

## CONSTITUTION AND PARLIAMENT

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### CONSTITUTION Victorian Constitution

The Constitution of Victoria is now to be found in the *Constitution Act 1975*, an Act of the Victorian Parliament. The Bill was passed by the Victorian Parliament in May 1975 and reserved for the Royal Assent, which was given on 22 October 1975 and notified in the *Victoria Government Gazette* on 19 November 1975. The Act was proclaimed to come into operation on 1 December 1975.

During the first 120 years of responsible government in Victoria, the Constitution was contained in the Schedule to an Act of the United Kingdom Parliament passed in 1855. The Victorian Parliament has had at all times the power to adopt a Constitution for Victoria based upon an Act of the Victorian Parliament, and it is somewhat surprising that the Victorian Parliament waited until 1975 to exercise this power.

In the *Constitution Act 1975* there are to be found the basic laws governing the relationship of the Crown to the State, the constitution and powers of the Parliament, the constitution and powers of the Supreme Court, and the relationship of the Executive to the Parliament.

The Constitution is a flexible constitution and can be altered at any time by an Act of the Victorian Parliament, although in some cases an absolute majority in each House is required for a Bill which would alter some of the fundamental provisions in the Constitution.

The system in Victoria provides for responsible Cabinet government based on a legislature of two Houses, both elected upon adult franchise. The Constitution is affected by the Commonwealth Constitution enacted by the *Commonwealth of Australia Constitution Act 1900*, an Act of the Imperial Parliament, by which legislative and executive powers upon certain specified matters were granted to the Commonwealth Parliament and the Commonwealth Government, some of them exclusively, and provision was made that, in the case of inconsistency of valid laws, the Commonwealth law should prevail. In the result, the Victorian Parliament may now make laws in and for Victoria upon all matters not exclusively granted to the Commonwealth Parliament by the Commonwealth Constitution, but upon some of these matters the Victorian law may be superseded by the passing of a Commonwealth Act. Local government, that is, the control exercised by municipal councils within their respective districts, is a matter of State law and wholly within the legislative control of the Victorian Parliament.

#### **Australian Constitutional Convention, 1974-1976 \***

After the abandonment of the Adelaide Convention in November 1974, some delegates and many observers began to doubt whether there would ever be a further full plenary session. However, the Executive Committee decided that a full session should reconvene and receive the reports of the four Standing

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\* *Victorian Year Books 1974, 1975, and 1976* contain information about the beginnings of the Australian Constitutional Convention.

Committees and discuss the agenda. These four Standing Committees, appointed at the Sydney Convention in September 1973, had substantially completed their reports, although it had been necessary for one of the Standing Committees to reconvene in August 1975 to report on proposals relating to local government.

The Executive Committee continued with the intention of holding the Convention in Melbourne in September 1975, even after several States suggested that the Convention be abandoned or deferred. The Queensland Government eventually withdrew its delegates from the Melbourne Convention. This led to the States of New South Wales, Victoria, and Western Australia, as well as the Liberal/National Country Party of Australia delegates from the Commonwealth Parliament, suggesting postponement in view of the lack of representation of a full delegation.

The Executive Committee, at its meeting on 12 September 1975, despite the decision of the Victorian Government to withdraw the use of facilities at Parliament House, Melbourne, decided to hold the Convention at the Hotel Windsor, which is situated opposite Parliament House and was the place where many informal, but important, talks about the proposals for Federation were held in the 1890s.

After the Governments of Queensland, Western Australia, New South Wales, and Victoria, as well as delegates from the Commonwealth Parliament, withdrew their attendance, representation at the Convention in September 1975 comprised a full delegation from Tasmania and a partial delegation from South Australia, in addition to Labor delegates from the other States and the Commonwealth. Local government was also fully represented.

The Convention met in Melbourne from 24 to 26 September 1975 and discussed various agenda items. Although the absence of a full representation did detract from the Convention's ultimate goal of establishing a broadly based consensus, the Convention was generally regarded as being more productive and useful than had been expected. There was spirited debate on many agenda items and the degree of unanimity predicted as a result of the limited representation did not eventuate. The resolutions adopted by the Convention are recorded in the proceedings of the Convention.\* The Convention agreed that another session of the Convention should take place in Hobart from 27 to 29 October 1976 to discuss the remaining recommendations from the Standing Committees.

At its following meeting, on 3 November 1975, the Executive Committee reconstituted the Standing Committees and allocated outstanding or deferred items. The Standing Committees were required to continue their deliberations after membership of the reconstituted Committees had been determined.

Further progress was hindered by the Australian general election in December 1975, and a further meeting of the Executive to consider the future of the Convention took place in Sydney on 8 March 1976. It was hoped that all delegates to the Convention would attend the next plenary session of the Convention, and discuss the various proposals that have been put forward by the Standing Committees for the amendment of the Commonwealth Constitution.

**Further references, 1974, 1975, 1976**

#### 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.

\* *Proceedings of the Australian Constitutional Convention.* Hotel Windsor, Melbourne, 24-26 September 1975. Victorian Government Printer, 1976.

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.

As head of the Executive, his functions are based on Letters Patent, his Commission, and the Royal Instructions. These empower him to make all appointments to important State offices other than those for which specific provision is made under a Statute, 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 on page 104 in the section describing the Ministry.

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 is 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 sees 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., K.St J., Q.C. who assumed office on 1 June 1974.

A complete 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. Sir John McIntosh Young, K.C.M.G., who assumed office on 31 July 1974.

#### **Executive Council**

Section 50 of the *Constitution Act 1975* 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.

#### **Ministry**

##### *Formation and composition*

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 50 of the *Constitution Act 1975*, which provides that the Governor may, from time to time, appoint up to eighteen officers who are either members or capable of being elected members of either House of Parliament. No Minister shall hold office for a period longer 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*

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 procedures*

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 *Parliamentary Salaries and Superannuation Act* 1968 provides for the payment of a salary to any member of the Council or 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.

#### *Ministries 1943 to 1976*

##### VICTORIA—MINISTRIES : 1943–1976 (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 set out on pages 1150–1 of the *Victorian Year Book* 1973.

#### *Ministry at 30 June 1976*

The last triennial elections for the Legislative Council and the last general election for the Legislative Assembly were held conjointly on 20 March 1976. At 30 June 1976 the 63rd Ministry, led by the Hon. Rupert James Hamer, E.D., consisted of the following members :

##### VICTORIA—63RD MINISTRY AT 30 JUNE 1976

###### *From the Legislative Assembly*

The Hon. R. J. Hamer, E.D.	Premier, Treasurer, and Minister of the Arts
The Hon. L. H. S. Thompson, C.M.G.	Minister of Education
The Hon. J. C. M. Balfour	Minister for Fuel and Power and Minister of Mines
The Hon. W. A. Borthwick	Minister for Conservation, Minister of Lands, and Minister of Soldier Settlement
The Hon. J. A. Rafferty	Minister of Transport

*From the Legislative Assembly—continued*

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 Special Education
The Hon. B. J. Dixon	Minister for Social Welfare and Minister for Youth, Sport and Recreation
The Hon. R. R. C. Maclellan	Minister of Labour and Industry and Minister of Consumer Affairs
The Hon. W. Jona	Minister of Immigration and Ethnic Affairs, and Assistant Minister of Health
The Hon. G. P. Hayes	Minister of Housing and Minister for Planning

*From the Legislative Council*

The Hon. V. O. Dickie	Chief Secretary
The Hon. A. J. Hunt	Minister for Local Government and Minister for Federal Affairs
The Hon. W. V. Houghton	Minister of Health
The Hon. F. J. Granter	Minister of Water Supply and Minister of Forests
The Hon. D. G. Crozier	Minister for State Development and Decentralization, and Minister of Tourism
The Hon. Haddon Storey, Q.C.	Attorney-General

## LEGISLATURE

**Victorian Parliament***General*

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 Commonwealth Parliament. The provisions governing the constitution of the Victorian Parliament are now to be found in the *Constitution Act 1975*.

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. By virtue of the *Electoral Provinces and Districts Act 1974* (No. 8628) the membership of the Assembly was increased to eighty-one members following the 1976 State election and the membership of the Council to forty members following the same election, and forty-four members following the next subsequent election. Council members are elected from two-member provinces for six year terms and Assembly members from single-member districts 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. In 1973 the qualifying age for membership was reduced to eighteen years and the voting age to eighteen years. Payment of members has also been frequently adjusted. The present complex scale makes extra payments to the Presiding officers, trustees and Chairmen of Committees and 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 carry different allowances relative to the size of the electorate.

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 in 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 Victorian Parliament the Liberal Party, the Australian Labor Party, and the National Party. (See pages 109–112 for lists of members.) Of the forty members of the Legislative Council, twenty-six belong to the Liberal Party, nine to the Australian Labor Party, and five to the National Party. Of the eighty-one members of the Legislative Assembly, fifty-two belong to the Liberal Party, twenty-one to the Australian Labor Party, and seven to the National 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, 1973, and 1976. The Leader of that Party holds the office of Premier. The Australian Labor Party forms the official Opposition Party. The National Party sits on the corner benches on the Opposition side of the Assembly Chamber.

#### *Functions*

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 to 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.

### *Procedures*

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 limits on 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 or made an affirmation. The Chairman of Committees is then 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 to take place.

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 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, 1975; National Party of Australia (Victoria) in Victoria, 1976**

### **Number of Parliaments and their duration**

Between 1856 and 1976 there have been forty-seven Parliaments. The forty-seventh Parliament was opened on 14 April 1976. 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
Forty-sixth	1973-1976	969	142	14.7	106	10.9

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

**Cost of parliamentary government**

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

The table shows this expenditure for Victoria for the years ended 30 June 1972 to 1976. In order to avoid incorrect conclusions about the cost of the Governor's establishment, it should be noted 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)			
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
1974-75	20	591	709	2,420	3,062	269	143	7,214
1975-76	20	626	886	3,330	5,359	1,573	747	12,541

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

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

**Members of the Victorian Parliament**

*Political parties*

In the following pages political party affiliations of Members of the Victorian 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. William Gordon Fry.

Chairman of Committees : The Hon. William Montgomery Campbell

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 1976 triennial election are shown in the following list :

VICTORIA—LEGISLATIVE COUNCIL : MEMBERS ELECTED 20 MARCH 1976  
(Term of office commenced 27 June 1976)

Member	Province	Number of electors on rolls	Number of electors who voted	Total percentage of electors who voted
Chamberlain, Hon. Bruce Anthony (LP)	Western	81,532	77,634	95.22
Dunn, Hon. Bernard Phillip (NP)	North Western	78,565	74,107	94.33
Eddy, Hon. Randolph John (ALP)	Thomastown	114,574	106,863	93.27
Evans, Hon. David Maylor (NP)	North Eastern	85,260	80,464	94.37
Foley, Hon. Dr. Kevin James (LP)	Boronia	113,888	105,954	93.03
Granter, Hon. Frederick James (LP)	Central Highlands	85,641	78,876	92.10
Guest, Hon. James Vincent Chester (LP)	Monash	115,968	104,257	89.90
Hamilton, Hon. Harold Murray, E.D. (LP)	Higinbotham	115,497	107,293	92.90
Hauser, Hon. Vernon Thomas (LP)	Nunawading	118,275	110,667	93.57
Howard, Hon. Ralph William (LP)	Templestowe	115,316	107,260	93.01
Jenkins, Hon. Owen Glyndwr (LP)	Geelong	85,047	81,358	95.66
Knowles, Hon. Robert Ian (LP)	Ballarat	83,528	79,384	95.04
Landeryou, Hon. William Albert (ALP)	Doutta Galla	120,955	113,431	93.78
Reid, Hon. Nicholas Bruce (LP)	Bendigo	83,059	79,146	95.29
Saltmarsh, Hon. Donald Neville (LP)	Waverley	114,654	106,958	93.29
Stacey, Hon. Neil Frank (LP)	Chelsea	117,786	109,003	92.54
Storey, Hon. Haddon, Q.C. (LP)	East Yarra	115,158	105,732	91.81
Taylor, Hon. James Allister (LP)	Gippsland	80,733	75,285	93.25
Thomas, Hon. Herbert Arthur (ALP)	Melbourne West	114,890	105,890	92.17
Trayling, Hon. Ivan Barry (ALP)	Melbourne	123,270	105,715	85.76
Walton, Hon. John Malcolm (ALP)	Melbourne North	118,514	108,498	91.55
Ward, Hon. Hector Roy (LP)	South Eastern	85,172	78,899	92.63

Members of the Legislative Council who did not come up for election at the 1976 triennial election are shown in the following list :

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) (a)	Doutta Galla	146,825	137,633	93.74
Wright, Hon. Kenneth Irving (NP)	North Western	49,972	47,521	95.10

(a) The Hon. John Matthew Tripovich died on 6 August 1976. The Hon. David Ronald White (ALP) was declared elected in his stead on 16 October 1976.

## Legislative Assembly

Speaker: The Hon. Sir Kenneth Henry Wheeler.

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

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

The following list shows members of the Legislative Assembly elected at the general election held on 20 March 1976. It also includes details of electoral districts and voting at this last general election.

## VICTORIA—LEGISLATIVE ASSEMBLY: MEMBERS ELECTED 20 MARCH 1976

Member	District	Number of electors on rolls	Number of electors who voted	Total percentage of electors who voted
Amos, Derek Godfrey Ian (ALP)	Morwell	25,874	24,258	93.75
Austin, Thomas Leslie (LP)	Ripon	25,704	24,513	95.37
Balfour, Hon. James Charles Murray (LP)	Narracan	25,543	24,028	94.07
Billing, Norman Alexander William, K.StJ. (LP)	Springvale	28,035	26,161	93.32
Birrell, Hayden Wilson (LP)	Geelong West	25,584	24,320	95.06
Borthwick, Hon. William Archibald (LP)	Monbulk	27,602	25,243	91.45
Burgin, Cecil William John (LP)	Polwarth	25,017	23,964	95.79
Cain, John (ALP)	Bundoora	28,691	26,947	93.92
Cathie, Ian Robert (ALP)	Carrum	28,728	26,440	92.04
Coleman, Charles Geoffrey (LP)	Syndal	29,192	27,284	93.46
Collins, Peter Charles (LP)	Noble Park	30,392	28,404	93.46
Cox, George Henry (LP)	Mitcham	28,231	26,431	93.62
Crabb, Steven Marshall (ALP)	Knox	29,360	27,164	92.52
Crellin, Maxwell Leslie (LP)	Sandringham	29,145	26,927	92.39
Culpin, John Albert (ALP)	Glenroy	27,798	26,093	93.87
Dixon, Hon. Brian James (LP)	St Kilda	30,653	26,419	86.19
Doube, Hon. Valentine Joseph (ALP)	Albert Park	31,647	27,132	85.73
Dunstan, Hon. Roberts Christian, D.S.O. (LP)	Dromana	28,034	25,422	90.68
Ebery, William Thomas (LP)	Midlands	24,768	23,469	94.76
Edmunds, Cyril Thomas (ALP)	Ascot Vale	29,243	27,023	92.41
Evans, Alexander Thomas (LP)	Ballarat North	25,751	24,544	95.31
Evans, Bruce James (NP)	Gippsland East	25,254	23,345	92.44
Fogarty, William Francis (ALP)	Sunshine	29,727	27,331	91.94
Fordham, Robert Clive (ALP)	Footscray	29,323	27,112	92.46
Francis, Charles Hugh, Q.C. (LP)	Caulfield	30,192	26,902	89.10
Ginifer, John Joseph (ALP)	Keilor	28,973	26,903	92.86
Gude, Phillip Archibald (LP)	Geelong East	24,837	23,299	93.81
Guy, Athol George (LP)	Gisborne	27,076	25,489	94.14
Hamer, Hon. Rupert James, E.D. (LP)	Kew	29,690	27,181	91.55
Hann, Edward James (NP)	Rodney	25,308	24,057	95.06
Hayes, Hon. Geoffrey Phillip (LP)	Wantirna	29,838	27,736	92.96
Holding, Allan Clyde (ALP)	Richmond	30,771	26,926	87.50
Hudson, Neville Read, D.F.C. (LP)	Werribee	28,482	26,114	91.69
Jaspr, Kenneth Stephen (NP)	Murray Valley	25,134	23,839	94.85
Jennings, Douglas Bernard (LP)	Westernport	26,603	24,806	93.25
Jona, Hon. Walter (LP)	Hawthorn	28,122	25,490	90.64
Jones, Barry Owen (ALP)	Melbourne	29,247	25,238	86.29
Kennett, Jeffrey Gibb (LP)	Burwood	28,227	26,216	92.88
Kirkwood, Carl William Dunn (ALP)	Preston	29,026	26,659	91.85
Lacy, Norman Henry (LP)	Warrandyte	29,363	27,371	93.22
Lieberman, Louis Stuart (LP)	Benambra	25,923	23,999	92.58
Lind, Alan Alfred Campbell (ALP)	Dandenong	31,367	29,125	92.85
Loxton, Samuel John Everett (LP)	Prahran	29,495	24,871	84.32
McArthur, Peter Stewart (LP)	Ringwood	28,530	26,598	93.23
McCabe, James Edmund (LP)	Lowan	24,722	23,552	95.27
McClure, Daryl Hedley Robert (LP)	Bendigo	25,704	24,625	95.80
McInnes, Neil Malcolm (NP)	Gippsland South	25,408	23,781	93.60
McKellar, Donald Kelso (LP)	Portland	25,440	24,299	95.51
Mackinnon, Donald James (LP)	Box Hill	28,862	26,720	92.58
McLaren, Ian Francis, O.B.E. (LP)	Bennettswood	28,788	27,110	94.17
Macellan, Hon. Robert Roy Cameron (LP)	Berwick	27,495	25,312	92.06
Mutton, John Patrick (IND. LAB.)	Coburg	28,927	27,087	93.64
Patrick, Jeanette Tweeddale (LP)	Brighton	28,455	26,256	92.27
Plowman, Sidney James (LP)	Evelyn	28,032	25,662	91.55
Rafferty, Hon. Joseph Anstice (LP)	Glenhuntly	28,395	26,079	91.84
Ramsay, James Halford (LP)	Balwyn	29,119	26,842	92.18
Reese, William Frederick Llewellyn (LP)	Heatherton	29,008	27,083	93.36
Richardson, John Inglis (LP)	Forest Hill	29,761	27,916	93.80
Roper, Thomas William (ALP)	Brunswick	29,483	26,678	90.49
Ross-Edwards, Peter (NP)	Shepparton	25,251	24,073	95.33
Scanlan, Hon. Alan Henry (LP)	Oakleigh	29,343	27,395	93.36
Simmonds, James Lionel Allan (ALP)	Reservoir	29,532	27,464	93.00
Simpson, John Hamilton (ALP)	Niddrie	27,755	26,592	95.81
Skeggs, Bruce Albert Edward (LP)	Ivanhoe	30,856	28,584	92.64
Smith, Aurel Vernon (LP)	South Barwon	25,907	24,472	94.46
Smith, Hon. Ian Winton (LP)	Warrnambool	25,119	23,908	95.18
Stephen, William Francis (LP)	Ballarat South	25,980	24,621	94.77
Stirling, Gordon Francis (ALP)	Williamstown	29,439	27,344	92.88

VICTORIA—LEGISLATIVE ASSEMBLY : MEMBERS ELECTED 20 MARCH 1976—*continued*

Member	District	Number of electors on rolls	Number of electors who voted	Total percentage of electors who voted
Suggett, Robert Harris ( <i>LP</i> )	Bentleigh	29,055	27,381	94.24
Templeton, Thomas William, J.P. ( <i>LP</i> )	Mentone	29,150	26,938	92.41
Thompson, Hon. Lindsay Hamilton Simpson, C.M.G. ( <i>LP</i> )	Malvern	29,564	26,754	90.50
Trewin, Thomas Campion ( <i>NP</i> )	Benalla	24,971	23,426	93.81
Treize, Neil Benjamin ( <i>ALP</i> )	Geelong North	25,121	23,417	93.22
Vale, Roy Mountford ( <i>LP</i> )	Greensborough	30,397	28,299	93.10
Weideman, George Graeme ( <i>LP</i> )	Frankston	30,198	27,852	92.23
Wheeler, Hon. Sir Kenneth Henry ( <i>LP</i> )	Essendon	28,867	27,118	93.94
Whiting, Milton Stanley ( <i>NP</i> )	Mildura	24,449	22,715	92.91
Wilkes, Frank Noel ( <i>ALP</i> )	Northcote	29,986	27,199	90.71
Williams, Morris Thomas ( <i>LP</i> )	Doncaster	28,436	26,740	94.04
Wilton, John Thomas ( <i>ALP</i> )	Broadmeadows	29,720	27,574	92.78
Wood, Alan Raymond ( <i>LP</i> )	Swan Hill	25,087	23,753	94.68

### Parliamentary Counsel

The Parliamentary Counsel's Office is a small office attached to the Law Department. Its origin in Victoria dates back to 1879 when Edward Carlile was appointed Parliamentary Draftsman. Carlile remained as draftsman, apart from a short period as Clerk Assistant of the Legislative Assembly, until the beginning of the twentieth century. He was knighted for his services.

The Office was established because of dissatisfaction at the cost involved in having legislation prepared by members of the Bar and the uneven and sometimes unsatisfactory nature of the work done by individual counsel. A similar Office had been established a few years previously in the United Kingdom following upon a report by a Parliamentary Committee.

The Office now consists of the Chief Parliamentary Counsel and six Parliamentary Counsel, together with supporting clerical and stenographic assistance.

The primary work of the Office is to prepare legislation for the Government. The volume of legislation in Victoria, in common with that in other jurisdictions, has consistently increased over the last century. In its first 30 years, the Victorian Parliament passed 915 Acts; in the next 30 years, 1,423 Acts; in the next 30 years, 2,868 Acts; and in the next 29 years no less than 3,598 Acts were passed.

The range of subjects upon which legislation is sought has also consistently increased, partly because of developing technology and partly because Parliament continually aims at new and more sophisticated social objectives.

The policy of legislation is initially determined by the Cabinet acting on the advice of the responsible Minister, assisted by his appropriate departmental advisers, but it is generally accepted that policy and form cannot be completely separated and Parliamentary Counsel, in advising as to the most appropriate way in which a particular objective can be achieved, accordingly exercise a considerable influence on the legislation that is ultimately passed by the Parliament.

Apart from work done for the Government, it is the tradition in Victoria that Parliamentary Counsel should be available to assist private members of any party who wish to promote legislation.

The Counsel are also available to advise Ministers and government instrumentalities on the validity of subordinate legislation that it is proposed to promulgate. One of the Counsel is assigned to examine and report to the Subordinate Legislation Committee on the validity and form of all statutory rules.

The Office is responsible for the preparation of the annual volumes of Statutes and Statutory Rules and for the preparation of the various tables and indices of the Acts and Statutory Rules that are published by the Government.

Since the last consolidation of the Victorian Statutes in 1958, a system of reprinting of Principal Public Acts incorporating all amendments made up to the date of the Reprint has been instituted. This system of frequent reprints has now been adopted in most other jurisdictions in Australia.

Because of the knowledge and experience gained by Parliamentary Counsel in the course of their ordinary duties, they are often called upon to advise in relation to matters of law reform apart from being responsible for the drafting of any legislation necessary to give effect to proposed reforms. They assist, whenever requested, the Statute Law Revision Committee of the Victorian Parliament and commonly assist other Parliamentary committees which are investigating matters involving constitutional or other legal questions.

It is common for a Parliamentary Counsel to be co-opted to sub-committees of the Chief Justice's Law Reform Committee when they are considering reform of the Statute law.

The Deputy Chief Parliamentary Counsel acts as secretary and draftsman to the Judges' Rules Committee. Recently, one of the Counsel has been assigned to assist the County Court Judges' Rules Committee.

Counsel are commonly asked to act in an advisory capacity in relation to proposals for uniform legislation and in relation to agreements between governments and government instrumentalities in Australia. They also sometimes act as members of negotiating teams, as well as draftsmen, in relation to agreements which require Parliamentary approval before they become fully effective.

### Victorian Acts passed during 1975

#### VICTORIA—ACTS PASSED BY PARLIAMENT, 1975

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|------|--|------|--|
| 8663 | Parliamentary Salaries and Superannuation (Amendment) Act amends the <i>Parliamentary Salaries and Superannuation Act 1968</i> with respect to the basis on which salaries and allowances of certain Members of Parliament are to be calculated; pension entitlement to members over the age of 60 who have served in not less than three Parliaments and do not seek re-election; and discriminatory provisions | 8668 | Methodist Church of Australasia Supernumerary Ministers and Ministers' Widows Fund Act makes further provision with respect to the Methodist Church (Victoria) property trust and with respect to the Methodist Church of Australasia Supernumerary Ministers and Ministers' Widows Fund, and for other purposes   |
| 8664 | Dog (Amendment) Act amends the <i>Dog Act 1970</i> to repeal discriminatory provisions in relation to an Alsatian dog; allows municipal councils to recover expenditure arising out of the seizure of dogs as a civil debt recoverable summarily; and permits municipal councils to enter into agreements with animal welfare organisations  | 8669 | Motor Accidents Act amends the <i>Motor Accidents Act 1973</i> in relation to the assessment of certain compensation and increases the maximum benefits payable under that Act, and for other purposes   |
| 8665 | State College of Victoria (Borrowing Powers) Act amends the <i>State College of Victoria Act 1972</i> to make provision with respect to the borrowing of money   | 8670 | Pensioners' Rates Remission Act makes further provision with respect to the remission of pensioners' rates, amends the <i>Local Government Act 1958</i> , amends the <i>Municipalities Assistance Act 1973</i> and for other purposes. This Act excuses any person in necessitous circumstances or a pensioner from paying rates or a part thereof; and allows the Council to excuse part of a rate or charge levied on certain people |
| 8666 | Scaffolding (Amendment) Act amends the schedule to the <i>Scaffolding Act 1971</i> to include the City of Hawthorn in the schedule of the Principal Act  | 8671 | Geelong Harbor Trust Lands Act provides for the grant of certain land at Geelong to The Geelong Harbor Trust Commissioners, revokes the permanent reservation of certain land as a site for public purposes, amends the <i>Geelong Harbor Trust Act 1958</i> , and for other purposes  |
| 8667 | Marine (Amendment) Act amends the <i>Marine Act 1958</i> to increase the maximum charges for pilotage, and for other purposes  |      |  |

## VICTORIA—ACTS PASSED BY PARLIAMENT, 1975—continued

- 8672 Railways (Amendment) Act amends the *Railways Act 1958* to increase the amount for which the Board may enter into contracts without the sanction of the Governor in Council to \$100,000; delegates certain powers of the Board to the Chief Engineer and General Manager; and allows the Boards to grant similar entitlements to those made pursuant to a law of the Commonwealth
- 8673 Labour and Industry (Industrial Appeals Court) Act amends the *Labour and Industry Act 1958*, makes provision with respect to the review and alteration of determinations of the Industrial Appeals Court, and for other purposes
- 8674 Health (Proprietary Medicines Advisory Committee) Act amends section 260 of the *Health Act 1958* regarding the membership and proceedings of the Proprietary Medicines Advisory Committee
- 8675 William E. Dorling Scholarship Fund Act makes provision with respect to the management of the William E. Dorling Scholarship Fund, and for other purposes
- 8676 Transport Regulation (Licence Fees) Act amends the *Transport Regulation Act 1958* in relation to the fees paid for certain Licences, and for other purposes
- 8677 Juries (Amendment) Act amends the *Juries Act 1967* in respect to the procedure by which jurors may be excused from service; the payment of jury fees; and compensation to jurors
- 8678 Northcote Trust Fund Act makes provision with respect to the powers of the Australian trustees of the Northcote Children's Emigration Fund in relation to certain lands at Bacchus Marsh, and for other purposes
- 8679 Crimes (Capital Offences) Act abolishes capital punishment, makes provision with respect to the punishment of persons convicted of treason and murder amends the *Crimes Act 1958* and the *Mental Health Act 1959*, and for other purposes
- 8680 Judges Salaries and Allowances Act amends the *Supreme Court Act 1958* and the *County Court Act 1958* with respect to salaries and allowances of judges
- 8681 Stock Foods (Amendment) Act amends the *Stock Foods Act 1958* to introduce a three-yearly registration of stock foods commencing 1 July 1975; and makes it compulsory to forward any change of address of business
- 8682 Heathcote Railway Removal Act provides for the removal of a section of the Wandong, Heathcote and Sandhurst railway and for purposes connected therewith
- 8683 Home Finance (Amendment) Act amends the *Home Finance Act 1962* to increase the maximum value of a dwelling house in respect of which loans may be granted
- 8684 Building Societies (Special Advances) Act amends the *Building Societies Act 1958* as to the interpretation of special advances for the purposes of the Principal Act
- 8685 Melbourne (Snowden Gardens) Land Act relates to certain lands in the Cities of Melbourne and South Melbourne. This Act grants certain lands to the Victorian Arts Centre Building Committee and allows the Governor in Council to enter into agreement with the councils of the Cities of Melbourne and South Melbourne
- 8686 Thornbury Lands Act provides for the closing of part of Collins Street and Part of Quarry Street in the City of Northcote and for other purposes
- 8687 Parliamentary Salaries and Superannuation Act amends the *Parliamentary Salaries and Superannuation Act 1968*, and for other purposes
- 8688 Water (Amendment) Act amends the *Water Act 1958* and the *River Murray Waters Act 1915* by placing a duty on the Minister to give at least 30 days notice before commencing constructing works or taking possession of certified lands; by allowing the Commission to enter into contracts not exceeding \$100,000; by restricting the connection of any drainage works without the permission of the Commission; by establishing a trust fund to be called the Water Supply Maintenance and Renewal Account; by making it illegal for any person to divert any water supplied by the Commission; by making it an offence to damage or alter any reservoir, dam, etc.; and by making numerous other amendments
- 8689 Veterinary Surgeons (Amendment) Act amends the *Veterinary Surgeons Act 1958* by increasing the power of the Board to make regulations in respect to veterinary hospitals and giving greater power to the Board in respect of disciplinary action against veterinary surgeons
- 8690 Racing Act makes further provision with respect to trotting, amends

## VICTORIA—ACTS PASSED BY PARLIAMENT, 1975—continued

- the *Racing Act* 1958, and for other purposes
- 8691 Teaching Service (Assistant Professional Appointees) Act amends the *Teaching Service Act* 1958 to permit the appointment of assistant professional appointees, and for other purposes
- 8692 Public Service (Transitional Provisions) Act makes further provision with respect to the coming into operation of the *Public Service Act* 1974, amends the *Public Service Act* 1974, and for other purposes
- 8693 Building Industry Long Service Leave Act makes special provision in relation to long service leave for persons employed in the building and construction industry, amends the *Labour and Industry Act* 1958, and for other purposes
- 8694 Fisheries Act amends the *Fisheries Act* 1968 by establishing a Commercial Fisheries Section of the Department of Fisheries and Wildlife; establishing a Fisheries Management Committee appointed by the Minister; making provisions for aquarium dealers' licences and fish-culture permits; and amending the Principal Act in respect of offences that may be committed under this Act
- 8695 Local Government (City of Ringwood) Act approves, ratifies, and validates a private street construction scheme of the City of Ringwood made pursuant to the provisions of division 10 of part XIX. of the *Local Government Act* 1958
- 8696 Hairdressers Registration (Amendment) Act amends the *Hairdressers Registration Act* 1958 in respect of the registration of and advertisement by hairdressers
- 8697 Professional Boxing Control Act regulates and controls the conduct of professional boxing contests
- 8698 Trustee Companies (Commission) Act increases the Commission that may be charged by trustee companies, and for other purposes
- 8699 Wildlife Act re-enacts with amendments the provisions of the *Game Act* 1958 and sections 9 and 10 of the *Protection of Animals Act* 1966. This Act allows the Minister to authorise destruction of wildlife; allows the Minister to permit provision of shelters, taking and keeping or selling of wildlife and the taking, selling or keeping of wildlife under permit; appoints a director of fisheries and wildlife and gives him certain powers such as the acceptance of gifts of land, control of such lands and the management of wildlife reserves; allows the director to license certain persons with a fanciers licence, trappers licence, biological suppliers licence, or he may refuse such licences; allows the director to carry out research; allows the Governor in Council on the recommendation of the Minister to declare sanctuaries; and creates certain offences and enforcement thereof
- 8700 Transport Regulation (Private Omnibuses) Act makes provision with respect to private omnibuses, amends the *Transport Regulation Act* 1958, and for other purposes
- 8701 Social Welfare (Amendment) Act amends part IV. of the *Social Welfare Act* 1970, the *Social Welfare (Amendment) Act* 1973, the *Justices Act* 1958, and the *Magistrates' Courts Act* 1971. This Act provides for the time a person is held in custody before trial to be deducted from the sentence he receives and makes a number of amendments to the *Social Welfare (Amendment) Act* 1973
- 8702 National Parks Act consolidates, amends, and makes further provision in the law relating to national parks, makes provision for certain other parks, makes consequential amendments to certain Acts, and for other purposes
- 8703 Carlton (Recreation Ground) Land Act extends the term for which leases may be granted by the Corporation of the City of Melbourne as committee of management of certain land at Carlton; amends the *Carlton (Recreation Ground) Land Act* 1966, and for other purposes
- 8704 Broiler Chicken Industry Act establishes a Victorian broiler industry negotiation committee and improves stability in the broiler chicken industry
- 8705 Stock Diseases (Amendment) Act amends the *Stock Diseases Act* 1968
- 8706 Industrial Training Act amends and consolidates the law relating to industrial training with respect to the protection of apprentices and apprentices qualifications
- 8707 Town and Country Planning (Amendment) Act amends the *Town and Country Planning Act* 1961 so as to provide for the responsible authority to have power to make an interim development order for an area in respect of which there is a planning scheme in force
- 8708 Dandenong Valley Authority (Amendment) Act amends the

VICTORIA—ACTS PASSED BY PARLIAMENT, 1975—*continued*

- 8709 *Dandenong Valley Authority Act* 1963 provides for special precepts, increases the limit of authorised tenders and contracts, increases the chairman's allowance, and for other purposes
- 8710 *Stock (Artificial Breeding (Amendment) Act* amends the *Stock (Artificial Breeding) Act* 1962 so as to enunciate the objects of the Principal Act in relation to artificial breeding of stock; specifies certain terms and conditions of licences; and for other purposes
- 8711 *Victoria Institute of Colleges (Amendment) Act* amends sections 7 and 8 of the *Victoria Institute of Colleges Act* 1965 so as to allow two students to be elected to the council, and for other purposes
- 8712 *Latrobe Valley (Amendment) Act* amends section 65 of the *Latrobe Valley Act* 1958 in respect to the notification of by-laws made by the board, and for other purposes
- 8713 *Geelong Waterworks and Sewerage (Powers) Act* makes provision concerning the powers of the Geelong Waterworks and Sewerage Trust and other authorities, for that and other purposes amends the *Geelong Waterworks and Sewerage Act* 1958, and for other purposes
- 8714 *Housing (Movable Units) Act* makes further provision with respect to movable units, amends the *Housing Act* 1958, and for other purposes
- 8715 *Cattle Compensation (Amendment) Act* amends the *Cattle Compensation Act* 1967 by including brucellosis as a disease for which compensation is paid, and for other purposes
- 8716 *Stock Medicines (Amendment) Act* amends the *Stock Medicines Act* 1958 to increase the stock medicines registration period and with respect to the procedure for the registration of stock medicines
- 8717 *Town and Country Planning (Outdoor Advertising) Act* makes provision for the control of outdoor advertising, and for that purpose to amend the *Town and Country Planning Act* 1961 the *Local Government Act* 1958 the *Country Roads Act* 1958 and the *Lower Yarra Crossing Authority Act* 1965, and for other purposes
- 8718 *Superannuation Act* establishes a revised scheme of superannuation to make special provision with respect to female officers and railway service employees, amends the *Superannuation Act* 1958 and the *Married Women's Superannuation Act* 1968, and for other purposes
- 8719 *Magistrates' Courts (Amendment) Act* amends the *Magistrates' Courts Act* 1971 in respect of summary jurisdiction of Magistrates Courts in indictable cases; and appeals to the County Court
- 8720 *Gas and Fuel Corporation Act* amends the *Gas and Fuel Corporation Act* 1958 in respect of the borrowing powers and liability of the Corporation and extends the regulation-making power of the Governor in Council
- 8721 *Margarine Act* amends and consolidates the law relating to the manufacture packing and sale of margarine
- 8722 *Teaching Service (Special Duties Allowances) Act* makes provision for the payment of special duties allowances to certain assistants in certain schools, amends the *Teaching Service Act* 1958, and for other purposes
- 8723 *Police Regulation (Pensions) Act* amends the *Police Regulation Act* 1958 in relation to superannuation, gratuities, pensions and allowances, and for other purposes
- 8724 *Marine (Further Amendment) Act* amends the *Marine Act* 1958 and for other purposes. This Act increases the penalty on masters for non-observance of port rules to not more than \$3,000; gives power to the port officer to require repair removal or destruction of sunken dangerous or abandoned vessels in a port; allows a port officer or harbour master to recover expenses of removal; provides for grading examinations and recognition of certificates; establishes the Pilots Superannuation Board and makes other consequential amendments
- 8725 *Ports and Harbors Act* amends the *Portland Harbor Trust Act* 1958, the *Harbor Boards Act* 1958, the *Marine Act* 1958, the *Melbourne Harbor Trust Act* 1958 and the *Geelong Harbor Trust Act* 1958. This Act makes consequential amendments to several Acts and in particular, allows the Harbor Board to fix conditions for parking on property of the Harbor Board, including the increase in penalty for parking offences
- 8725 *Tomato Processing Industry (Uniform Agreement) (Amendment) Act* amends the *Tomato Processing Industry (Uniform Agreement) Act* 1973. This Act establishes that tomatoes for processing must be grown pursuant to a contract between the grower and a buyer; makes the rate of payment for tomatoes determined by negotiation; and constitutes the



## VICTORIA—ACTS PASSED BY PARLIAMENT, 1975—continued

- Tomato Processing Industry Negotiating Committee and gives it certain functions and powers
- 8726 Grain Elevators (Amendment) Act amends the *Grain Elevators Act 1958* to increase the power of the Grain Elevators Board and in particular, allows it to receive money for services rendered
- 8727 State Insurance Office Act establishes a State Insurance Office under the management and control of the insurance commissioner, to incorporate the insurance commissioner, provides for the classes of business to be undertaken by the State Insurance Office, for taking over the business of the State Accident Insurance Office and the State Motor Car Insurance Office, and for the establishment of an Investment Advisory Committee
- 8728 Supply (1975-76, No. 1) Act makes interim provision for the appropriation of moneys out of the Consolidated Fund for the service of the financial year 1975-76
- 8729 Water Resources Act establishes a Ministry of Water Resources and Water Supply for the purpose of ensuring the most efficient utilisation of the water resources of Victoria and for other purposes
- 8730 Parliamentary Officers Act re-enacts with amendments the law relating to the officers of the Parliament of Victoria and for other purposes
- 8731 Magistrates (Summary Proceedings) Act re-enacts with amendments the law relating to the procedure and practice of Magistrates' Courts with respect to the summary determination of matters, the practice of justices with respect to the taking of informations and complaints and the issue of warrants and summonses thereof, the preliminary examination of persons charged with indictable offences, and for purposes connected therewith
- 8732 Liquor Control (Amendment) Act amends the *Liquor Control Act 1968* to make provision for residential licences to be granted only to premises which can accommodate at least 200 persons; the issue of permits for consumption of liquor with or ancillary to a *bona fide* meal at a particular function or occasion; and the granting of licences to certain educational institutions which provide instructions and training in the preparation and service of meals and liquor
- 8733 Workers Compensation (Amendment) Act amends the *Workers Compensation Act 1958* by increasing rates of compensation; allowing claims to be made against nominal defendant where the employer cannot be identified or is dead; establishing the Insurers Guarantee and Compensation Supplementation Fund; and making other various and consequential amendments
- 8734 Small Claims Tribunals (Amendment) Act amends the *Small Claims Tribunals Act 1973*. This Act increases from \$500 to \$1,000 the jurisdiction of Small Claims Tribunals; provides that a claim may be referred to a Small Claims Tribunal when it has been commenced in a Court and discontinued; and establishes a register of small claims which is to be open to public inspection
- 8735 Eltham Land Act relates to certain Crown land in the Township of Eltham. This Act authorises the corporation of the Shire of Eltham to grant leases of certain railway land in the Township of Eltham
- 8736 Frankston Land Act authorises the corporation of the City of Frankston to grant leases of certain Crown land in the township of Frankston
- 8737 Melbourne Cricket Ground (Amendment) Act amends the *Melbourne Cricket Ground Act 1933* and for other purposes. This Act increases penalties for offences against regulations made pursuant to the Principal Act and makes other minor amendments to the Principal Act
- 8738 South Melbourne Land Act provides for the closing of part of Napier Street in the City of South Melbourne, and for other purposes
- 8739 Racing Act amends the *Racing Act 1958* in relation to commission on moneys paid into totalizators and for other purposes. This Act increases from 14 per cent to 15 per cent the commission on totalizator revenue and makes consequential amendments to the Principal Act
- 8740 Land Settlement (Amendment) Act amends section 7 of the *Land Settlement Act 1959* to remove certain discriminatory provisions in the Principal Act relating to applicants for allotments for settlement
- 8741 Rural Finance (Amendment) Act amends section 38 of the *Rural Finance Act 1958* to increase from \$30,000 to \$50,000 the amount that may be loaned by the Commissioner to enumerated rural

VICTORIA—ACTS PASSED BY PARLIAMENT, 1975—*continued*

- persons and bodies without the approval of the Treasurer
- 8742 Water Resources (Amendment) Act amends the *Water Resources Act 1975* and for other purposes. This Act increases the quorum of the Water Resources Council and makes certain other minor amendments to the Principal Act
- 8743 Nurses (Amendment) Act amends the *Nurses Act 1958* to remove the prohibition in respect of male midwives and mothercraft nurses, to increase certain fees payable under the Act, and for other purposes. This Act removes the prohibition in respect of male midwives; increases certain fees payable under the Act; and makes amendments to the Principal Act consequent upon the change in title of mental nurses
- 8744 Lifts and Cranes (Amendment) Act amends the *Lifts and Cranes Act 1967* and for other purposes. This Act imposes certain safety requirements on crane proprietors and building owners and makes other minor amendments to the Principal Act
- 8745 Police Regulation (Amendment) Act amends the *Police Regulation Act 1958* and for other purposes. This Act provides for a two year probationary period for police constables; makes provision with respect to the immunity from suit of members of the Police Service Board and the proceedings of the Board; increases to \$400 the penalty for impersonating police officers; and makes provision in respect of the commencement of determinations of the Board
- 8746 Business Franchise (Tobacco) Act increases the fees payable on licences issued under the *Business Franchise (Tobacco) Act 1974* and for other purposes. This Act increases the fees payable for tobacco merchants licences; and increases from six to twelve the number of instalments by which the fees may be paid
- 8747 Stamps Act amends the *Stamps Act 1958* so as to increase the stamp duty payable on bills of exchange and promissory notes
- 8748 Forests (Softwood Holdings Agreement) Act ratifies, validates, approves, and otherwise gives effect to an agreement between the Forests Commission and Softwood Holdings Limited with respect to the establishment of an industry for the manufacture of particle board from softwood timber obtained from forests under the control of the Forests Commission and
- 8749 Harbors and Navigable Waters Protection Act amends the *Melbourne Harbor Trust Act 1958*, the *Geelong Harbor Trust Act 1958*, the *Harbor Boards Act 1958* and the *Marine Act 1958* in relation to the protection of harbors and navigable waters from damage, and for other purposes
- 8750 Constitution Act re-enacts the law relating to the constitution of the State of Victoria, and for other purposes
- 8751 Decentralized Industry Incentive Payments (Amendment) Act amends the *Decentralized Industry Incentive Payments Act 1972* and for other purposes. This Act makes provision for certain saw-mills to come within the operation of the Principal Act; and makes further provision relating to the payment of land tax in respect of land upon which a decentralised industry is operating
- 8752 Courts Administration Act establishes the office of director of court administration and makes provision for the more efficient disposal of business dealt with by the courts of Victoria, and for other purposes
- 8753 Metropolitan Fire Brigade (Borrowing Powers) Act amends the *Metropolitan Fire Brigades Act 1958* to increase the limit of the borrowing powers of the Metropolitan Fire Brigades Board, and for other purposes
- 8754 Medical Practitioners (Fees) Act amends the *Medical Practitioners Act 1970* and for other purposes
- 8755 Lotteries Gaming and Betting (Amendment) Act amends the *Lotteries Gaming and Betting Act 1966* so as to provide for the registration of multiple coin machines and repeals certain provisions in the Principal Act relating to pinball machines
- 8756 Health (Fees) Act amends the *Health Act 1958* so as to increase miscellaneous fees payable under the Principal Act, and for other purposes
- 8757 Coal Creek Historical Park Act makes provision for the establishment of a Coal Creek Historical Park Authority for developing and fostering Coal Creek Historical Park and for purposes connected therewith
- 8758 Melbourne Harbor Trust (Long Service Leave) (Amendment) Act amends the *Melbourne Harbor Trust Act 1958* to make further provision with respect to long

VICTORIA—ACTS PASSED BY PARLIAMENT, 1975—*continued*

- service leave for employees of the Melbourne Harbor Trust
- 8759 Police Regulation (Long Service Leave) Act amends the provisions of the *Police Regulation Act 1958* with respect to long service leave. This Act reduces from 15 years to 10 years the period of service necessary for police officers to qualify for long service leave
- 8760 Metropolitan Fire Brigades (Long Service Leave) Act amends the provisions of the *Metropolitan Fire Brigades Act 1958* with respect to long service leave. This Act reduces from 15 years to 10 years the period of service necessary for employees of the Metropolitan Fire Brigade to qualify for long service leave
- 8761 Liquor Control (Chairmen) Act makes further provision with respect to chairmen of the Liquor Control Commission, amends the *Liquor Control Act 1968*, and for other purposes
- 8762 Bendigo (Dai Gum San Village) Land Act permanently reserves certain land in the Parish of Sandhurst for recreation and public purposes and authorises the granting of leases of the whole or any part of such land to the Bendigo Trust and for other purposes. This Act reserves certain land in Bendigo for the erection of a model village to be known as Dai Gum San Village and makes provision for the management of the village.
- 8763 Land Act amends the *Land Act 1958* and for the other purposes. This Act provides for the Governor in Council to grant industrial leases and industrial development leases of Crown lands, and declares certain reservations in Crown grants to be no longer necessary.
- 8764 Wodonga Area Land Acquisition (Amendment) Act amends the *Wodonga Area Land Acquisition Act 1973*. This Act extends to 31 December 1976 the period in which notice to treat may be served in respect of lands in the Wodonga area
- 8765 Road Traffic (Amendment) Act amends the *Road Traffic Act 1958*, and for other purposes. This Act makes provision with respect to the delegation of regulation-making power to certain bodies and persons; the extension of the operation of the Principal Act to certain other places and areas; persons who may bring proceedings under the Principal Act; and offences against the Principal Act and penalties for the commission of offences
- 8766 Education (Work Experience) (Amendment) Act amends Part IV. of the *Education Act 1958* with respect to work experience as part of education. This Act limits the period for which pupils may be employed for the purposes of gaining work experience
- 8767 Agricultural Colleges (Amendment) Act extends the provisions of the *Agricultural Colleges Act 1958* to certain Colleges, establishes a Victorian Advisory Council on Agricultural Education, amends that Act and for other purposes
- 8768 Education (Administration) Act amends the *Education Act 1958* and for other purposes. This Act increases from 4 to 5 the number of persons who may be appointed Assistant Directors-General of Education
- 8769 Inflammable Liquids (Amendment) Act amends the *Inflammable Liquids Act 1966*, and for other purposes. This Act provides for the issue of licences to persons who store or transport inflammable liquids; and for certain safety measures to be taken in connexion with the storage or transportation of inflammable liquids
- 8770 Land Tax Act amends the *Land Tax Act 1958*, declares the rates of land tax for the year ending on 31 December 1976, and for other purposes
- 8771 Superannuation (Amendment) Act amends the *Superannuation Act 1958* and for other purposes. This Act makes further provision in respect of superannuation for members of the Victorian Public Service
- 8772 Patriotic Funds (Amendment) Act amends the *Patriotic Funds Act 1958*, and for other purposes. This Act provides for the Governor in Council to re-define the objects of patriotic funds in certain circumstances
- 8773 Horse Breeding (Repeal) Act repeals the *Horse Breeding Act 1958*, makes provision for moneys standing to the credit of certain connected funds, and for other purposes
- 8774 Milk and Dairy Supervision (Amendment) Act amends the *Milk and Dairy Supervision Act 1958* and for other purposes. This Act amends the provisions of the Principal Act relating to licence fees; provides for the establishment of the Dairy Herd Improve-

VICTORIA—ACTS PASSED BY PARLIAMENT, 1975—*continued*

- ment Fund; and makes other minor amendments to the Principal Act
- 8775 Stock Diseases (Further Amendment) Act amends the *Stock Diseases Act* 1968 to control the feeding of food refuse to pigs, and for other purposes
- 8776 Racing (Mid-week Racing) Act makes further provision with respect to race-meetings in the metropolitan area, enables females to be registered as bookmakers and bookmakers' clerks and for other purposes
- 8777 State Forests Works and Services Act authorises expenditure on works and services and other purposes relating to State forests
- 8778 Legal Profession Practice Act amends the *Legal Profession Practice Act* 1958 with respect to admission fees, solicitors' trust accounts and the Solicitors' Guarantee Fund and for other purposes
- 8779 Public Works and Services Act authorises expenditure on public works and services, and for other purposes
- 8780 Appropriation (1975-76, No. 1) Act appropriates certain sums out of the Consolidated Fund for the service of the financial year 1975-76 and appropriates the supplies granted in this session of Parliament, and for other purposes
- 8781 Local Government (Amendment) Act amends the *Local Government Act* 1958 and the *Local Government (Amendment) Act* 1970. This Act provides for councillors to be covered by accident insurance; requires occupiers of rateable properties to furnish certain information to councils; makes further provision with respect to council elections; makes further provision with respect to the valuation and rating of rateable properties and the sale of rateable properties on account of unpaid rates; makes provision with respect to the naming of new streets, the erection of traffic barriers, and the prohibiting and restricting of heavy vehicles on roads; permits councils to require grazing properties to be fenced; permits councils to withhold permits authorising the demolition of buildings until certain vehicular crossings have been constructed; makes further provision with respect to the subdivision of land; makes further provision with respect to the borrowing powers of councils; reconstitutes the building Regulations Committee and provides for the appointment of referees; makes further provision with respect to fire precautions to be taken in buildings; makes further provision with respect to the underpinning of adjoining properties; and makes other miscellaneous and consequential amendments to the Principal Act and provides for the repeal of transitory provision in the *Local Government (Amendment) Act* 1970 concerning the application of certain provisions of the *Strata Titles Act* 1967
- 8782 Zoological Gardens (Amendment) Act makes provision for the establishment, management and control of zoological parks, amends the *Zoological Gardens Act* 1967, amends the *Ministry for Conservation Act* 1972 and for other purposes
- 8783 Education (Volunteer Workers Compensation) Act amends the *Education Act* 1958 to provide for the payment of compensation for personal injury suffered by volunteer state school workers and damage to the property of volunteer state school workers, and for other purposes
- 8784 State Development (Amendment) Act amends the *State Development Act* 1970 to provide for the appointment of a Deputy Director of Tourism; and extends the purposes for which moneys standing to the credit of the Industrial Development Fund may be applied
- 8785 Pay-roll Tax Act alters the provisions for deductions from wages liable to pay-roll tax, amends the *Pay-roll Tax Act* 1971, and for other purposes
- 8786 Co-operative Housing Societies (Amendment) Act amends the *Co-operative Housing Societies Act* 1958 and for other purposes. This Act alters the types of shares into which the capital of co-operative housing societies may be divided
- 8787 Companies Act gives effect to an arrangement made under the Interstate Corporate Affairs Agreement for the reconciliation of differences in the Companies Acts of the States that are parties to that Agreement, and for that purpose amends the *Companies Act* 1961 and the *Evidence Act* 1958, and for other purposes
- 8788 Securities Industry Act consolidates and amends the law with respect to the regulation and control of trading in securities, the licensing of persons dealing in securities, the establishment and administration by stock exchanges of fidelity funds, and for other purposes

## VICTORIA—ACTS PASSED BY PARLIAMENT, 1975—continued

- 8789 Teaching Service (Amendment) Act amends the *Teaching Service Act* 1958, and for other purposes. This Act modifies provisions of the Principal Act relating to the classes of persons who comprise the teaching service; provides that where only one government member is available to sit on the tribunal the minister may, notwithstanding the provisions of any order in council, consent to his sitting; repeals provisions of the Principal Act relating to student teachers and teachers in training; provides that any applicant for a position as headmaster which is to be filled by transfer may appeal against an appointment, whether or not he is senior to the appointee; makes provision with respect to special development schools; provides that aliens may be appointed members of the teaching service; provides for the termination of employment of teachers who are absent without leave; and makes other minor and consequential amendments to the Principal Act
- 8790 Educational Grants (Continuation) Act amends the *Educational Grants Act* 1973. This Act increases the amounts of capitation grants that may be made to primary and secondary schools in the year ending 31 December 1976
- 8791 Coal Mines (Pensions Increase) Act amends Part III of the *Coal Mines Act* 1958 to increase the rates of certain pensions payable under the Principal Act
- 8792 Motor Car (Penalties) Act amends the *Motor Car Act* 1958 to increase certain penalties for offences against the Principal Act
- 8793 State Co-ordination Council Act establishes a State Co-ordination Council, to make provision with respect to the implementation of policies of the Government, amends the *Town and Country Planning Act* 1961, and for other purposes
- 8794 Pensioners' Water and Sewerage Rates Remission Act grants assistance to pensioners with respect to the payment of their water and sewerage rates and charges, and for other purposes
- 8795 Revocation and Excision of Crown Reservations Act revokes the permanent reservations of certain lands and for other purposes. This Act revokes Crown reservations over certain lands in Geelong and Box Hill; and provides for the amendment of the certificate of title to certain land adjoining the Box Hill Cemetery
- 8796 Ports and Harbors (Penalties) Act increases the penalties for certain offences in relation to ports and harbors, amends the *Melbourne Harbor Trust Act* 1958, the *Geelong Harbor Trust Act* 1958, the *Portland Harbor Trust Act* 1958, and the *Harbor Boards Act* 1958, and for other purposes
- 8797 State Electricity Commission (Amendment) Act amends the *State Electricity Commission Act* 1958 and the *Electric Light and Power Act* 1958 and for other purposes. This Act allows the Governor in Council to make grants of land to the State Electricity Commission free of encumbrances; provides for the remuneration of members of the Electrical Approvals Board; increases the borrowing powers of the Commission; increases the value of contracts that may be entered into by the Commission with the approval of the Governor in Council; and clarifies the law relating to an offence under the *Electric Light and Power Act* 1958
- 8798 The Constitution Act Amendment (Conjoint Elections) Act amends the *Constitution Act Amendment Act* 1958 with respect to the holding and conduct of conjoint elections. This Act enables conjoint elections for the Legislative Assembly and Legislative Council to be held on or before 17 July 1976
- 8799 Education (School Councils) Act amends the *Education Act* 1958 in relation to State School Councils, and for other purposes
- 8800 Optometrists Act amends the *Opticians Registration Act* 1958 and for other purposes. This Act changes references in the Principal Act to Opticians to refer to Optometrists, and amends the short title of the Principal Act; amends provisions of the Principal Act relating to the age and qualification requirements for registration as an optometrist; alters the constitution of the Optometrists Registration Board; alters the constitution of the Optometrists Registration Board; substantially raises penalties for offences against the Principal Act; amends provisions of the Principal Act relating to advertising by optometrists and the ownership of optometrist practices; extends the discretion of the Optometrists Registration Board in allowing an executor to continue the practice of a deceased optometrist; and makes other consequential amendments to the Principal Act

VICTORIA—ACTS PASSED BY PARLIAMENT, 1975—*continued*

- 8801 Railways (Amendment) Act amends the *Railway Act* 1958 and for other purposes. This Act increases from seven to eight the membership of the Victorian Railways Board; and reduces from 15 years to 10 years the period of service necessary for employees of the Board to qualify for long service leave
- 8802 Scaffolding (Amendment) Act amends the *Scaffolding Act* 1971 and for other purposes. This Act excludes scaffolding used below ground in mines, in quarries and in connection with lifts and cranes from the operation of the Principal Act; permits contractors to use approved apparatus other than scaffolding in connexion with certain works; provides for the refund of certain permit fees; and permits the making of regulations requiring contractors to bring the provisions of the Act and regulations to the notice of employees
- 8803 Transport Works and Services Act authorises expenditure on works and services and other purposes relating to railways and road transport
- 8804 Workers Compensation (Surcharge Payments) Act makes provision with respect to certain amounts paid by way of surcharge on premiums to amend section 92 of the *Workers Compensation Act* 1958 and for other purposes
- 8805 Mines (Amendment) Act amends the *Mines Act* 1958. This Act amends provisions of the Principal Act relating to miners' rights, claims and licences; and makes other minor and consequential amendments to the Principal Act
- 8806 Public Service Act amends the *Public Service Act* 1974 with respect to appointments to the public service, with respect to transfers, promotions and appeals, and for other purposes. This Act makes further provision with respect to promotions, transfers and re-classifications within the Public Service; and provides for the reconstitution of the Promotions Appeals Board
- 8807 State Electricity Commission (Tramways) Act ratifies the making by the State Electricity Commission of Victoria of certain payments in connection with the abandonment of tramway undertakings at Ballarat and Bendigo and repeals Part VI of the *State Electricity Commission Act* 1958
- 8808 Dental Technicians (Amendment) Act amends the *Dental Technicians Act* 1972. This Act increases the membership of the Dental Technicians Qualifications Board; and makes provision with respect to the issue of licences to dental technicians and dental mechanics who have been apprentices
- 8809 Melbourne Underground Rail Loop (Amendment) Act amends the *Melbourne Underground Rail Loop Act* 1970, and for other purposes. This Act provides for Government guarantees of obligations of the Authority; and makes further provision with respect to long and short-term advances to the Authority
- 8810 Motor Car (Child Seat Restraints) Act makes provision relating to the carriage of children in motor cars, amends the *Motor Car Act* 1958 and for other purposes. This Act requires a driver of a motor car to ensure that children under the age of 8 years are restrained by approved methods when travelling in that car
- 8811 Drainage of Land Act makes provision concerning the drainage of land, repeals the *Drainage of Land Act* 1958, amends certain other Acts, and for other purposes
- 8812 Railways (Participation in Pipeline Operations) Act authorises the Victorian Railways Board to acquire interests in companies which are or are proposing to construct and operate pipelines, amends the *Railways Act* 1958, and for other purposes
- 8813 Country Fire Authority (Constitution) Act makes further provision with respect to the office of Deputy Chairman of the Country Fire Authority, amends the *Country Fire Authority Act* 1958, and for other purposes
- 8814 Labour and Industry (Wages Board Determinations) Act amends the *Labour and Industry Act* 1958. This Act makes further provision with respect to the Wages Board and Wages Board determinations
- 8815 West Moorabool Water Board (Amendment) Act amends the *West Moorabool Water Board Act* 1968 and for other purposes
- 8816 Navigable Waters (Oil Pollution) (Amendment) Act amends the *Navigable Waters (Oil Pollution) Act* 1960. This Act makes provision with respect to procedural and evidentiary matters in prosecutions for offences relating to oil pollution
- 8817 Valuation of Land (Amendment) Act amends the *Valuation of Land Act* 1960, and for other purposes. This Act provides for fees to be

VICTORIA—ACTS PASSED BY PARLIAMENT, 1975—*continued*

	charged for certain certificates; and amends provisions of the Principal Act relating to the issue of certificates to persons who are not registered valuers	8822	Geelong Regional Authority Act makes provision with respect to the growth and development of the Geelong area, the planning of the area and the establishment of the Geelong Regional Authority and for other purposes
8818	Town and Country Planning (Further Amendment) Act amends the <i>Town and Country Planning Act 1961</i> with respect to the powers functions and duties of regional planning authorities	8823	Environment Protection (Noise Control) Act amends the <i>Environment Protection Act 1970</i> in relation to the control of noise and other matters, and for other purposes
8819	Local Authorities Superannuation (Pensions) Act amends the <i>Local Authorities Superannuation Act 1958</i> with respect to the payment of pensions to permanent employees of the Board, and for other purposes	8824	Consumer Affairs (Amendment) Act amends the <i>Consumer Affairs Act 1972</i> , the <i>Ministry of Consumer Affairs Act 1973</i> and the <i>Small Claims Tribunals Act 1973</i> and for other purposes. This Act increases the amount required to be involved in proceedings before the Director may act on behalf of a consumer in those proceedings; increases the penalty for the misleading marking of prices; makes further provision with respect to door-to-door selling, and requests by inspectors for information; and makes minor amendments to the <i>Small Claims Tribunals Act 1973</i> and the <i>Ministry of Consumer Affairs Act 1973</i>
8820	La Trobe University (Amendment) Act amends the <i>La Trobe University Act 1964</i> . This Act provides for the establishment of Boards to assist the Deans in the administration of the schools of the University; extends the power of the Council to make housing loans; and makes provision with respect to the recovery of fines imposed on members of staff and students		
8821	Social Welfare (Amendment) Act amends the <i>Social Welfare Act 1970</i> and for other purposes. This Act repeals provisions of the Principal Act relating to solitary confinement; makes provision for the hearing of charges against prisoners at Magistrates' Courts; and makes provision for Parole Board reports to be furnished to the Minister	8825	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 other purposes

**Parliamentary Papers presented during Session 1974-1976**

The following Papers were presented to the Legislative Assembly during Session 1974-1976 and ordered by the House to be printed. Copies may be purchased on application to the Sales Section, Government Printing Office, Macarthur Street, Melbourne, 3002.

## VICTORIA—PARLIAMENTARY PAPERS PRESENTED TO LEGISLATIVE ASSEMBLY, SESSION 1974-1976

*Finance :*

A.1. Finance 1973-74—Treasurer's Statement of the Receipts and Payments of the Consolidated Fund and the Trust Fund for the year ended 30th June, 1974, with Reports &c. of the Auditor-General.

A.2. Supplementary Report of the Auditor-General for the year ended 30th June, 1974.

A.3. Finance 1974-75—Treasurer's Statement of the Receipts and Payments of the Consolidated Fund and the Trust Fund for the year ended 30th June, 1975, with Reports &c. of the Auditor-General.

A.4. Supplementary Report of the Auditor-General for the year ended 30th June, 1975.

*Messages from His Excellency the Governor :*

B.1. Estimates of the Receipts and Payments of the Consolidated Fund for the year ending 30th June, 1975.

B.2. Estimates of the Receipts and Payments of the Consolidated Fund for the year ending 30th June, 1976.

VICTORIA—PARLIAMENTARY PAPERS PRESENTED TO LEGISLATIVE ASSEMBLY,  
SESSION 1974-1976—continued

*Returns to Orders of the House :*

- C.1. Report of the Committee of Inquiry into Animal Losses and Conditions at the Sir Colin Mackenzie Sanctuary—Healesville.  
C.2. Report of the Ministry of Fuel and Power on Victorian Energy Resources and Estimated Requirements 1974-2004.  
C.3. Report on the *Imperial Acts Application Act 1922*.

*Reports from Select Committees :*

- D.1. Public Accounts Committee—Treasury Minutes on Reports upon the Auditor-General's Reports for 1970-71, Victorian Railways (Progress Report), Expenditure from the Advance to the Treasurer 1971-72 and the Auditor-General's Reports for 1971-72 together with Summaries of those Reports.  
D.2. Public Accounts Committee—Report upon the State Insurance Offices together with Extracts from the Proceedings of the Committee and Appendices.  
D.3. Statute Law Revision Committee—Report upon Administration Bonds together with an Appendix.  
D.4. Statute Law Revision Committee—Report upon the Proposals contained in the Vagrancy (Insufficient Means) Bill 1974 and upon Section 5 of the *Vagrancy Act 1966* together with an Extract from the Proceedings of the Committee and an Appendix.  
D.5. Public Accounts Committee—Report upon Expenditure from the Advance to the Treasurer 1973-74.  
D.6. Standing Orders Committee—Report together with Appendices upon a Proposal to Consolidate and Revise the Standing Orders and Rules of Practice of the Legislative Assembly.  
D.7. Public Accounts Committee—Treasury Minutes on Reports upon Unpaid Accounts 1972-73 and Expenditure from the Advance to the Treasurer 1972-73 together with Summaries of those Reports.  
D.8. Public Accounts Committee—Report upon Unpaid Accounts 1973-74.  
D.9. Road Safety Committee—Thirteenth Progress Report—Some Aspects of Roadworthiness, Speedometers, Alcohol and Road Accidents and Intersectional Management together with Appendices.  
D.10. Statute Law Revision Committee—Report upon the *Magistrates' Courts (Jurisdiction) Act 1973* (No. 8427) together with Extracts from the Proceedings of the Committee and Appendices.  
D.11. Statute Law Revision Committee—Report upon Bail Procedures together with Extracts from the Proceedings of the Committee and Appendices.  
D.12. Public Accounts Committee—Report upon Aspects of the Administration of the State Superannuation Fund together with Appendices.  
D.13. Meat Industry Committee—Report upon the Disposal of Cattle from Sewage Farms together with Appendices.  
D.14. Public Accounts Committee—Treasury Minute on the Report upon the Auditor-General's Reports for 1972-73 together with Summary of the Report.  
D.15. Company Take-overs Committee—Report upon a Take-over Offer by Industrial Equity Limited for Shares in Noske Industries Limited together with Appendices.  
D.16. Road Safety Committee—Fourteenth Progress Report—Alcohol and Road Safety. Research Projects involving Drinking Drivers together with Appendices.  
D.17. Company Take-overs Committee—Report relating to V.I.A. Limited and Industrial Equity Limited with Appendices.  
D.18. Public Accounts Committee—Report upon the Auditor-General's Reports for 1973-74.  
D.19. Public Accounts Committee—Treasury Minutes on Reports upon Expenditure from the Advance to the Treasurer 1973-74 and Unpaid Accounts 1973-74 together with Summaries of those Reports.  
D.20. Public Accounts Committee—Report upon the Teacher Housing Authority 1974-75.  
D.21. Subordinate Legislation Committee—Report upon the Scaffolding (Amendment) Regulations 1975.  
D.22. Public Accounts Committee—Report upon State Electricity Commission Financial Assistance to Ballarat and Bendigo Bus Operations.  
D.23. Statute Law Revision Committee—Report upon the Proposals contained in the Information Storages Bill 1971 together with Extracts from the Proceedings of the Committee and an Appendix.  
D.24. Road Safety Committee—Fifteenth Progress Report—Fatalities and Injuries involving Children under Eight who are unrestrained in Motor Cars together with an Extract from the Proceedings of the Committee and Appendices.  
D.25. Public Accounts Committee—Report upon the Presentation of Trust Fund Information.



VICTORIA—PARLIAMENTARY PAPERS PRESENTED TO LEGISLATIVE ASSEMBLY,  
SESSION 1974-1976—*continued*

- D.26. Public Accounts Committee—Treasury Minute on Report on the State Insurance Offices together with Summary of that Report.  
D.27. Osteopathy, Chiropractic and Naturopathy Committee—Report upon Osteopathy, Chiropractic and Naturopathy together with Appendices.  
D.28. Meat Industry Committee—Report upon the Future Requirements of Melbourne for a Livestock Selling and Abattoir Complex, together with Extracts from the Proceedings of the Committee and Appendices.  
D.29. Statute Law Revision Committee—Report upon Proposals for Contractors Liens Legislation and Alternative Methods of Securing Payments for Subcontractors together with an Extract from the Proceedings of the Committee.

*Papers Presented to Parliament :*

- No. 30. Aboriginal Affairs—Report of the Ministry for the year 1973-74.  
No. 8. Apprenticeship Commission—Report for the year 1973-74.  
No. 62. Apprenticeship Commission—Report for the year 1974-75.  
No. 74. Consumer Affairs—Report of the Director for the year 1974-75.  
No. 23. Consumer Affairs Council—Report for the year 1973-74.  
No. 70. Consumer Affairs Council—Report for the year 1974-75.  
No. 43. Co-operative Housing Societies—Report of the Registrar for the year 1972-73.  
No. 42. Co-operative Societies—Report of the Registrar for the year 1972-73.  
No. 33. Country Roads Board—Report for the year 1973-74.  
No. 87. Country Roads Board—Report for the year 1974-75.  
No. 54. Dairy Industry in Victoria—First Report of the Board of Inquiry.  
No. 83. Dairy Industry in Victoria—Second Report of the Board of Inquiry.  
No. 45. Education—Report of the Council of Public Education for the year 1973-74.  
No. 22. Education—Report of the Minister of Education for the year 1973-74.  
No. 25. Egg and Egg Pulp Marketing Board—Report for the pool year ended 29th June, 1974.  
No. 75. Egg and Egg Pulp Marketing Board—Report for the pool year ended 5th July, 1975.  
No. 51. Electoral Redivision—Report by the Commissioners on the proposed Redivision of Victoria into Electoral Provinces for the Legislative Council and into Electoral Districts for the Legislative Assembly.  
No. 40. Environment Protection Authority—Report for the year 1973-74.  
No. 16. Forests Commission—Report for the year 1973-74.  
No. 68. Forests Commission—Report for the year 1974-75.  
No. 44. Friendly Societies and Benefit Associations—Report of the Government Statist for the year 1971-72.  
No. 21. Gas and Fuel Corporation—Report for the year 1973-74.  
No. 71. Gas and Fuel Corporation—Report for the year 1974-75.  
No. 28. Health—Commission of Public Health—Report for the year 1973-74.  
No. 78. Health—Commission of Public Health—Report for the year 1974-75.  
No. 39. Hospitals and Charities Commission—Report for the year 1973-74.  
No. 88. Hospitals and Charities Commission—Report for the year 1974-75.  
No. 2. Hospitals Superannuation Board—Report for the year 1972-73.  
No. 55. Hospitals Superannuation Board—Report for the year 1973-74.  
No. 13. Housing Commission—Report for the year 1972-73.  
No. 56. Housing Commission—Report for the year 1973-74.  
No. 50. Labour and Industry Department—Report for the year 1974.  
No. 7. Land Conservation Council—Report for the year 1973-74.  
No. 59. Land Conservation Council—Report for the year 1974-75.  
No. 12. Law Reform Commissioner—Report for the period 18th December, 1973 to 30th June, 1974.  
No. 67. Law Reform Commissioner—Report for the year 1974-75.  
No. 18. Liquor Control Commission—Report for the year 1973-74.  
No. 69. Liquor Control Commission—Report for the year 1974-75.  
No. 20. Melbourne Underground Rail Loop Authority—Report for the year 1973-74.  
No. 66. Melbourne Underground Rail Loop Authority—Report for the year 1974-75.  
No. 4. Mental Health Authority—Report for the year 1972.  
No. 49. Mental Health Authority—Report for the year 1973.  
No. 53. Motor Accidents Board—Report for the year 1973-74.  
No. 5. Ombudsman—Report for the period 30th October, 1973 to 30th June, 1974.  
No. 37. Ombudsman—Quarterly Report for the period 1st July, 1974 to 30th September, 1974.  
No. 46. Ombudsman—Quarterly Report for the period 1st October, 1974 to 31st December, 1974.  
No. 58. Ombudsman—Quarterly Report for the period 1st January, 1975 to 31st March, 1975.

VICTORIA—PARLIAMENTARY PAPERS PRESENTED TO LEGISLATIVE ASSEMBLY,  
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- No. 61. Ombudsman—Report for the year 1974-75 together with Quarterly Report for the period 1st April, 1975 to 30th June, 1975.  
 No. 38. Parole Boards (Adult)—Reports for the year 1971-72.  
 No. 63. Parole Boards (Adult)—Reports for the year 1972-73.  
 No. 27. Parole Boards (Youth)—Reports for the year 1972-73.  
 No. 15. Police Department—Report for the year 1973.  
 No. 72. Police Department—Report for the year 1974.  
 No. 9. Public Service—First Report of the Board of Inquiry.  
 No. 34. Public Service—Second Report of the Board of Inquiry.  
 No. 47. Public Service—Third Report of the Board of Inquiry.  
 No. 17. Public Service Board—Report for the year 1973-74.  
 No. 29. Railways—Report of the Victorian Railways Board for the year 1973-74.  
 No. 48. Rural Finance and Settlement Commission—Report for the year 1973-74.  
 No. 19. Social Welfare Department—Report for the year 1973-74.  
 No. 73. Social Welfare Department—Report for the year 1974-75.  
 No. 26. Soil Conservation Authority—Report for the year 1973-74.  
 No. 76. Soil Conservation Authority—Report for the year 1974-75.  
 No. 60. State Advisory Board on Publications—Report for the year 1974-75.  
 No. 32. State Electricity Commission—Report for the year 1973-74.  
 No. 81. State Electricity Commission—Report for the year 1974-75.  
 No. 1. State Rivers and Water Supply Commission—Report for the year 1972-73.  
 No. 41. State Rivers and Water Supply Commission—Report for the year 1973-74.  
 No. 10. State Savings Bank—Reports, Statements, Returns, etc., for the year 1973-74.  
 No. 65. State Savings Bank—Reports, Statements, Returns, etc., for the year 1974-75.  
 No. 82. State Superannuation Board—Report for the period 1st July, 1971 to 30th June, 1974.  
 No. 11. Supreme Court Judges—Report for the year 1973.  
 No. 14. Teacher Housing Authority—Report for the year 1972-73.  
 No. 31. Teacher Housing Authority—Report for the year 1973-74.  
 No. 6. Teachers Tribunal—Report for the year 1972-73.  
 No. 3. Town and Country Planning Board—Report for the year 1972-73.  
 No. 35. Town and Country Planning Board—Report for the year 1973-74.  
 No. 79. Town and Country Planning Board—Report for the year 1974-75.  
 No. 24. Transport Regulation Board—Report for the year 1973-74.  
 No. 77. Transport Regulation Board—Report for the year 1974-75.  
 No. 36. Victoria Institute of Colleges—Report for the year 1973.  
 No. 64. Victoria Institute of Colleges—Report for the year 1974.  
 No. 52. Victorian Development Corporation—Report for the year 1973-74.  
 No. 57. Youth, Sport and Recreation Department—Report for the year 1973-74.  
 No. 84. Youth, Sport and Recreation Department—Report for the year 1974-75.
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## VICTORIAN ELECTORAL SYSTEM

### General

#### *Electoral basis of the two Houses of Parliament*

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 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.

The eighteen members elected in 1973 to represent the eighteen Provinces then in existence, will continue to represent those Provinces until the expiration of their six year period of membership in 1979. The triennial elections in 1979 will be conducted on the basis of the twenty-two Provinces which came into force at the elections held on 20 March 1976.





At the triennial elections held on 20 March 1976, twenty-two members were elected to represent these twenty-two Provinces which came into force at the election.

Thus until the triennial elections in 1979 the Legislative Council will consist of forty members and after the 1979 elections, it will consist of forty-four members, i.e., two members representing each of the twenty-two Provinces.

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

#### *Electoral redivision, 1975*

Arising out of the *Electoral Provinces and Districts Act 1974*, a redivision of Victoria for electoral purposes was carried out early in 1975 on the following basis :

#### *Legislative Assembly*

1. The so-called "Port Phillip District", consisting of 40 complete existing Electoral Districts and parts of 4 other existing Electoral Districts, was redivided into 49 Electoral Districts for the Legislative Assembly, each containing approximately 28,000 electors; and
2. The remainder of the State, consisting of 29 complete existing Electoral Districts and parts of 4 other existing Electoral Districts, was redivided into 32 Electoral Districts for the Legislative Assembly, each containing approximately 24,500 electors.

#### *Legislative Council*

1. The so-called "Southern District", consisting of 8 complete existing Electoral Provinces and parts of 2 other existing Electoral Provinces, was redivided into 13 Electoral Provinces for the Legislative Council, each containing approximately 112,000 electors; and
2. The remainder of the State, consisting of 8 complete existing Electoral Provinces and parts of 2 other existing Electoral Provinces, was redivided into 9 Electoral Provinces for the Legislative Council, each containing approximately 80,000 electors.

The new Electoral Provinces and Districts formulated by the Commissioners empowered to undertake the 1975 redivision were deemed to be accepted by Parliament, and the names and boundaries of the new Provinces and Districts were declared on 30 July 1975. The triennial election for the Legislative Council was due to be held on 3 July 1976, the Saturday immediately following the expiration of the term of office of the Legislative Council members elected in 1970, but pursuant to *The Constitution Act Amendment (Conjoint Elections) Act 1975*, power was given for this election to be held conjointly with a Legislative Assembly general election up to within four months before 27 June 1976, being the day following the expiration of the term of office of the said members. The term of office of the twenty-two Legislative Council members elected at this election on 20 March 1976 commenced on 27 June 1976. The eighty-one new Electoral Districts came into effect from 12 February 1976, the day of dissolution of the Legislative Assembly preceding the election held on 20 March 1976.

#### *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 Commonwealth electoral authorities under a joint Commonwealth-State Government arrangement, each Government paying half the cost of compilation. All Commonwealth and State parliamentary elections in Victoria are conducted on the basis of these joint rolls.

The compilation of the rolls is aided by the fact that the respective Legislative Council Provinces and Electoral Districts, as well as the Commonwealth Electoral Divisions, are subdivided into 341 common subdivisions, which form the basic units for enrolment on the joint Commonwealth-State of Victoria rolls.

*Number of enrolments on the joint rolls*

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

The *Legislative Council Reform Act* 1950, which came into effect 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 Commonwealth and State parliamentary elections.

VICTORIA—ELECTORS ENROLLED ON JOINT ROLLS AT 30 JUNE

Year	Number of electors enrolled	Year	Number of electors enrolled
1967	1,745,919	1972	1,890,666
1968	1,759,803	1973	2,124,151
1969	1,789,153	1974	2,183,625
1970	1,852,023	1975	2,176,732
1971	1,857,354	1976	2,264,222

*Types of elections in Victoria*

There are five types of State parliamentary elections in Victoria :

- (1) *Periodical election for the Legislative Council.* This means an election at which one half of the members of the Council (22) have to be elected. There is a periodical election every three years, the next being due in 1979. Members of the Legislative Council are elected for six years, one half of the members retiring alternately every three years. There are two members for each Province.
- (2) *General election for the Legislative Assembly.* This means an election at which all Members of the Legislative Assembly (81) have to be elected. Each Assembly lasts for three years from the first meeting thereof, but may be dissolved earlier by the Governor (for example, if the government of the day is defeated on some vital issue, etc.).
- (3) *Conjoint election.* This means a periodical election for the Legislative Council and a general election for the Legislative Assembly which are both held on the same day. The Assembly general elections and the Council periodical (or triennial) elections have been held conjointly since 1961.
- (4) *By-election.* A by-election is an "extraordinary" election held in an Electoral Province (Legislative Council) or an Electoral District (Legislative Assembly) because of the death, resignation, etc., of the current member. The candidate elected at a by-election holds office for the remainder of the term for which the member who was replaced was elected.



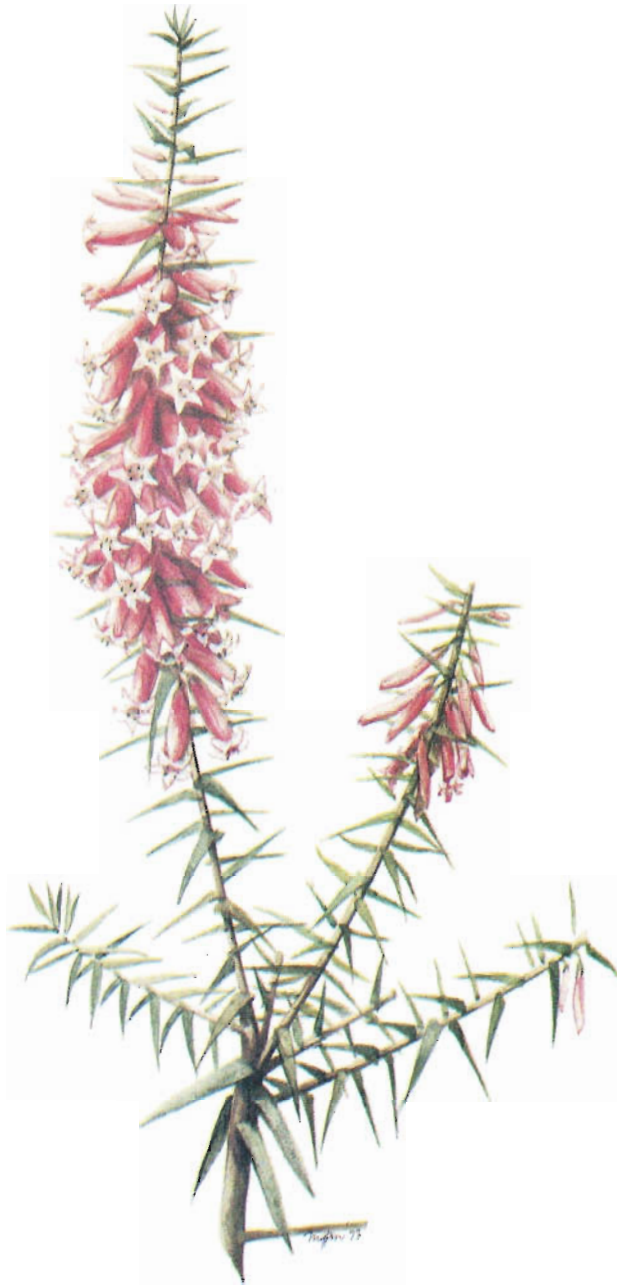




# INSIGNIA OF VICTORIA

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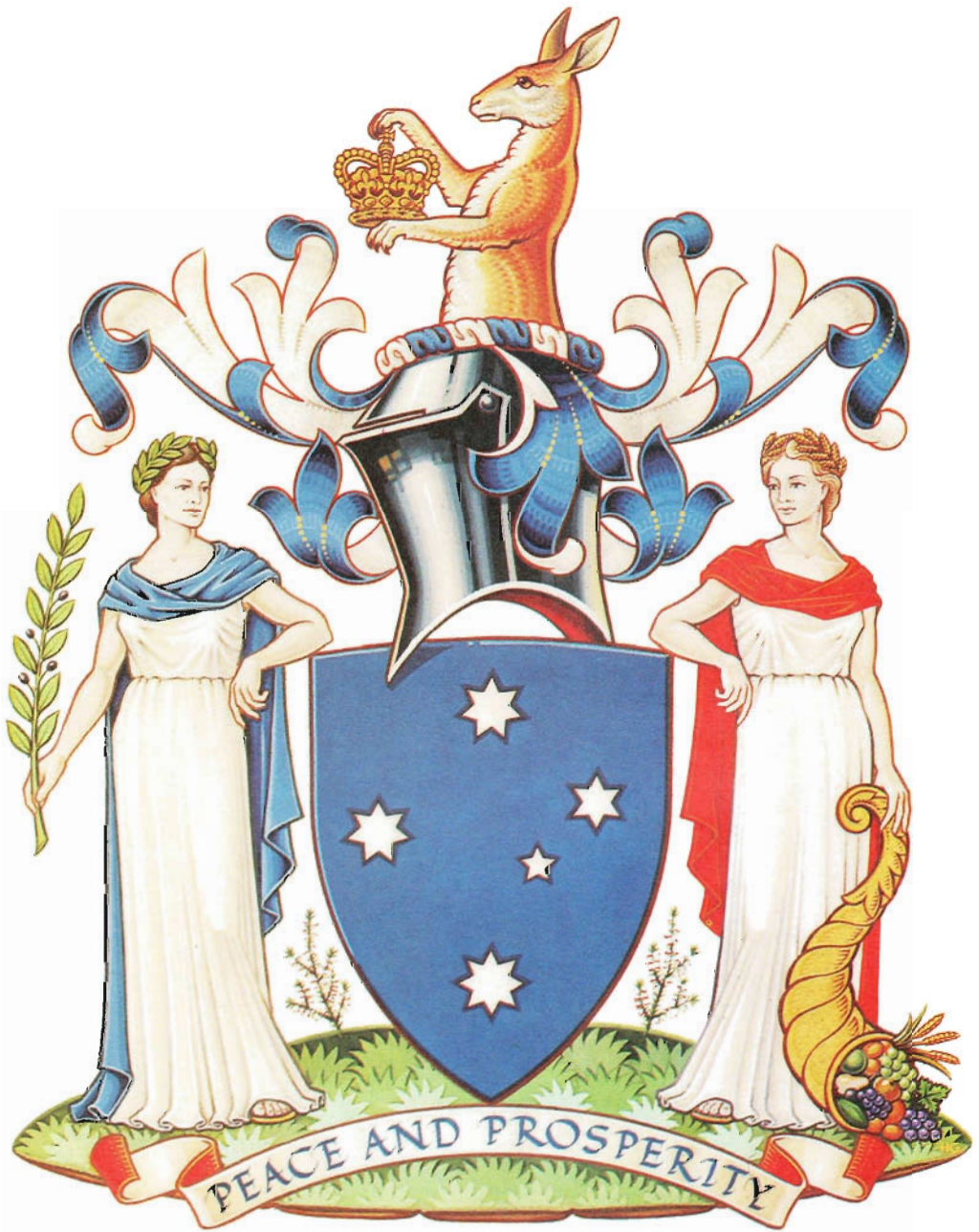
FLORAL EMBLEM OF THE STATE OF VICTORIA



THE COMMON (PINK) HEATH

*Epacris impressa* Labill

ARMORIAL BEARINGS OF THE STATE OF VICTORIA



TEXT OF ROYAL WARRANT GRANTED TO THE STATE OF VICTORIA

Elizabeth R.

Elizabeth the Second *by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith, To Our Right Trusty and Right Entirely Beloved Cousin and Counsellor Bernard Marmaduke, Duke of Norfolk, Knight of Our Most Noble Order of the Garter, Knight Grand Cross of Our Royal Victorian Order, Knight Grand Cross of Our Most Excellent Order of the British Empire, upon whom has been conferred the Territorial Decoration, Earl Marshal & Our Hereditary Marshal of England, Greeting!*

Whereas *Our Royal Predecessor His Majesty King George the Fifth did grant and assign certain Armorial Ensigns for Our State of Victoria by His Warrant bearing date the Sixth day of June, 1910, and whereas We are now desirous that certain additions be made to the said Armorial Ensigns*

Know ye therefore *that We of Our Princely Grace and Special Favour have granted and assigned and by these Presents do grant and assign the following Armorial Ensigns and Supporters for the said State of Victoria: That is to say for Arms Azure five Stars Argent representing the Constellation of the Southern Cross And for the Crest On a Wreath of the Colours A demi Kangaroo proper holding in the paws an Imperial Crown Or And for the Supporters On the dexter side a Female Figure (representing Peace) proper vested Argent cloaked Azure wreathed round the temples with a Chaplet and holding in the exterior hand a branch of Olive also proper And on the sinister side a like Figure (representing Prosperity) vested Argent cloaked Gules wreathed round the temples with a Chaplet of Corn and supporting with the exterior hand a Cornucopia proper The whole upon a Compartment of Grass springing therefrom on either side of the Shield a representation of the Floral Emblem for the said State of Victoria that is to say the Pink Form of the Common Heath, *Epacris impressa* Labill.; together with this motto "Peace and Prosperity", as the same are in the Painting hereunto annexed more plainly depicted to be borne for the said State on Seals, Shields, Banners, Flags or otherwise according to the Laws of Arms*

*Our Will and Pleasure therefore is that you, Bernard Marmaduke, Duke of Norfolk to whom the cognizance of matters of this nature doth properly belong do require and command that this Our Concession and Declaration be recorded in Our College of Arms in order that Our Officers of Arms and all other Public Functionaries whom it may concern may take full notice and have knowledge thereof in their several and respective departments*

*And for so doing this shall be your Warrant*

*Given at Our Court at St James's this Twenty-eighth day of March 1973; in the Twenty-second year of Our Reign*

By Her Majesty's Command

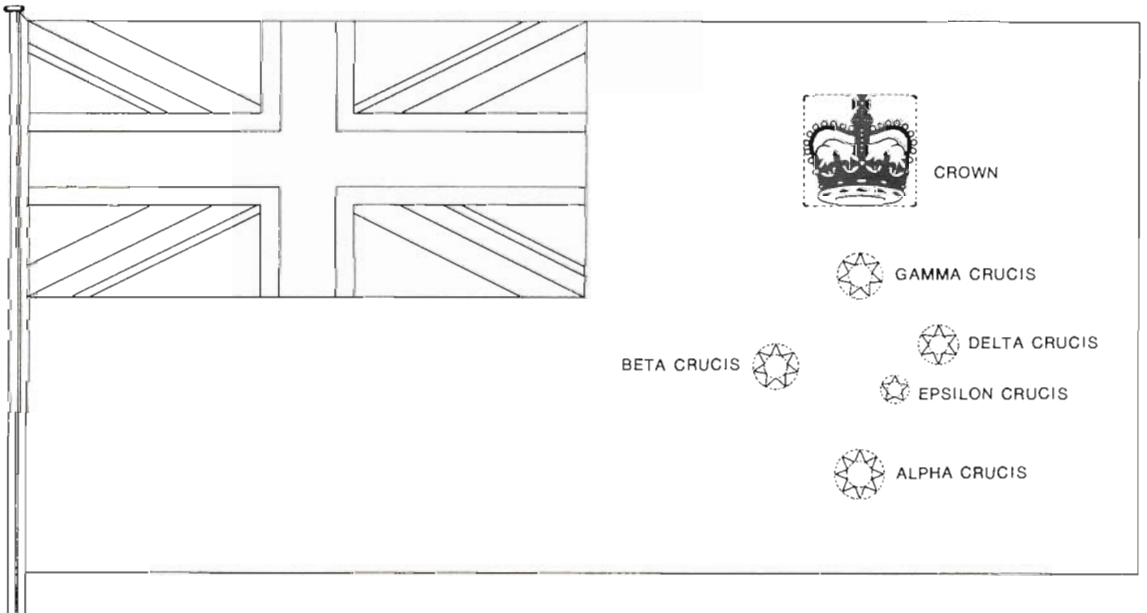
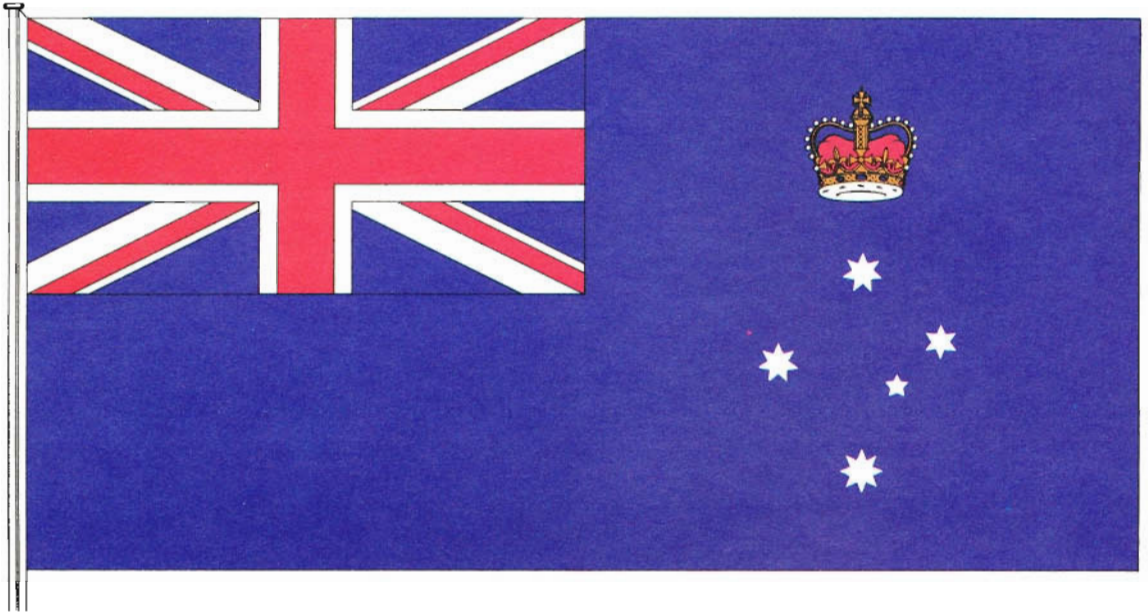
*Alex Douglas-Home*

Recorded in the College of Arms, London

*A. Colin Cole*

Windsor Herald & Registrar

## FLAG OF THE STATE OF VICTORIA



The Flag of the State of Victoria is the British Blue Ensign, consisting of a blue Flag with the Union Flag occupying the upper quarter next to the staff, differenced in the fly, or half of the Flag further from the staff, by five white stars representing the Southern Cross surmounted by a representation of St Edward's Crown. The Union Flag, generally known as the Union Jack, is the British national Flag incorporating the crosses of St George, St Andrew, and St Patrick. The descriptions and positions of the Crown and stars are detailed in the above diagram.

## HISTORY OF THE FLAG OF THE STATE OF VICTORIA

Victoria was the first Australian Colony to have its own Flag. In 1865, under the Colonial Naval Defence Act passed by the Imperial Parliament, the Australian Colonies were empowered to provide, maintain, and use vessels of war. A requirement therefore arose for each Colony to have its own distinctive Flag.

A despatch from the Secretary of State for the Colonies in December 1865 required that all colonial vessels of war wear a Blue Ensign with the Seal or Badge of the Colony in the fly and a Blue Pennant. It was further directed that other vessels in the service of British Colonies wear a Blue Ensign of a similar design, but not the Blue Pennant.

On 4 February 1870 a proclamation by the Governor of Victoria directed that the Badge of the Colony of Victoria be of the following design: "five white stars, representing the constellation of the Southern Cross".

The *Argus* newspaper of 10 February 1870 reported the first flying of the Victorian Flag in the following way: "An event of some importance in the history of the Colony—the inauguration of the Flag which has been adopted as our national ensign—took place on board H.M.A.S. *Nelson* (Victoria's first colonial warship) yesterday, and the inaugural ceremony was made the occasion of a very pleasant trip down the Bay . . .".

On 26 March 1877 the Badge of the Colony of Victoria was amended by a proclamation to read: "five white stars representing the constellation of the Southern Cross on an azure blue shield, surmounted by an Imperial Crown".

The design of the Flag of the Colony of Victoria was further revised by a proclamation issued on 12 November 1877 by His Excellency Sir George Bowen, K.C.M.G., Governor and Commander-in-Chief in and over the Colony of Victoria and its dependencies, thus: "I, the Governor of Victoria, do hereby direct that in lieu of the Blue Ensign with the Badge specified in my proclamation, dated 26th day of March, 1877, all vessels belonging to, or permanently in the service of the Government of Victoria, shall wear the Blue Ensign, having in the centre of the fly thereof the distinctive Badge of the Colony, viz.—'five white stars, representing the constellation of the Southern Cross, surmounted by an Imperial Crown'".

The Flag of the Colony of Victoria was proclaimed on 12 November 1877 in *Government Gazette* No. 119, dated 30 November 1877. It was amended by Despatch No. 56 on 19 September 1901.

Following the accession of Edward VII to the Throne, the Lieutenant-Governor of Victoria, the Honourable Sir John Madden, K.C.M.G., informed the Secretary of State for the Colonies on 19 September 1901 that henceforth, in referring to Victoria, the word "State" would be used in place of the word "Colony", and that in the design of the State Flag, the St Edward's Crown would replace the Imperial Crown. Since that date, the design of the Flag of the State of Victoria has not been changed.

FAUNAL EMBLEM (1) OF THE STATE OF VICTORIA



THE HELMETED HONEYEATER

*Meliphaga cassidix* (Gould)

FAUNAL EMBLEM (II) OF THE STATE OF VICTORIA



THE LEADBEATER'S POSSUM  
*Gymnobelideus leadbeateri* (McCoy)

## THE COMMON (PINK) HEATH

The Common Heath, *Epacris impressa* Labill., was found in Tasmania by the French explorer Labillardière in 1793, and subsequently described by him in 1805 following his return to France.

It is a slender shrub, usually 0.3 metre to 1 metre in height, with a few erect branches and with flowers varying in colour from white through pink to red. The spreading leaves, which are 8 mm to 15 mm in length, are stiff, narrow, and tapered to a sharp point. The showy bell-like flowers are found on the upper parts of the branches. Frequently all flowers point in the same direction.

The name *impressa* refers to the indentations at the base of the flower-tube—a feature not found in any other *Epacris*. In Victoria the Common Heath occurs mainly in the southern part of the State, where it is usually found in the wetter foothill country, the coastal heathlands, the Grampians, and the Little Desert scrub. It grows below about 1,200 metres above sea level, and normally flowers through the winter and spring months, although some flowers have been recorded as early as March.

The Common Heath is also found in New South Wales, South Australia, and Tasmania. It was introduced into cultivation in Britain in about 1830 and is also cultivated in the United States of America.

The Floral Emblem of the State of Victoria was proclaimed on 11 November 1958 in *Government Gazette* No. 98, dated 12 November 1958.

## THE HELMETED HONEYEATER

The Helmeted Honeyeater *Meliphaga cassidix* (Gould) is the only species of bird which is confined to Victoria. Indeed, its distribution is now probably limited to the margins of a few small streams on the outskirts of the Melbourne metropolitan area. A number of these streams have been incorporated in the Yellingbo State Wildlife Reserve in an attempt to ensure the bird's survival. The trees and bushes bordering the streams are an essential feature of the habitat of this bird, which is one of the rarest in the world.

The birds are about 20 centimetres in length, and there is little to distinguish the sexes except that in females the colours are generally rather less distinct than in males and the female's helmet or crest may be less conspicuous.

The upper parts of the back, wings, and tail are a greenish-black, shading to yellowish-green on the wings and tail. The face is distinctly black. The crest and crown are golden yellow. There is a yellow tuft behind each ear, while the throat is also bright yellow. A dark line extends down the throat from beneath the bill. The upper chest is also yellow, but becomes rather paler under the belly and tail.

This Faunal Emblem of the State of Victoria was proclaimed on 10 March 1971 by the Governor in Council.

## THE LEADBEATER'S POSSUM

As far as is known, the Leadbeater's Possum *Gymnobelideus leadbeateri* (McCoy) is found only in Victoria, over an area of some 103,600 hectares extending from Marysville to Tanjil Bren.

Even in the days of Victoria's early naturalists this possum was regarded as one of the most notable rarities of the State's fauna, and only five specimens had been collected by 1909. After that date it was thought to be extinct. It survived, however, undetected for fifty years, until its rediscovery at Marysville in 1961. This possum is currently quite common within its limited distribution. The well-being of this beautiful animal seems to be closely associated with the botanical succession within forests of mountain ash (*Eucalyptus regnans*), and care must be taken to ensure that adequate provision is made for it amid the other demands on Victoria's hardwood forests.

The Leadbeater's Possum is about 40 centimetres in length, about half of which comprises the tail. The body and tail are covered with soft dense fur, which is fairly short, except on the hind portion of the tail where it becomes progressively longer and gives the tail a distinctive club shape. In both sexes the general colour of the body and tail is grey, with beautiful dark markings around the eyes, ears, and head.

This Faunal Emblem of the State of Victoria was proclaimed on 2 March 1971 in *Government Gazette* No. 20, dated 10 March 1971.



(5) *General election for the Legislative Council.* This means an election for the Legislative Council where ALL (i.e., 44) members have to be elected. Two members have thus to be returned for each Province, the candidate first elected holding office for six years, the second candidate elected holding office for three years. A general election for the Council can only take place in the event of a deadlock between the two Houses and after a complex code of procedure has first been observed.

#### *Conduct of elections*

The election process is initiated by the issue of a Writ—the formal document issued on behalf of the Queen commanding the Returning Officer to whom it is addressed to proceed to the holding of an election to fill the vacancy for a member for the electorate concerned.

Writs for every periodical election of the Council are issued by the President of the Legislative Council, except that, if in the opinion of the President it is desirable for the periodical election to be held conjointly with an Assembly general election, he may consent to the writs being issued by the Governor. Council by-election Writs are issued by the President; and all Writs for a general election for the Council must be issued by the Governor.

Writs for every general election of members of the Assembly are issued by the Governor. Writs for an Assembly by-election are issued by the Speaker of the Legislative Assembly.

The Writ specifies the date by which nominations for the vacancy are to be lodged, and requires the Returning Officer, if the election is contested, to conduct a poll on the date specified therein. The Writ must be returned to whoever issued it by a stipulated date with the name of the new member endorsed thereon.

#### *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 preferences 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 Provinces and Districts*

The following tables show the areas of the Provinces of the Legislative Council and the Districts of the Legislative Assembly created by the redivision of 1975 :

#### VICTORIA—LEGISLATIVE COUNCIL : AREAS OF PROVINCES (square kilometres)

State Electoral Province (a)	Area	State Electoral Province (a)	Area
Ballarat	12,354.00	Melbourne West	767.00
Bendigo	16,540.00	Monash	46.70
Boronia	446.00	North Eastern	25,513.00
Central Highlands	17,585.00	North Western	67,879.00
Chelsea	211.00	Nunawading	77.50
Doutta Galla	916.00	South Eastern	7,738.00
East Yarra	61.84	Templestowe	632.00
Geelong	462.00	Thomastown	1,127.00
Gippsland	38,115.00	Waverley	122.70
Higinbotham	61.74	Western	37,519.00
Melbourne	73.30		
Melbourne North	59.66	Total (b)	228,307.00

(a) See page 110 for number of electors and sitting members.

(b) The officially recognised "land area" of the State is 227,600 square kilometres. The difference of 707 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  
(square kilometres)

State Electoral District (a)	Area	State Electoral District (a)	Area
Albert Park	23.73	Kew	19.63
Ascot Vale	19.90	Knox	77.54
Ballarat North	1,780.00	Lowan	20,200.00
Ballarat South	2,970.00	Malvern	13.30
Balwyn	16.17	Melbourne	28.68
Benalla	12,610.00	Mentone	17.91
Benambra	14,690.00	Midlands	8,310.00
Bendigo	79.00	Mildura	29,590.00
Bennettswood	18.55	Mitcham	19.58
Bentleigh	12.84	Monbulk	204.00
Berwick	1,576.00	Morwell	1,190.00
Box Hill	13.39	Murray Valley	4,270.00
Brighton	14.26	Narracan	3,910.00
Broadmeadows	64.67	Niddrie	32.20
Brunswick	13.02	Noble Park	99.92
Bundoora	40.04	Northcote	16.70
Burwood	14.22	Oakleigh	18.30
Carrum	32.75	Polwarth	7,515.00
Caulfield	10.70	Portland	13,900.00
Coburg	17.86	Prahran	7.68
Dandenong	39.91	Preston	15.77
Doncaster	33.09	Reservoir	18.90
Dromana	344.00	Richmond	14.30
Essendon	17.00	Ringwood	31.64
Evelyn	4,087.00	Ripon	12,490.00
Footscray	19.68	Rodney	7,430.00
Forest Hill	20.23	St Kilda	8.70
Frankston	45.69	Sandringham	18.03
Geelong East	243.00	Shepparton	2,795.00
Geelong North	1,810.00	South Barwon	2,546.00
Geelong West	321.00	Springvale	32.06
Gippsland East	29,630.00	Sunshine	34.82
Gippsland South	7,243.00	Swan Hill	18,420.00
Gisborne	6,799.00	Syndal	24.43
Glenhuntly	11.75	Wantirna	24.78
Glenroy	16.87	Warrandyte	123.00
Greensborough	92.84	Warrnambool	5,752.00
Hawthorn	12.30	Werribee	974.00
Heatherton	40.01	Westernport	3,296.00
Ivanhoe	23.88	Williamstown	29.22
Keilor	221.00		
		Total (b)	228,307.00

(a) See pages 111-2 for number of electors and sitting members.

(b) The officially recognised "land area" of the State is 227,600 square kilometres. The difference of 707 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 20 March 1976 there were contests in all the eighty-one Electoral Districts. In fifty-four of these contests, more than two candidates were engaged.

In thirty-seven of these fifty-four 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 seventeen contests, the leading candidate on the first count was elected in twelve instances but was defeated in the remaining five 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
1976	2,267,282	2,267,282	2,101,414	92.68	53,417	2.54

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
1976	81	(a)3,646,981	45,024	2,267,282	27,991	62.2

(a) Census count 30 June 1976.

*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 can be found on page 86 of the *Victorian Year Book* 1961.

*Legislative Council*

Until the triennial elections in 1979, the Legislative Council will consist of forty members, eighteen representing the eighteen Provinces for which they were elected in 1973 and twenty-two representing the twenty-two Provinces which came into force at the elections on 20 March 1976. After the 1979 elections, the Legislative Council will consist of forty-four members representing twenty-two Provinces. Voting in elections held for the Legislative Council since 1952 is shown in the following table. At the triennial election held on 20 March 1976, there were contests in all Provinces and in seven of them more than two candidates were engaged.

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

The following table shows the voting in periodical 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
1976	2,267,282	2,267,282	2,102,674	92.74	65,997	3.14

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

**Victorian representation in the Commonwealth Parliament**

The Commonwealth Parliament consists of the Queen, a Senate, and a House of Representatives. The Queen is represented in Australia by the Governor-General.

*Senate*

The founders of the Commonwealth Constitution had in mind that the Senate should give expression to the interests of the States as partners in the Federation ; in other words, the Senate should be a States' house. Accordingly, the proportional representation suggested by the varying populations of the States was disregarded, and it was provided that each State should be represented by six Senators ; the first Senate in the first Parliament comprised 36 members of whom six represented Victoria. The numbers remained unchanged until the Commonwealth *Representation Act* 1948 when each State became eligible to elect ten senators.

The Senate was also envisaged as a house of review and accordingly continuity of membership was provided by requiring only one half of the Senate to retire every three years, and for each Senator's term to be six years. If the normal pattern of three-yearly rotational retirement is broken by a double dissolution of both Houses, Section 13 of the Constitution provides that the Senate shall divide the Senators chosen for each State into two classes, as nearly equal in number as practicable, and the places of the Senators of the first class shall become vacant at the expiration of three years and the places of those of the second class at the expiration of six years. In dividing the Senators into classes the Senate has adopted the practice of placing the first five Senators elected in each State in the second class and the other five Senators elected in the first class. After a normal rotational election, Senators' terms commence from the first day of the following July ; in the case of an election for the whole Senate, terms commence from the first day of July preceding the election.

*House of Representatives*

In designing the House of Representatives, the founders envisaged a legislative body representing the national interest and provided that the number of members chosen in the several States must be in proportion to population, but that no original State should have less than five members. The first House of Representatives in 1901 had 75 members of whom 23 were elected in Victoria. The term of office was set as three years.

The *Representation Act* 1948 increased the size of the House of Representatives to 123 members, although only 121 were elected from the States; the Northern Territory and the Australian Capital Territory each had one member with restricted voting powers. At 30 June 1976, the House of Representatives consisted of 127 members, 124 from the States, two from the Australian Capital Territory, and one from the Northern Territory.

Electoral redistributions were undertaken in all States after the 1947, 1954, 1961, 1966, and 1971 population censuses. The 1968 recommendations were the last approved by the Commonwealth Parliament in respect of all States and the net effect was to increase membership of the House of Representatives by one to 125 members. The 1969 House of Representatives election was the first Commonwealth election to be conducted on the new boundaries and subsequent to the election State representation in the House of Representatives became: New South Wales, 45; Victoria, 34; Queensland, 18; South Australia, 12; Western Australia, 9; Tasmania, 5. The Australian Capital Territory and the Northern Territory each returned one member with full voting rights. In May 1974, redistributions in Western Australia and the Australian Capital Territory increased representation in both cases by one. Redistributions in each of the other States were disapproved by the Senate in May 1975.

The following table shows the state of the House of Representatives at the election immediately following an electoral redistribution:

AUSTRALIA—HOUSE OF REPRESENTATIVES: MEMBERSHIP

Year	N.S.W.	Vic.	Qld.	S.A.	W.A.	Tas.	N.T. (a)	A.C.T. (b)	Total
1948	28	<b>20</b>	10	6	5	5	1	..	75
1949(c)	47	<b>33</b>	18	10	8	5	1	1	123
1955(c)	46	<b>33</b>	18	11	9	5	1	1	124
1969(c)	45	<b>34</b>	18	12	9	5	1	1	125
1974	45	<b>34</b>	18	12	10	5	1	2	127
1975	45	<b>34</b>	18	12	10	5	1	2	127

(a) Representative in House since 1922; full voting rights granted in 1969.

(b) Representative in House since 1949; full voting rights granted in 1966.

(c) Election following an electoral redistribution.

**Elections***Qualifications of voters for Commonwealth Government elections*

An elector on a federal roll is required by law to vote both in elections for the House of Representatives and for the Senate. An elector is any person, male or female, not under 18 years of age who is a British subject, has lived in Australia for six months continuously, and whose name appears on the roll. (Commonwealth legislation reducing the voting age to 18 years became effective from 21 March 1973.) Residence in an electoral subdivision for at least one month is necessary to enable a qualified person to enrol. Enrolment is compulsory.

*Qualifications of candidates—Either House of the Commonwealth Parliament*

Qualifications necessary for membership of either House of the Commonwealth Parliament are possessed by any British subject, 18 years of age or over, who has resided in Australia for at least three years and who is, or who is qualified to become, an Australian elector.

The term of office for a member of the House of Representatives is three years unless the House is dissolved earlier by the Governor-General.

*Disqualification as elector or member*

Grounds for disqualification as an elector include being of unsound mind, or being convicted and under sentence for offences punishable by imprisonment for a year or longer. Grounds for disqualification as a member of either House include these prohibitions and also the following: membership of the other House, being an undischarged bankrupt or insolvent, holding office for profit under the Crown (with certain exceptions), or having a pecuniary interest in any agreement with the Commonwealth Public Service except as a member of an incorporated company of more than 25 persons.

*Elections for the Senate*

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

If a vacancy occurs in the Senate, the appropriate State Government nominates a replacement who holds office until the next general election of members of the House of Representatives or until the next election of Senators for the State. It is usual for appointed replacements to be of the same party as those they replace, although no law exists to require it. If a Senator fills such a vacancy through an election held at the same time as a general election for the House of Representatives, his term will be the same as if the vacating member's term were to run its full course. If the vacant seat is contested at an ordinary Senate election, then six, instead of the normal five candidates, will be elected in the State affected and the Senator last elected will fill the vacancy for a term shorter than the full six years.

The following table lists the Senators for Victoria elected on 13 December 1975 together with the party affiliation and year of retirement of each Senator. Political party affiliations are indicated thus:

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

AUSTRALIA—SENATE: VICTORIAN MEMBERS  
ELECTED ON 13 DECEMBER 1975

Senator	Retires
Brown, William Walter Charles (ALP)	1978
Button, John Norman (ALP)	1978
Cormack, Hon. Sir Magnus Cameron, K.B.E. (LP)	1978
Greenwood, Hon. Ivor John, Q.C. (LP) (a)	1981
Guilfoyle, Hon. Margaret Georgina Constance (LP)	1981
Melzer, Jean Isabel (ALP)	1981
Missen, Alan Joseph (LP)	1978
Primmer, Cyril Graham (ALP)	1981
Tehan, Thomas Joseph (NP)	1978
Webster, Hon. James Joseph (NP)	1981

(a) Hon. Ivor John Greenwood died on 13 October 1976. Senator Austin William Russell Lewis was appointed in his stead on 7 December 1976.

*Elections for the House of Representatives*

Australia is divided into 127 single-member electorates and electors are required to cast a vote by indicating the order of their preference for every candidate standing within the electorate. Election of members is carried out in accordance with the principles of the absolute majority through use of the

alternative vote. If a vacancy occurs in the House of Representatives, it is filled by holding a by-election in the electorate concerned. The last general election was held on 13 December 1975.

The following table lists the Victorian members of the House of Representatives elected on 13 December 1975 together with the party affiliation and electorate of each member :

AUSTRALIA—HOUSE OF REPRESENTATIVES : VICTORIAN  
MEMBERS ELECTED ON 13 DECEMBER 1975

Member	Division
Aldred, Kenneth James (LP)	Henty
Baillieu, Marshall (LP)	La Trobe
Bourchier, John William (LP)	Bendigo
Brown, Neil Anthony (LP)	Diamond Valley
Bryant, Hon. Gordon Munro, E.D. (ALP)	Wills
Cairns, Hon. Dr James Ford (ALP)	Lalor
Cass, Hon. Dr Moses Henry (ALP)	Maribyrnong
Chipp, Hon. Donald Leslie (LP)	Hotham
Crean, Hon. Frank (ALP)	Melbourne Ports
Falconer, Peter David (LP)	Casey
Fisher, Peter Stanley (NP)	Mallee
Fraser, Rt Hon. John Malcolm (LP)	Wannon
Garrick, Horace James (ALP)	Batman
Hamer, David John, D.S.C. (LP)	Isaacs
Holten, Hon. Rendle McNeilage (NP)	Indi
Innes, Urquhart Edward (ALP)	Melbourne
Jarman, Alan William (LP)	Deakin
Jenkins, Dr Henry Alfred (ALP)	Scullin
Johnson, Leonard Keith (ALP)	Burke
King, Hon. Robert Shannon (NP)	Wimmera
Lloyd, Bruce (NP)	Murray
Lynch, Hon. Phillip Reginald (LP)	Flinders
Macphed, Ian Malcolm (LP)	Balaclava
Nixon, Hon. Peter James (NP)	Gippsland
Peacock, Hon. Andrew Sharp (LP)	Kooyong
Scholes, Hon. Gordon Glen Denton (ALP)	Corio
Shipton, Roger Francis (LP)	Higgins
Short, James Robert (LP)	Ballaarat
Simon, Barry Douglas (LP)	McMillan
Snedden, Rt Hon. Billy Mackie, Q.C. (LP)	Bruce
Staley, Hon. Anthony Allan (LP)	Chisholm
Street, Hon. Anthony Austin (LP)	Corangamite
Willis, Ralph (ALP)	Gellibrand
Yates, William (LP)	Holt

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