* and other Acts in relation to the registration of valuers, and for other purposes. This Act re-enacts, with amendments, part II of the Principal Act and provides for the constitution of a Valuers' Qualification Board, the registration of valuers with the Board, and for disciplinary powers to be exercised by the Board
- 8406 Egg Industry Stabilization Act provides for the stabilisation of the egg industry and for purposes connected therewith and to make an amendment in the *Marketing of Primary Products Act 1958*. This Act provides for the constitution of the Poultry Farmers Licensing Committee, the inspection of places used in connexion with poultry farming, the licensing of poultry farmers, and the constitution of a Poultry Farmers Licensing Review Committee
- 8407 Recreation Vehicles Act makes provision with respect to the registration and insurance of recreation vehicles, control and use of vehicles in public places, and for other purposes
- 8408 Motor Car Traders Act makes provision with respect to the licensing of traders in motor cars, to regulate trading in motor cars, to amend the *Motor Car Act 1958* and the *Stamps Act 1958*, and for other purposes. This Act provides for the constitution and functioning of the Motor Car Traders Committee, the issuing by the Committee of an annual licence for motor car traders, documentation of all dealings conducted by motor car traders, the display of certain particulars on second-hand cars offered for sale, disputes between the purchaser and seller of a motor car to be referred to either the Committee or a Magistrates' Court, and the creation of a Motor Car Traders Guarantee Fund for the purpose of administering the provisions of the Act
- 8409 Decentralized Industry (Housing) Act establishes a Decentralized Industry Housing Authority to provide housing for persons employed in country industries, and for other purposes
- 8410 Crimes (Amendment) Act amends the *Crimes Act 1958*. This Act makes several minor amendments to the Principal Act and in particular repeals the provisions for the appointment of curators of convicts' property
- 8411 Cattle Compensation Act amends the *Cattle Compensation Act 1967* and the *Swine Compensation Act 1967* with respect to the further use of moneys standing to the credit of the Cattle Compensation Fund and the Swine Compensation Fund, amends the *Stamps Act 1958*, and for other purposes
- 8412 Victorian Inland Meat Authority (Amendment) Act amends the *Victorian Inland Meat Authority Act 1958* to provide for the insurance of the Authority's members who are not public servants, financial advances to the Authority from the Treasury, and several minor amendments to the Principal Act
- 8413 Bendigo Aerodrome Act empowers the Committee of Management of the Bendigo Aerodrome to borrow moneys, and for other purposes
- 8414 Ombudsman Act provides for the appointment in Victoria of an Ombudsman with power to inves-

VICTORIA—ACTS PASSED BY PARLIAMENT, 1973—*continued*

- tigate administrative actions taken by, or on behalf of, Government departments and other authorities, and for other purposes
- 8415 Public Service (Amendment) Act amends the *Public Service Act 1958* and the *Mental Health Act 1959*, and for other purposes
- 8416 Coal Mines (Pensions Increase) Act amends part III of the *Coal Mines Act 1958* to increase pension rates for coal miners, and provide for variation of coal miners' pension rates in accordance with variations in pension rates made under Commonwealth Social Service Acts
- 8417 Workers Compensation Act amends the *Workers Compensation Act 1958* in relation to the rate of weekly payments payable to certain persons
- 8418 Public Records Act provides for the establishment of a Public Record Office and the preservation, management, and utilisation of the public records of the State
- 8419 Joint Select Committee (Osteopathy, Chiropractic, and Naturopathy) Act constitutes a Joint Select Committee to inquire into and report upon the practices of osteopathy, chiropractic, and naturopathy, and for other purposes
- 8420 Marketing of Primary Products (Citrus Fruit) Act amends the *Marketing of Primary Products Act 1958* with respect to the marketing of citrus fruit, and for other purposes
- 8421 Barley Marketing (Amendment) Act amends the *Barley Marketing Act 1958*
- 8422 Margarine Act amends the *Margarine Act 1958*, and for other purposes
- 8423 Metric Conversion Act facilitates the conversion to the metric system of measurement of certain references to physical quantities
- 8424 Medical Practitioners (Amendment) Act amends the *Medical Practitioners Act 1970* and the *Poisons Act 1962* to provide for the establishment and functions of the Hospitals Accreditation Committee for the approval of hospitals for hospital residence training, and to make provision as to the provisional registration of medical practitioners until completion of post-graduate internship
- 8425 Crimes (Theft) Act consolidates and amends the law relating to theft and similar or associated offences, amends the *Crimes Act 1958*, and for other purposes. This Act makes provision for rationalising the present law dealing with the crimes of larceny, false pretences, embezzlement, robbery, burglary, blackmail, and related crimes, by creating the felony of theft which is to embrace almost every dishonest appropriation of property; provides that particular offences such as robbery, burglary, and blackmail are retained, but in a simple form, which in essence will make them aggravated theft; makes provision for the creation of new offences of handling stolen goods, dishonestly removing from a building open to public access articles on display, and deception; and provides for simplification of procedures for compensation and restitution of stolen property
- 8426 Social Welfare (Amendment) Act amends the *Social Welfare Act 1970*, the *Crimes Act 1958*, and the *Maintenance Act 1965* with respect to the service of terms of imprisonment, the custody and treatment of prisoners, work-release from prisons, and for other purposes
- 8427 Magistrates' Courts (Jurisdiction) Act amends the *Magistrates' Courts Act 1971* and the *Justices Act 1958* with respect to the jurisdiction of Justices and Magistrates' Courts, the control of Superior Courts, and for other purposes. This Act transfers jurisdictional provisions from the *Justices Act 1958* to the *Magistrates' Court Act 1971* and in particular provides for, in respect of jurisdiction of Magistrates' Courts, appeals from and review of decisions of Magistrates' Courts; warrants of distress issued out of Magistrates' Courts in civil matters to be executed by bailiffs appointed for this purpose; and amendment of various Acts in consequence of the re-enactments and new provisions which are contained in the Act
- 8428 Victorian Development Corporation Act constitutes a Victorian Development Corporation to encourage and assist in the establishment, expansion, and development of certain industries, the provision of tourist facilities in the State, and for other purposes
- 8429 Motor Accidents Act establishes a Motor Accidents Board to make provision for the payment of certain compensation to persons injured and to relatives of persons who die as the result of motor accidents and establishes a Motor Accidents Tribunal to make pro-

VICTORIA—ACTS PASSED BY PARLIAMENT, 1973—*continued*

- vision for the payment of amounts to the Motor Accidents Board by certain persons, to amend the *Motor Car Act* 1958, and for other purposes
- 8430 Motor Car (Amendment) Act amends the *Motor Car Act* 1958 to make provision for a surcharge to be levied on renewal of licences cancelled for serious offences, provide for seat belts to be fitted to certain motor cars, make provision for blood samples to be taken when a person involved in a motor car accident enters a hospital for treatment, make other minor amendments to the Principal Act, and for other purposes
- 8431 Teaching Service Act amends provisions of the *Teaching Service Act* 1958 relating to the Teachers Tribunal and to its functions, and for other purposes
- 8432 Lands Compensation Act makes further provision with respect to compensation for land compulsorily acquired to amend the *Lands Compensation Act* 1958 and the *Valuation of Land Act* 1960 and certain other Acts, and for other purposes
- 8433 Police Offences (Publications) Act establishes a State Advisory Board on Publications, makes provision with respect to the sale and exhibition of certain publications, and for other purposes. This Act makes general provisions concerning obscene publications and in particular prescribes offences and penalties relating to obscene publications, and provides for the establishment and functions of a State Advisory Board on Publications
- 8434 The Constitution Act Amendment (Responsible Ministers) Act makes provision for increasing the number of responsible Ministers of the Crown from sixteen to seventeen
- 8435 Supply (July to October) Act applies out of the Consolidated Fund the sum of \$330,831,000 to the service of the year 1973-74
- 8436 Supply (Supplementary Estimates) Act applies out of the Consolidated Fund the sum of \$17,337,000 to the service of the year 1972-73
- 8437 Joint Select Committee (Meat Industry) Act provides for the appointment of a Joint Select Committee of the Legislative Council and the Legislative Assembly to inquire into and report upon certain questions relating to the meat industry in Victoria, and for other purposes
- 8438 Joint Select Committee (Road Safety) Act provides for the appointment of a Joint Select Committee of the Legislative Council and the Legislative Assembly to inquire into and report upon certain questions relating to road safety, and for other purposes
- 8439 Joint Select Committee (Osteopathy, Chiropractic, and Naturopathy) Amendment Act amends section 2 of the *Joint Select Committee (Osteopathy, Chiropractic, and Naturopathy) Act* 1973, altering the composition of the Committee
- 8440 Public Works Committee Act amends the *Public Works Committee Act* 1958 with respect to the membership of the Public Works Committee, increasing the number of members on the Committee
- 8441 The Constitution Act Amendment (Qualifications Joint Select Committee) Act constitutes a Joint Select Committee to inquire into and report upon the law relating to certain disqualifications for membership of the Legislative Council and the Legislative Assembly, and for other purposes
- 8442 Ministry of Consumers Affairs Act establishes a Ministry of Consumers Affairs and provides for the establishment and objectives of a Ministry of Consumer Affairs, makes provision for the appointment of a Director of Consumer Affairs and necessary staff, and provides for the administration of the *Consumer Protection Act* 1972 by the Ministry of Consumer Affairs, and for other purposes
- 8443 Ministry of Planning Act establishes a Ministry of Planning and provides for the establishment and objectives of a Ministry of Planning, makes provision for the appointment of a Secretary of Planning and necessary staff, and provides for the administration of the *Town and Country Planning Act* 1961 by the Ministry of Planning, and for other purposes
- 8444 Volunteer Civil Defence Workers Compensation (Amendment) Act amends the *Volunteer Civil Defence Workers Compensation Act* 1972, and provides for the Insurance Commissioner to represent the Crown in compensation claims and for his entitlement to costs and expenses for so doing, and for other purposes
- 8445 Local Government (Rates) Act amends section 266 and 273 of the *Local Government Act* 1958, repealing certain sub-sections of sec-

VICTORIA—ACTS PASSED BY PARLIAMENT, 1973—continued

- tions 266 and 273 of the Principal Act with respect to general rates, and allowing councils to determine the minimum amount payable under a general rate as they think fit
- 8446 Hospitals Superannuation (Amendment) Act amends the Hospitals *Superannuation Act* 1965 by making provision regarding the superannuation rights of contributors ceasing to be employed by a participating institution, and for other purposes
- 8447 Public Works Committee (Attendance Fees) Act amends section 8 of the *Public Works Committee Act* 1958, increasing the attendance fee payable to Committee members
- 8448 Unclaimed Moneys Act makes further provision with respect to unclaimed property, amends the *Legal Profession Practice Act* 1958, the *Trustee Companies Act* 1958, and the *Unclaimed Moneys Act* 1962, and for other purposes
- 8449 Appropriation Act applies a sum out of the Consolidated Fund to the service of the year ending 30 June 1974 and appropriates the supply granted in this session of Parliament, and for other purposes
- 8450 Racing (Amendment) Act amends part V of the *Racing Act* 1958, providing for the alteration of the rate of payment of commission on moneys invested to the Treasurer by the Totalizator Agency Board
- 8451 Ministry for the Arts (Amendment) Act amends the *Ministry for the Arts Act* 1972, making several minor amendments to the Principal Act
- 8452 Local Authorities Superannuation (Amendment) Act amends section 15 of the *Local Authorities Superannuation Act* 1958, granting the Local Authorities Superannuation Board power to acquire and manage land
- 8453 Sewerage Districts (Amendment) Act amends the *Sewerage Districts Act* 1958, providing for the Governor in Council by Order to transfer works and property of a sewerage authority to another similar authority, and makes several minor amendments to the Principal Act
- 8454 Money Lenders (Advertisements) Act amends the *Money Lenders Act* 1958 with respect to advertisements relating to loans, licence fees, and for other purposes. This Act makes it an offence to publish, knowingly, false information likely to induce persons to enter into financial transactions with finance brokers or money lenders, and makes other minor amendments to the Principal Act
- 8455 Tomato Processing Industry (Uniform Agreement) Act improves stability in the tomato processing industry, providing for contracts between tomato growers and buyers to be in writing in a common form set forth in the schedule
- 8456 Poisons (Fees) Act amends the *Poisons Act* 1962 by prescribing licence fees payable to the Department of Health by manufacturers and wholesalers of certain drugs and poisons
- 8457 Camperdown (Public Park) Land Act authorises the granting of leases in respect of certain land in the Town of Camperdown, and for other purposes
- 8458 Maidstone Land Act authorises the granting of leases in respect of certain land in the City of Sunshine, and for other purposes connected with that land
- 8459 Labour and Industry (Amendment) Act amends part III of the Fourth Schedule to the *Labour and Industry Act* 1958, and for other purposes. This Act makes provision for the temporary replacement of members on Wages Boards by deputies, and makes several minor amendments to the Principal Act
- 8460 Hairdressers Registration (Amendment) Act amends the *Hairdressers Registration Act* 1958, by increasing hairdressers' registration fees
- 8461 Land (Metric Conversion) Act amends the *Land Act* 1958 with respect to the conversion of measures to metric measurement, and for other purposes
- 8462 Co-operative Housing Societies (Amendment) Act amends the *Co-operative Housing Societies Act* 1958, by making provision for a new body to replace the "Institute of Building and Housing Societies Secretaries (Aust.)" called the "Victorian Division of the Building Societies Institute Incorporated", and by increasing the maximum advance limit in indemnity cases
- 8463 Rosebud Institutions Act provides for the separate administration of the Southern Peninsula Hospital and the Lotus Lodge Hostel for the Aged at Rosebud, amends the *Hospitals and Charities Act* 1958, and for other purposes
- 8464 Gas and Fuel Corporation (Amalgamations) Act makes provision

VICTORIA—ACTS PASSED BY PARLIAMENT, 1973—*continued*

- with respect to the dissolution of Colonial Gas Holdings Limited and certain subsidiaries of that company incorporated in Victoria, transfers certain property and liabilities in Victoria to the Gas and Fuel Corporation of Victoria, amends the *Gas and Fuel Corporation Act 1972*, and for other purposes
- 8465 Stamps Act amends the *Stamps Act 1958*, and increases the stamp duty payable on a series of financial transactions, and for purposes connected therewith
- 8466 Estate Agents (Fees) Act amends section 26 of the *Estate Agents Act 1958*, and provides for increases in the licence fees to be paid by estate agents
- 8467 Auction Sales (Licence Fees) Act amends the *Auction Sales Act 1958*, and increases the licence fees to be paid by auctioneers
- 8468 Motor Car (Fees) Act amends section 22 of the *Motor Car Act 1958* and the *Motor Car (Learner Drivers' Permits) Act 1973*, and increases fees payable for renewal of motor drivers' licences and licence tests
- 8469 Mines (Fees) Act amends the *Mines Act 1958* with respect to the fee for a miner's right, and for other purposes
- 8470 The Constitution Act Amendment (Executive Council) Act amends section 66 of the *Constitution Act Amendment Act 1958* with respect to the Clerk and expenses of the Executive Council
- 8471 State Forests Works and Services Act authorises expenditure on works and services and other purposes relating to State forests
- 8472 Entertainments Tax Act repeals the *Entertainments Tax Act 1958*, and for other purposes
- 8473 State College of Victoria (Staff) Act makes further provision with respect to the staff of the State College of Victoria and its constituent colleges, providing for the employment of public servants and members of the teaching service by the State College of Victoria and its constituent colleges
- 8474 Decentralized Industry (Land Tax Rebates) Incentive Payments Act provides for further incentive payments to decentralised industries, and for other purposes
- 8475 Pensions Supplementation Act makes permanent provision with respect to the supplementation of certain pensions, amends the *Pensions Supplementation Act 1966*, and for other purposes. This Act provides for the automatic adjustment of certain pensions
- 8476 Metropolitan Fire Brigades (Amendment) Act amends the *Metropolitan Fire Brigades Act 1958*, and for other purposes. This Act makes amendments to the Principal Act concerning the constitution of the Metropolitan Fire Brigades Board, and amends the Principal Act in relation to the Metropolitan Fire Brigades Board financial arrangements
- 8477 Children's Court Act re-enacts with amendments the provisions of the *Children's Court Act 1958* and in particular makes provision for the constitution and function of Children's Courts, the appointment and duties of probation officers, the jurisdiction and powers to be exercised by the Children's Court, procedure after the apprehension of the child pending trial, the Court to make orders concerning the parent as well as the child, and for probation and supervision orders, etc., and also with respect to breaches of such orders
- 8478 Country Fire Authority Act amends the *Country Fire Authority Act 1958*, by providing for the attendance of a brigade in an emergency or accident unconnected with fire, and by making other minor amendments to the Principal Act
- 8479 Housing (Commonwealth—State Agreement) Act amends the *Housing Act 1958* to ratify the execution for and on behalf of the State of Victoria of a Housing Agreement between the Commonwealth of Australia and the several States of Australia, to approve the Agreement, and for other purposes
- 8480 Probate Duty (Amendment) Act amends the *Probate Duty Act 1962*, and for other purposes. This Act increases the amount of probate duty payable on estates of a specified value, and makes a series of minor amendments to the Principal Act
- 8481 Judges Salaries and Allowances Act amends the *Supreme Court Act 1958* and the *County Court Act 1958* with respect to salaries and allowances to judges
- 8482 Pay-roll Tax (Amendment) Act increases the rate of pay-roll tax on wages under the *Pay-roll Tax Act 1971*
- 8483 Law Reform Act establishes the Office of the Law Reform Commissioner, provides for the Consti-

VICTORIA—ACTS PASSED BY PARLIAMENT, 1973—continued

- tution of a Law Reform Advisory Council to assist the Law Reform Commissioner, amends the *Legal Profession Practice Act* 1958, and for other purposes
- 8484 *Flemington Land Act* relates to certain Crown land in the parish of Doutta Galla, confirming the Crown grant and the permanent reservation of the land as a public park, and the incorporation of the City of Melbourne as the committee of management vested with power to lease land
- 8485 *Education Lands Act* amends the *Melbourne University Act* 1958, the *La Trobe University Act* 1964, and the *Victoria Institute of Colleges Act* 1965, in relation to the acquiring of land for the purposes of those Acts, and for other purposes
- 8486 *Small Claims Tribunals Act* makes provision for the constitution and establishment of Small Claims Tribunals, confers jurisdiction thereon with respect to the determination of small claims, and for purposes connected therewith
- 8487 *Police Regulation (Amendment) Act* amends the *Police Regulation Act* 1958, and for other purposes. This Act makes provision for the rank of "commander"
- 8488 *Consumer Protection Act* increases the size of the Consumer Affairs Council, enables the Director of Consumer Affairs to institute or defend proceedings on behalf of a consumer, prohibits pyramid selling, amends the *Consumer Protection Act* 1972, and for other purposes
- 8489 *Country Roads (Amendment) Act* amends the *Country Roads Act* 1958. This Act extends provisions relating to street lighting on State highways to main roads
- 8490 *Attorney-General and Chief Secretary (Additional Functions) Act* amends the *Auction Sales Act* 1958 and the *Estate Agents Act* 1958 in relation to the transfer of the administration of those Acts to the Chief Secretary and the *Money Lenders Act* 1958 in relation to the transfer of the administration of that Act to the Attorney-General, and for other purposes
- 8491 *Revocation and Excision of Crown Reservations Act* revokes the Crown grants of certain lands and the permanent reservations of certain lands, and for other purposes
- 8492 *Land Act* makes further provision with respect to the management of Crown lands, amends the *Land Act* 1958 and the *Land (Committees of Management) Act* 1967, and for other purposes. This Act makes provision regarding unauthorised buildings on Crown land
- 8493 *Social Welfare Act* amends the *Social Welfare Act* 1970 and the provisions of the *Crimes Act* 1958 with respect to parole. This Act makes provision with respect to maintenance payments, provides for the establishment of a Prisons Advisory Council, makes provision as to offences committed by prisoners and procedure for inquiry by visiting magistrates, and transfers to the *Social Welfare Act* 1970 from the *Crimes Act* 1958 provisions for the appointment and operation of the Adult Parole Board
- 8494 *Monash University (Amendment) Act* amends the *Monash University Act* 1958, regarding the construction and powers of the University Council, and for other purposes
- 8495 *Education Grants Act* makes provision with respect to financial aid to non-government schools
- 8496 *Victoria Institute of Colleges (Amendment) Act* amends the *Victoria Institute of Colleges Act* 1965, and for other purposes. This Act expands the membership of the Institute and makes several minor amendments to the Principal Act
- 8497 *Boilers and Pressure Vessels (Amendment) Act* amends the *Boilers and Pressure Vessels Act* 1970, and for other purposes. This Act makes provision for the inspection of boiler and pressure vessels, makes provision for the Board to conduct examinations of competency for welders of boilers and pressure vessels, and makes other minor amendments to the Principal Act
- 8498 *Water Supply Works and Services Act* authorises expenditure on works and services and other purposes relating to irrigation, water supply, drainage, sewerage, flood protection, and river improvement, and for other purposes
- 8499 *Youth, Sport and Recreation (State School Premises) Act* amends the *Youth, Sport and Recreation Act* 1972 and the *Local Government Act* 1958 in relation to the use of State School premises and facilities for community purposes and the expenditure of moneys upon

- any premises or facilities so used, and for other purposes
- 8500 Melbourne Underground Rail Loop (Amendment) Act amends the *Melbourne Underground Rail Loop Act 1970*, and for other purposes. This Act makes provision for the Authority's financial obligations, provides for the Authority's approval regarding development of land in immediate proximity to the loop, and makes other minor amendments to the Act
- 8501 Health (Special Accommodation Houses) Act amends the *Health Act 1958* with respect to the registration of special accommodation houses
- 8502 St Kilda (Ormond Restaurant) Land Act amends the *St Kilda Land Act 1965*, and for other purposes. This Act provides for payment of compensation to the successful tenderer for a proposed restaurant which was to have been located on the St Kilda foreshore
- 8503 Racing (Further Amendment) Act further amends the *Racing Act 1958*, and for other purposes. This Act makes minor amendments to the Principal Act, with respect to the definitions of "Professional Jockey" and "Minister"
- 8504 Social Welfare (Financial) Act amends the *Social Welfare Act 1970* with respect to the remuneration of certain persons holding office thereunder, and for other purposes
- 8505 Education (Handicapped Children) Act amends part IV of the *Education Act 1958*, and for other purposes. This Act provides for the creation of a "Special Education Authority" and makes provision for the education of handicapped children
- 8506 Health (Fluoridation) Act regulates the fluoridation of public water supplies, and for other purposes
- 8507 Victorian Development Corporation (Amendment) Act amends the *Victorian Development Corporation Act 1973*, and for other purposes. This Act makes provision concerning financial aspects of the Corporation's operation
- 8508 Housing (Sale of Land) Act amends section 103 of the *Housing Act 1958*, with respect to the sale of vacant land to home builders
- 8509 Weights and Measures (Amendment) Act amends the *Weights and Measures Act 1958*, with particular reference to containers used in hotels for the sale of liquor
- 8510 Hospitals and Charities (Amendment) Act amends the *Hospitals and Charities Act 1958*, and for other purposes. This Act makes provision for the Governor in Council to make an order providing for the constitution and government of societies and associations of charity, and makes minor amendments to the Principal Act
- 8511 Hospitals and Charities (Institutions and Benevolent Societies) Act amends the *Hospitals and Charities Act 1958* in relation to the powers of institutions and benevolent societies, and for other purposes
- 8512 Wheat Industry Stabilization (Amendment) Act amends the *Wheat Industry Stabilization Act 1968*. This Act makes provision for the home consumption price of wheat, provides for the conversion of weight to the metric system of measurement, and makes minor amendment to the Principal Act
- 8513 Audit (Appointment) Act amends the *Audit Act 1958* with respect to the appointment of receivers of revenue, collectors of imposts, and paymasters and the collection of public moneys
- 8514 Swan Hill (Railways Land) Act revokes the permanent reservation of certain land in the Township of Swan Hill, revokes the Crown grant and a derivative certificate of title relating to such land, rests certain land in the Township of Swan Hill in the Victorian Railways Board, and for other purposes
- 8515 Water (Further Amendment) Act amends the *Water Act 1958*
- 8516 Mines (Amendment) Act amends the *Mines Act 1958*. This Act makes some general amendments to the Principal Act and re-enacts with amendments the provisions for a Board of Examiners to issue certificates of competency to mine managers
- 8517 Public Works and Services Act authorises expenditure on public works and services, and for other purposes
- 8518 Wodonga Area Land Acquisition Act authorises the acquisition of land in the Wodonga area to make provision with respect to the compensation payable for land so acquired, and for other purposes
- 8519 State Savings Bank (Amendment) Act amends the *State Savings Bank Act 1958*. This Act makes pro-

VICTORIA—ACTS PASSED BY PARLIAMENT, 1973—*continued*

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| | vision for the appointment of deputy general managers, and makes minor amendments to the Principal Act | | 8527 | payment of rates by pensioners
Land Tax Act amends the <i>Land Tax Act 1958</i> and the <i>Local Government Act 1958</i> , declares the rates of land tax for the year ending on 31 December 1974, and for other purposes. This Act makes provision for the rates of land tax in 1974, provides for a surcharge on absentee land holdings not being used for industrial purposes, allows exemption from land tax of certain residential premises, and makes several minor amendments to the Principal Act | |
| 8520 | Albury-Wodonga Agreement Act makes provision with respect to the growth and development of the Wodonga area, the planning of the area and the establishment of the Albury-Wodonga (Victoria) Corporation, and for other purposes | | | 8528 | Abattoirs and Meat Inspection (Commencement) Act amends the <i>Abattoir and Meat Inspection Act 1973</i> , altering the mode of coming into operation of the Principal Act |
| 8521 | Melbourne Family Care Organization (Amendment) Act repeals section 4 of the <i>Melbourne Orphan Asylum Sale Act 1875</i> , removing doubts as to the power of the Melbourne Family Care Organization to dispose of certain land | | | 8529 | Local Government (House Builders' Liability) Act makes provision requiring certain guarantees or indemnities to be given in relation to the construction of certain buildings and for that purpose to amend part XLIX of the <i>Local Government Act 1958</i> , and for other purposes. This Act provides for approved guarantees and indemnities for contracts relating to the construction and sale of dwelling houses |
| 8522 | Railway Works and Services Act authorises expenditure on works and services and other purposes relating to railways | | | 8530 | Parliamentary Salaries and Allowances Act relates to Parliamentary salaries and allowances, to attendance fees and allowances to Members of Parliamentary Committees, amends the <i>Parliamentary Salaries and Superannuation Act 1968</i> , the <i>Parliamentary Committees Act 1968</i> , and certain other Acts relating to Parliamentary Committees, and for other purposes |
| 8523 | Teaching Service (Professional Appointees) Act amends the <i>Teaching Service Act 1958</i> with respect to the employment of professional appointees, and for other purposes. This Act makes provision for the employment of certain professionals, e.g., librarians and psychologists, for purposes of special education or specialised services, and makes provision for employment of these professionals in a permanent or temporary capacity | | | 8531 | Local Government (Subdivision of Land) Act makes provision with respect to sewerage drainage and water supply and amends the <i>Dandenong Valley Authority Act 1963</i> , the <i>Local Government Act 1958</i> , the <i>Melbourne and Metropolitan Board of Works Act 1958</i> , the <i>Mildura Irrigation and Water Trust Act 1958</i> , the <i>Sewerage Districts Act 1958</i> , the <i>Transfer of Land Act 1958</i> , and the <i>Water Act 1958</i> , and for other purposes. This Act makes provision for relevant authorities and municipal councils to enter into agreements with landowners for the provision of water drainage and sewerage services |
| 8524 | Development Areas Act makes provision with respect to accelerated or controlled development in certain areas, and for other purposes. This Act makes provision for the selection of suitable areas of the State of Victoria for controlled accelerated development | | | | |
| 8525 | Road Transport Act amends the <i>Commercial Goods Vehicles Act 1958</i> and the <i>Transport Regulation Act 1958</i> , and for other purposes. This Act makes provision for the granting of licences by the Board for commercial goods vehicles operators, and makes several minor amendments to the Principal Act | | | | |
| 8526 | Municipalities Assistance Act authorises financial assistance to municipalities in respect of rates deferred or excused under section 298 of the <i>Local Government Act 1958</i> . This Act provides financial assistance to municipalities which have either excused or deferred | | | | |

Parliamentary Papers presented during Session 1973-74

The following Papers were presented to the Legislative Assembly during Session 1973-74 and ordered by the House to be printed. Copies

may be purchased on application to the Sales Section, Government Printing Office, 7A Parliament Place, Melbourne, 3002.

VICTORIA—PARLIAMENTARY PAPERS PRESENTED TO LEGISLATIVE ASSEMBLY, SESSION 1973-74

Finance:

- A.1 Finance 1972-73—Treasurer's Statement of Receipts and Expenditure for the year 1972-73, with Report &c. of the Auditor-General.
- A.2 Supplementary Report of the Auditor-General for the year 1972-73.

Messages from His Excellency the Governor:

- B.1 Estimates of the Receipts and Payments of the Consolidated Fund for the year 1973-74.
- B.4 Supplementary Estimates for the year 1972-73.

Returns to Orders of the House:

- C.1 Report of the Environment Protection Authority into the Environmental Effects of the Proposed Newport "D" Power Station.
- C.2 Report of the Inspector appointed pursuant to the provisions of the *Companies Act* 1961 to investigate the affairs of General Mutual Insurance Co. Ltd., and Motorists Mutual Insurance Co. Ltd.
- C.3 Report of the Secretary for Mines concerning share transactions involving Mines Department officers.

Reports from Select Committees:

- D. 1 Subordinate Legislation Committee—Report upon the Boilers and Pressure Vessels (General) Regulations 1973.
- D. 2 Standing Orders Committee—Report upon Financial Procedure.
- D. 3 Public Accounts Committee—Treasury Minutes upon Government Expenditure on Tourism, the Auditor-General's Reports for 1969-70, and Final Supplementary Estimates 1970-71, together with Summaries of those Reports.
- D. 4 Statute Law Revision Committee—Report on section 291 of the *Health Act* 1958.
- D.5 Statute Law Revision Committee—Report upon clause 4 of the Crimes (Sentences) Bill 1971.
- D. 6 Public Accounts Committee—Report upon Unpaid Accounts 1972-73.
- D. 7 Meat Industry Committee—Report upon the *Newmarket Sheep Sales Act* 1958.
- D. 8 Road Safety Committee—Twelfth Progress Report—An Aspect of Statistical Data for Road Safety Purposes.
- D. 9 Statute Law Revision Committee—Report upon Incorporation of Solicitors.
- D.10 Standing Orders Committee—Report upon the Form of Putting the Questions concerning Amendments and upon Question Time.
- D.11 Trustee Companies (Trustees Executors) Bill Committee—Report upon the Proposals contained in the Trustee Companies (Trustees Executors) Bill.
- D.12 Public Accounts Committee—Report upon Expenditure from the Advance to the Treasurer 1972-73.
- D.13 Public Accounts Committee—Report upon the Auditor-General's Reports for 1972-73.
- D.14 Qualifications Committee—Progress Report upon the Question of Conflicts of Interest of Members of Parliament and Ministers of the Crown.

Papers Presented to Parliament:

- No. 28 Aboriginal Affairs—Report of the Ministry of Aboriginal Affairs for the year 1972-73.
- No. 5 Apprenticeship Commission—Report for the year 1972-73.
- No. 15 Consumer Affairs Council—Report for the year 1972-73.
- No. 16 Co-operative Housing Societies—Report of the Registrar for the year 1971-72.
- No. 17 Co-operative Societies—Report of the Registrar for the year 1971-72.
- No. 41 Country Roads Board—Report for the year 1972-73.
- No. 31 Education—Report of the Council of Public Education for the year 1972-73.
- No. 35 Education—Report of the Minister of Education for the year 1972-73.
- No. 19 Egg and Egg Pulp Marketing Board—Report for the year 1972-73.
- No. 20 Environment Protection Authority—Report for the year 1972-73.

VICTORIA—PARLIAMENTARY PAPERS PRESENTED TO LEGISLATIVE ASSEMBLY, SESSION 1973-74—*continued*

- No. 14 Forests Commission—Report for the year 1972-73.
 No. 18 Friendly Societies and Benefit Associations—Report of the Government Statist for the year 1970-71.
 No. 12 Gas and Fuel Corporation—Report for the year 1972-73.
 No. 21 Health—Report of the Commission of Public Health for the year 1972-73.
 No. 36 Hospitals and Charities Commission—Report for the year 1972-73.
 No. 34 Labour and Industry Department—Report for the year 1972-73.
 No. 3 Land Conservation Council—Report for the year 1972-73.
 No. 30 Liquor Control Commission—Report for the year 1972-73.
 No. 22 Melbourne Underground Rail Loop Authority—Report for the year 1972-73.
 No. 7 Parole Boards (Adult)—Reports for the year 1969-70.
 No. 32 Parole Boards (Adult)—Reports for the year 1970-71.
 No. 10 Parole Boards (Youth)—Reports for the year 1971-72.
 No. 40 Pentridge Prison—Report of the Board of Inquiry into Allegations of Brutality and Ill Treatment at H.M. Prison Pentridge.
 No. 37 Pentridge Prison—Report of the Board of Inquiry into Several Matters concerning H.M. Prison Pentridge and the Maintenance of Discipline in Prisons.
 No. 33 Police Department—Report for the year 1972.
 No. 6 Port Phillip Authority—Report for the year 1971-72.
 No. 26 Public Service Board—Report for the year 1972-73.
 No. 24 Railways Board—Report for the year 1972-73.
 No. 38 Rural Finance and Settlement Commission—Report for the year 1972-73.
 No. 25 Social Welfare Department—Report for the year 1972-73.
 No. 27 Soil Conservation Authority—Report for the year 1972-73.
 No. 39 State Development Committee—Report on Bulk Handling of all Grains in Victoria.
 No. 2 State Development Committee—Report on the Administration and Operation of the Melbourne Wholesale Fruit and Vegetable Market.
 No. 23 State Electricity Commission—Report for the year 1972-73.
 No. 11 State Savings Bank—Reports, statements, returns, etc., for the year 1972-73.
 No. 8 State Superannuation Board—Report for the year 1970-71.
 No. 4 Superannuation Fund—Tenth Investigation (as at 30th June, 1971) made by Mr. V. H. Arnold, F.I.A. (Government Statist and Actuary).
 No. 1 Teacher Housing Authority—Report for the year 1971-72.
 No. 13 Transport Regulation Board—Report for the year 1972-73.
 No. 9 Victoria Institute of Colleges—Report of the Council for the year 1972.
 No. 29 Youth, Sport and Recreation Department—Report for the year 1972-73.

VICTORIAN ELECTORAL SYSTEM

General*Electoral basis of the two Houses*

When first constituted the Legislative Council or Upper House was composed of thirty members, aged 30 years and over and possessed of freehold of the annual value of £500. Property qualifications were abolished by the *Legislative Council Reform Act* 1950, and today the main qualification of members and electors of the Legislative Council is the attainment of the age of 18 years. A similar provision applies to the Legislative Assembly.

For Legislative Council purposes Victoria is divided into eighteen Electoral Provinces, each represented by two members elected for six years—one in each Province retiring every three years by rotation—except at a general election following the dissolution of the Council, when one half of the members are to be elected for only three years.

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

Boundaries of Electoral Districts and Provinces are shown on folding maps facing pages 94 and 96 of the *Victorian Year Book* 1971.

Electoral redivision, 1965

Pursuant to the *Electoral Provinces and Districts Act 1965* a new redivision of Victoria for electoral purposes was carried out at the end of 1965 on the following basis :

1. the so-called "Port Phillip area", consisting of thirty-eight existing metropolitan and semi-metropolitan Districts and six parts of other Districts, was redivided into forty-four Electoral Districts for the Assembly, each containing approximately 25,000 electors ;
2. the remaining area of the State, i.e., "country area", was divided into twenty-nine Electoral Districts for the Legislative Assembly consisting of eight "provincial centre" electorates, each containing approximately 22,250 electors and twenty-one other electorates of a rural nature, each containing approximately 18,200 electors ; and
3. the "southern area" containing the nine existing Electoral Provinces of Doutta Galla, East Yarra, Higinbotham, Melbourne, Melbourne North, Melbourne West, Monash, Southern, and South-Eastern was redivided into ten new Provinces for the Legislative Council. The remaining eight country Provinces were unchanged.

The new Electoral Provinces and Districts formulated by the Commissioners empowered to undertake the above redivision were deemed to be accepted by Parliament, and the names and boundaries of the new Provinces and Districts were declared on 17 December 1965.

The provisions in *The Constitution Act Amendment Act 1958* relating to the automatic redivision of the State on the basis of two State Districts per Australian Electoral Division disappeared when the new Districts came into force.

Enrolment of electors

Enrolment on the electoral roll is compulsory for every person of the age of 18 years or over who is a natural-born or naturalised subject of the Queen and who has resided in Australia for six months continuously, and in Victoria for at least three months and in one subdivision for at least one month. The electoral rolls for the State are compiled by the Australian electoral authorities under a joint Australian-State Government agreement, each Government paying half the cost of compilation. All Australian and State parliamentary elections in Victoria are conducted on the basis of these joint rolls.

The compilation of the rolls is aided by the fact that the respective Legislative Council Provinces and Electoral Districts, as well as the Australian Electoral Divisions, are subdivided into common subdivisions, which form the basic units for enrolment on the joint Australian-State of Victoria rolls. When the new Provinces and Districts referred to above came into force the number of common subdivisions into which they are divided was increased from 297 to 323. This number was further increased by administrative action on 17 March 1969 to 386.

Number of enrolments on the joint rolls

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

The *Legislative Council Reform Act* 1950, which came into force on 1 November 1951, provided in substance for all electors for the Legislative Assembly to be automatically enrolled also for Legislative Council elections.

The Joint Rolls Arrangement was, therefore, appropriately amended and since 1952 the joint rolls have been used in Victoria for all Australian and State parliamentary elections.

VICTORIA—ELECTORS ENROLLED ON JOINT ROLLS AT 30 JUNE

Year	Number of electors enrolled	Year	Number of electors enrolled
1965	1,657,798	1970	1,852,023
1966	1,681,514	1971	1,857,354
1967	1,745,919	1972	1,890,666
1968	1,759,803	1973	2,124,151
1969	1,789,153	1974	2,183,625

Voting features of State elections

There is no plural voting at elections for either the Legislative Council or the Legislative Assembly. Provision for voting by post by electors who are ill or temporarily absent from their electorates, whether they are within Australia or not, is made at elections for both Houses, and there is also a system of "absent" voting whereby any elector who is not able to record a vote within his own subdivision is enabled to record a vote at any polling booth open in Victoria on the day of the poll. In addition, a method of so-called "unenrolled voting" has been instituted, under which an elector whose name has been omitted from the official electoral rolls in error is enabled to record a vote upon making a prescribed declaration.

Voting at elections for both Houses is compulsory and is conducted under an adaptation of Ware's system of preferential voting.

This system of preferential voting at Victorian parliamentary elections was provided for by statute in 1911 for Legislative Assembly elections, in 1921 for Legislative Council triennial elections, and in 1936 for Legislative Council general elections following directly upon a dissolution of the Council in consequence of disagreements or deadlock between the two Houses. Under this system a voter is required to number the candidates in order of preference on the ballot-paper, the figure "1" being written opposite the name of the candidate whom the elector wishes to be returned, and sequential figures (2, 3, 4, etc.) indicating his relative degree of preference being written opposite the names of the other candidates. Where an elector has so indicated his order of preference for all candidates except one, he is deemed to have given his last contingent vote or preference to such candidate.

Where only two candidates are involved the candidate who receives an absolute majority (i.e., more than half the number of formal votes cast)

is declared elected. Similarly, where there are more than two candidates, if one of them receives an absolute majority on the count of first preferences, then he is declared elected.

Where no absolute majority is attained by a candidate at the count of first preference votes, the candidate who has received the fewest first preference votes is declared defeated, and his ballot-papers examined and his second preferences allotted to the candidates to whom they relate. The process of excluding the candidate with the lowest number of votes and distributing his ballot-papers according to the preferences shown on them to the unexcluded or continuing candidates is followed until one candidate attains an absolute majority.

At a general election for the Legislative Council when two members are required to be elected for each Province, the election of the first member is carried out as above. In the case of the election of the second member, however, a slight variation of procedure is necessary. The first step is to take the ballot-papers of the first elected candidate and allot the second preferences on them to the candidates to whom they relate. The remaining candidates begin the counting process with their own first preferences plus the second preferences allotted in the distribution of the elected candidate's ballot-papers. If one of the remaining candidates has an absolute majority, he is declared elected to the second vacancy. If, however, no such candidate has an absolute majority, the candidate with the fewest votes is declared defeated and the ballot-papers counted to him are then distributed according to the preferences shown thereon among the various continuing or unexcluded candidates.

The process of excluding the lowest candidate and distributing his ballot-papers according to the preferences on them to unexcluded or continuing candidates is followed until one candidate attains an absolute majority.

At a general election for the Legislative Council, the candidate first elected is entitled to hold the seat for six years, and the candidate next elected holds his seat for three years.

Areas of Districts and Provinces

The following tables show the areas of the Provinces of the Legislative Council and the Districts of the Legislative Assembly created by the redivision in 1965 :

VICTORIA—LEGISLATIVE COUNCIL : AREAS OF PROVINCES
(sq kilometres)

State Electoral Province (a)	Area	State Electoral Province (a)	Area
Ballaarat	14,260.00	Monash	58.17
Bendigo	11,530.68	Northern	23,452.45
Boronia	2,693.60	North-Eastern	30,230.48
Doutta Galla	823.62	North-Western	53,561.20
East Yarra	69.67	South-Eastern	4,807.04
Gippsland	42,139.30	South-Western	10,470.00
Higinbotham	86.87	Templestowe	1,116.29
Melbourne	66.90	Western	31,310.00
Melbourne North	70.63		
Melbourne West	1,561.77	Total (b)	228,300.00

(a) See page 104 for number of electors and sitting members.

(b) The officially recognised "land area" of the State is 227,620 square kilometres. The difference of 680 square kilometres between "land" and "electoral" area is due to the inclusion of coastal waters such as Western Port and Corner Inlet in the electoral descriptions.

VICTORIA—LEGISLATIVE ASSEMBLY: AREAS OF DISTRICTS
(sq kilometres)

State Electoral District (a)	Area	State Electoral District (a)	Area
Albert Park	19.42	Heatherton	70.81
Ballaarat North	2,084.95	Ivanhoe	18.13
Ballaarat South	3,004.40	Kara Kara	11,580.00
Balwyn	16.32	Kew	18.52
Bellarine	1,476.30	Lowan	17,070.00
Benalla	13,921.25	Malvern	11.29
Benambra	10,411.80	Melbourne	26.99
Bendigo	2,305.10	Mentone	21.76
Bennettswood	19.74	Midlands	6,526.80
Bentleigh	12.56	Mildura	22,460.00
Box Hill	50.76	Mitcham	21.24
Brighton	12.43	Monbulk	380.73
Broadmeadows	148.15	Moonee Ponds	12.43
Brunswick East	11.01	Moorabbin	17.33
Brunswick West	10.23	Morwell	2,978.50
Camberwell	12.95	Murray Valley	5,607.35
Caulfield	9.30	Narracan	3,082.10
Coburg	13.52	Northcote	14.81
Dandenong	116.03	Oakleigh	16.60
Deer Park	156.95	Polwarth	7,070.70
Dromana	2,020.20	Portland	11,650.00
Dundas	16,320.00	Prahran	8.57
Essendon	18.78	Preston	12.95
Evelyn	6,669.25	Reservoir	22.40
Footscray	18.52	Richmond	9.25
Frankston	160.06	Ringwood	126.39
Geelong	26.99	Rodney	6,047.65
Geelong North	32.58	St Kilda	7.90
Gippsland East	28,570.00	Sandringham	17.35
Gippsland South	7,511.00	Scoresby	145.04
Gippsland West	2,447.55	Shepparton	2,797.20
Gisborne	3,470.60	Sunshine	24.22
Glenhuntly	11.78	Swan Hill	15,240.00
Glen Iris	13.47	Syndal	34.96
Greensborough	125.10	Warrnambool	2,419.06
Hampden	11,470.00	Williamstown	32.35
Hawthorn	11.81		
		Total (b)	228,300.00

(a) See page 105 for number of electors and sitting members.

(b) The officially recognised "land area" of the State is 227,620 square kilometres. The difference of 680 square kilometres between "land" and "electoral" area is due to the inclusion of coastal waters such as Western Port and Corner Inlet in the electoral descriptions.

Parliamentary elections

Legislative Assembly

At the Legislative Assembly election held on 19 May 1973 there were contests in which more than two candidates were engaged in all of the seventy-three Electoral Districts.

In forty-one of these contests the successful candidate had an absolute majority of the total first preferences recorded and consequently no distribution of further preferences was necessary. After the necessary distribution of second or subsequent preferences had been completed in the other thirty-two contests, the leading candidate on the first count was elected in twenty-three instances but was defeated in the remaining nine instances.

The following table shows the voting in general elections held for the Legislative Assembly since 1952 :

VICTORIA—VOTING AT GENERAL ELECTIONS FOR THE
LEGISLATIVE ASSEMBLY

Year of election	Whole State		Contested Districts			
	Electors enrolled	Electors enrolled	Votes recorded		Informal votes	
			Number	Percentage of voters	Number	Percentage of total votes recorded
1952	1,402,705	1,119,486	1,047,671	93.59	18,991	1.81
1955	1,422,588	1,402,806	1,318,937	94.02	28,934	2.19
1958	1,478,065	1,478,065	1,392,813	94.23	24,760	1.78
1961	1,554,856	1,554,856	1,467,862	94.41	35,937	2.45
1964	1,635,311	1,635,311	1,543,778	94.40	35,631	2.31
1967	1,723,981	1,723,981	1,625,239	94.27	51,384	3.16
1970	1,827,595	1,827,595	1,728,362	94.57	55,141	3.19
1973	2,088,984	2,088,984	1,953,994	93.54	56,680	2.90

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

The following table shows certain particulars of the representation in the Legislative Assembly in which general elections have been held since 1952:

VICTORIA—PARLIAMENTARY REPRESENTATION IN THE LEGISLATIVE
ASSEMBLY

Year of election	Number of members of Legislative Assembly	Mean population	Average population per member	Number of electors enrolled on date of election	Average number of electors per member	Proportion of persons enrolled to total population
						per cent
1952	65	2,343,610	36,056	1,402,705	21,580	59.9
1955	66	2,520,481	38,189	1,422,588	21,554	56.4
1958	66	2,717,371	41,172	1,478,065	22,395	54.4
1961	66	2,926,075	44,334	1,554,856	23,558	53.1
1964	66	3,105,685	47,056	1,635,311	24,777	52.7
1967	73	3,277,183	44,893	1,723,981	23,616	52.6
1970	73	3,450,523	47,267	1,827,595	25,036	53.0
1973	73	3,596,778	49,271	2,088,984	28,616	58.1

Proportion of voters at elections

The first general election for the Legislative Assembly was held in 1856. The proportion of voters to electors of contested districts at each of the general elections held until 1955 for the Legislative Assembly is found on page 86 of the *Victorian Year Book* 1961.

Legislative Council

The Legislative Council consists of thirty-six members representing eighteen Provinces. Voting in elections held for the Legislative Council since 1952 is shown in the next table. At the triennial election of 19 May 1973 there were contests in all Provinces and in all of them more than two candidates were engaged.

In eight of these the successful candidate had an absolute majority of the total first preferences recorded and consequently no distribution of further preferences was necessary. After the necessary distribution of second or subsequent preferences had been completed in the other ten contests, the leading candidate on the first count was elected in eight instances but was defeated in the remaining two instances.

The following table shows the voting in general elections held for the Legislative Council since 1952 :

VICTORIA—VOTING AT ELECTIONS FOR THE LEGISLATIVE COUNCIL

Year of election	Whole State		Contested Provinces			
	Electors enrolled	Electors enrolled	Votes recorded		Informal votes	
			Number	Percentage of voters	Number	Percentage of total votes recorded
1952	1,395,650	1,078,959	994,190	92.14	22,595	2.27
1955	1,430,130	1,216,010	1,112,951	91.52	23,189	2.08
1958	1,488,293	1,387,097	1,283,665	92.54	22,085	1.72
1961	1,554,856	1,554,856	1,467,482	94.38	46,697	3.18
1964	1,635,311	1,635,311	1,543,584	94.39	45,627	2.96
1967	1,723,981	1,723,981	1,625,371	94.28	59,895	3.69
1970	1,827,595	1,827,595	1,726,725	94.48	67,710	3.92
1973	2,088,984	2,088,984	1,953,462	93.51	74,354	3.81

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

AUSTRALIAN PARLIAMENT : VICTORIAN MEMBERS

Political party affiliations of Victorian members of the Australian Parliament are indicated thus :

- (ALP) Australian Labor Party
- (LP) Liberal Party of Australia
- (NP) National Country Party of Australia

AUSTRALIA—SENATE : VICTORIAN MEMBERS
AT 30 NOVEMBER 1974

Senator	Retires
Brown, William Walter Charles (ALP)	1979
Button, John Norman (ALP)	1979
Cormack, Hon. Sir Magnus Cameron, K.B.E. (LP)	1979
Greenwood, Hon. Ivor John, Q.C. (LP)	1979
Guilfoyle, Margaret Georgina Constance (LP)	1976
Melzer, Jean Isabel (ALP)	1976
Missen, Alan Joseph (LP)	1976
Poyser, Arthur George (ALP)	1976
Primmer, Cyril Graham (ALP)	1979
Webster, James Joseph (NP)	1976

AUSTRALIA—HOUSE OF REPRESENTATIVES : VICTORIAN
MEMBERS ELECTED 18 MAY 1974

Member	Division
Bourchier, John William (<i>LP</i>)	Bendigo
Bryant, Hon. Gordon Munro, E.D. (<i>ALP</i>)	Wills
Cairns, Hon. Dr James Ford (<i>ALP</i>)	Lalor
Cass, Hon. Dr Moses Henry (<i>ALP</i>)	Maribyrnong
Child, Gloria Joan Liles (<i>ALP</i>)	Henty
Chipp, Hon. Donald Leslie (<i>LP</i>)	Hotham
Clayton, Gareth (<i>ALP</i>)	Isaacs
Crean, Hon. Frank (<i>ALP</i>)	Melbourne Ports
Erwin, Hon. George Dudley (<i>LP</i>)	Ballaarat
Fisher, Peter Stanley (<i>NP</i>)	Mallee
Fraser, Hon. John Malcolm (<i>LP</i>)	Wannon
Garrick, Horace James (<i>ALP</i>)	Batman
Gorton, Rt Hon. John Grey, C.H. (<i>LP</i>)	Higgins
Hewson, Henry Arthur (<i>NP</i>)	McMillan
Holten, Hon. Rendle McNeilage (<i>NP</i>)	Indi
Innes, Urquhart Edward (<i>ALP</i>)	Melbourne
Jarman, Alan William (<i>LP</i>)	Deakin
Jenkins, Dr Henry Alfred (<i>ALP</i>)	Scullin
Johnson, Leonard Keith (<i>ALP</i>)	Burke
King, Hon. Robert Shannon (<i>NP</i>)	Wimmera
Lamb, Antony Hamilton (<i>ALP</i>)	La Trobe
Lloyd, Bruce (<i>NP</i>)	Murray
Lynch, Hon. Phillip Reginald (<i>LP</i>)	Flinders
McKenzie, David Charles (<i>ALP</i>)	Diamond Valley
Macphee, Ian Malcolm (<i>LP</i>)	Balaclava
Mathews, Charles Race Thorson (<i>ALP</i>)	Casey
Nixon, Hon. Peter James (<i>NP</i>)	Gippsland
Oldmeadow, Maxwell Wilkinson (<i>ALP</i>)	Holt
Peacock, Hon. Andrew Sharp (<i>LP</i>)	Kooyong
Scholes, Gordon Glen Denton (<i>ALP</i>)	Corio
Snedden, Rt Hon. Billy Mackie, Q.C. (<i>LP</i>)	Bruce
Staley, Anthony Allan (<i>LP</i>)	Chisholm
Street, Hon. Anthony Austin (<i>LP</i>)	Corangamite
Willis, Ralph (<i>ALP</i>)	Gellibrand