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CHAPTER 3

GENERAL GOVERNMENT

Parliamentary government

Scheme of parliamentary government

Under section 1 of the Australian Constitution the legislative power of the Commonwealth of Australia is vested in the Parliament of the Commonwealth, which consists of the Sovereign, the Senate, and the House of Representatives. The Sovereign is represented throughout the Commonwealth by the Governor-General who, subject to the Constitution, has such powers and functions as the Sovereign is pleased to assign to him. In each Australian State there is a State Governor, who is the representative of the Sovereign for the State. The Governor has such powers within the State as are conferred upon him by the Letters Patent constituting his office, and he exercises these powers in accordance with instructions issued to him by the Sovereign, detailing the manner in which his duties are to be fulfilled.

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

The members of the Legislative Assembly or House of Assembly, as the case may be, of each State are elected by the people, the franchise extending to British subjects who are at least 18 years of age and possess certain residential qualifications. With the exception of the New South Wales Legislative Council, the members of State Legislative Councils are, in common with members of the Lower Houses, elected by the people of the respective States. Up until 1978 in New South Wales a quarter of the members of the Legislative Council retired each three years, and the continuing members of the Council and the members of the Legislative Assembly, voting as an electoral body, elected members to fill the vacant positions. However, as from 1978 in New South Wales, as well as in all other States possessing a Legislative Council, members of the Council are now elected by adult suffrage. In the Commonwealth Parliament the qualifications for the franchise are identical for both Houses, extending to British subjects who have lived in Australia for six months continuously and who are not less than 18 years of age.

The Sovereign

On 7 February 1952, the then Governor-General of the Commonwealth of Australia and members of the Federal Executive Council proclaimed Princess Elizabeth Queen Elizabeth the Second, Queen of this Realm and of all Her other Realms and Territories, Head of the Commonwealth, Defender of the Faith, Supreme Liege Lady in and over the Commonwealth of Australia. The coronation of Her Majesty took place in Westminster Abbey on 2 June 1953. By the *Royal Style and Titles Act 1973*, which Her Majesty assented to in Canberra on 19 October 1973, the Parliament of the Commonwealth assented to the adoption by Her Majesty, for use in relation to Australia and its Territories, of the Style and Titles set forth in the Schedule to the Act. On the same day, also in Canberra, Her Majesty issued a Proclamation, under the Great Seal of Australia, appointing and declaring that Her Majesty's Style and Titles should henceforth be, in relation to Australia and its Territories, 'Elizabeth the Second, by the Grace of God Queen of Australia and Her other Realms and Territories, Head of the Commonwealth'.

The Governor-General

Powers and functions. As the Queen's representative in Australia, the Governor-General of the Commonwealth of Australia exercises certain prerogative powers and functions assigned to him by the Queen. Other powers and functions are conferred on him by the Australian Constitution. Powers

which have been so assigned or conferred include, among others, the power to grant pardons and to remit fines for offences against the laws of the Commonwealth of Australia; to appoint certain officers in the Diplomatic or Consular Service; to appoint times for holding the sessions of the Parliament, prorogue Parliament, and dissolve the House of Representatives; to cause writs to be issued for general elections of members of the House of Representatives; to assent in the Queen's name to a proposed law passed by both Houses of the Parliament or to withhold such assent, or to reserve the law for the Queen's pleasure, or to return the proposed law to the House in which it originated and transmit therewith any amendments which he may recommend; to exercise executive power; to choose and summon Executive Councillors, who hold office during his pleasure; and to appoint Ministers of State for the Commonwealth of Australia. In addition, the command-in-chief of the Defence Force of the Commonwealth of Australia is vested in the Governor-General as the Queen's representative.

Many Acts of the Commonwealth Parliament provide that the Governor-General may make regulations to give effect to the Act. The Governor-General may also be authorised by statute to issue proclamations—for example, to declare an Act in force. He has been given power by statute to legislate for certain of the Australian Territories. Under the conventions of responsible government obtaining in British Commonwealth countries, the Governor-General's functions are exercised generally on the advice of Ministers of State.

The present Governor-General is His Excellency Sir Zelman Cowen, A.K., G.C.M.G., K.St.J., Q.C., who has held office since 8 December 1977.

Holders of office. The names of those persons who have acted as Governor-General since the inception of the Commonwealth of Australia are listed in Year Book No. 61 and earlier Year Books.

Administrators. In addition to the holders of the office of Governor-General listed above, certain persons have, from time to time, been appointed as Administrator of the Commonwealth of Australia. Administrators are appointed in the event of the death, illness or absence from Australia of the Governor-General, or for the period between the departure of a Governor-General and the arrival of his successor. The names of those persons who have acted as Administrator are also listed in Year Book No. 61 and earlier Year Books.

Governors of the States

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

A Governor of a State assents in the Queen's name to Bills passed by the Parliament of the State, except those reserved for the Royal Assent. The latter include certain classes of Bills which are regulated by the State's Constitution and by the Governor's Instructions. He administers the prerogative of mercy by the reprieve or pardon of criminal offenders within his jurisdiction, and may remit fines and penalties due to the Crown. In the performance of his functions generally, particularly those conferred by statute, the Governor of a State acts on the advice of Ministers of State for the State.

Holders of office. The names of the present (October 1980) State Governors are as follows:

New South Wales—SIR ARTHUR RODEN CUTLER, V.C., K.C.M.G., K.C.V.O., C.B.E., K.St.J.

Victoria—SIR HENRY ARTHUR WINNEKE, K.C.M.G., K.C.V.O., O.B.E., K.St.J., Q.C.

Queensland—COMMODORE SIR JAMES MAXWELL RAMSAY, K.C.M.G., C.B.E., D.S.C., K.St.J.

South Australia—MR KEITH DOUGLAS SEAMAN, O.B.E., K.St.J.

Western Australia—AIR CHIEF MARSHAL SIR WALLACE HART KYLE, G.C.B., K.C.V.O., C.B.E., D.S.O., D.F.C., K.St.J.

Tasmania—THE HONOURABLE SIR STANLEY CHARLES BURBURY, K.C.V.O., K.B.E., K.St.J.

The Cabinet and executive government

Detailed information is contained in Year Book No. 62, pages 64 and 65.

Commonwealth Government Ministries

Names and tenure of office, 1901 to 1980. The following list shows the name of each Commonwealth Government Ministry to hold office since 1 January 1901 and the limits of its term of office.

COMMONWEALTH GOVERNMENT MINISTRIES, 1901 TO NOVEMBER 1980

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

Names of Members of each Ministry to 3 November 1980. In Year Book No. 17, 1924, the names are given of each Ministry up to the Bruce-Page Ministry (9 February 1923 to 22 October 1929), together with the names of the successive holders of portfolios therein. Year Book No. 39 contains a list which covers the period between 9 February 1923, the date on which the Bruce-Page Ministry assumed power, and 31 July 1951, showing the names of all persons who held office in each Ministry during that period. The names of members of subsequent Ministries are listed in successive issues of the Year Book from No. 39 to No. 61 inclusive and in No. 64.

This issue only shows particulars of the Fourth Fraser Ministry (at 3 November 1980).

COMMONWEALTH AND STATE LEADERS OF THE GOVERNMENT, SEPTEMBER 1980

Commonwealth—The Rt Hon. J. M. Fraser, C.H., M.P. (Vic.) (L.P.)

New South Wales—The Hon. N. K. Wran, Q.C., M.P. (A.L.P.)

Victoria—The Hon. R. J. Hamer, E.D., M.P. (L.P.)

Queensland—The Hon. J. Bjelke-Petersen, M.L.A. (N.P.)

South Australia—The Hon. D. O. Tonkin, M.P. (L.P.)

Western Australia—The Hon. Sir Charles Court, K.C.M.G. O.B.E., M.L.A. (L.P.)

Tasmania—The Hon. D. A. Lowe, M.H.A. (A.L.P.)

Northern Territory—The Hon. P. A. E. Everingham, M.L.A. (L.P.)

THE FOURTH FRASER MINISTRY—AT 3 NOVEMBER 1980

(The State in which each Minister's electorate is situated and party affiliation are shown in parenthesis. Party affiliation is indicated by the use of the following abbreviations; L.P. Liberal Party of Australia; N.C.P. National Country Party of Australia).

**Prime Minister—*

THE RIGHT HON. MALCOLM FRASER, C.H.,
M.P. (Vic.) (L.P.)

**Deputy Prime Minister, Minister for Trade and Resources—*

THE RT HON. J. D. ANTHONY, M.P.
(N.S.W.) (N.C.P.)

**Minister for Industry and Commerce—*

THE RT HON. PHILLIP LYNCH, M.P. (Vic.)
(L.P.)

**Minister for Communications and Leader of the House—*

THE RT HON. IAN SINCLAIR, M.P. (N.S.W.)
(N.C.P.)

**Minister for National Development and Energy, Vice-President of the Executive Council and Leader of the Government in the Senate—*

SENATOR THE HON. J. L. CARRICK (N.S.W.)
(L.P.)

**Minister for Foreign Affairs—*

THE HON. A. A. STREET, M.P. (Vic.) (L.P.)

**Minister for Primary Industry—*

THE HON. P. J. NIXON, M.P. (Vic.) (N.C.P.)

**Treasurer—*

THE HON. JOHN HOWARD, M.P. (N.S.W.)
(L.P.)

**Minister for Industrial Relations—*

THE HON. ANDREW PEACOCK, M.P. (Vic.)
(L.P.)

**Minister for Defence—*

THE HON. D. J. KILLEN, M.P. (Qld) (L.P.)

**Minister for Finance—*

SENATOR THE HON. DAME MARGARET
GUILFOYLE, D.B.E. (Vic.) (L.P.)

**Minister for Employment and Youth Affairs and Minister Assisting the Prime Minister—*

THE HON. IAN VINER, M.P. (W.A.) (L.P.)

**Attorney-General*

SENATOR THE HON. PETER DURACK, Q.C.
(W.A.) (L.P.)

**Minister for Social Security—*

SENATOR THE HON. F. M. CHANEY (W.A.)
(L.P.)

Minister for Home Affairs and Environment—

THE HON. R. J. ELLICOTT, Q.C., M.P.
(N.S.W.) (L.P.)

Minister for Transport—

THE HON. RALPH HUNT, M.P. (N.S.W.)
(N.C.P.)

Minister for Health—

THE HON. M. J. R. MACKELLAR, M.P.
(N.S.W.) (L.P.)

Minister for Education and Minister Assisting the Prime Minister in Federal Affairs—

THE HON. WAL FIFE, M.P. (N.S.W.) (L.P.)

Minister for Immigration and Ethnic Affairs—

THE HON. IAN MACPHEE, M.P. (Vic.) (L.P.)

Minister for Science and Technology—

THE HON. DAVID THOMSON, M.C., M.P.
(Qld) (N.C.P.)

Minister for Administrative Services and Minister Assisting the Minister for Defence—

THE HON. KEVIN NEWMAN, M.P. (Tas.)
(L.P.)

Minister for Business and Consumer Affairs—

THE HON. J. C. MOORE, M.P. (Qld) (L.P.)

Minister for the Capital Territory and Minister Assisting the Minister for Industry and Commerce—

THE HON. MICHAEL HODGMAN, M.P. (Tas.)
(L.P.)

Minister for Veterans' Affairs and Minister Assisting the Treasurer—

SENATOR THE HON. A. J. MESSNER (S.A.) (L.P.)

Minister for Aboriginal Affairs and Minister Assisting the Minister for National Development and Energy—

SENATOR THE HON. PETER BAUME (N.S.W.) (L.P.)

Minister for Housing and Construction and Minister Assisting the Minister for Trade and Resources—

THE HON. D. T. MCVEIGH, M.P. (Qld) (N.C.P.)

*Minister in the Cabinet.

COMMONWEALTH AND STATE LEADERS OF THE OPPOSITION, SEPTEMBER 1980†

The Leader of the Opposition plays an important part in the Party system of government which operates in the Australian Parliaments. The following list gives the names of the holders of this position in each of the Parliaments in September 1980.

Commonwealth—The Hon. W. G. Hayden, M.P. (A.L.P.)

New South Wales—J. M. Mason, M.P. (L.P.)

Victoria—F. N. Wilkes, M.P. (A.L.P.)

Queensland—E. D. Casey, M.L.A. (A.L.P.)

South Australia—J. C. Bannon, M.P. (A.L.P.)

Western Australia—The Hon. R. Davies, M.L.A. (A.L.P.)

Tasmania—G. A. Pearsall, M.H.A. (L.P.)

Northern Territory—The Hon. J. M. Isaacs, M.L.A. (A.L.P.)

Numbers and salaries of Commonwealth Government Ministers

Under sections 65 and 66, respectively, of the Constitution of the Commonwealth of Australia the number of Ministers of State was not to exceed seven, and the annual sum payable for their salaries was not to exceed £ 12,000 (\$24,000), each provision to operate, however, 'until the Parliament otherwise provides'.

Subsequently the number and salaries have been increased from time to time, and at September 1980 the number of Ministers is twenty-six and ministerial salaries range from \$12,271 for a Minister not in Cabinet to \$33,015 for the Prime Minister. An additional ministerial allowance of \$15,655 a year is payable to the Prime Minister, \$9,133 a year to the Deputy Prime Minister, \$7,828 a year to the Treasurer, the Leader of the House and the Leader of the Government in the Senate, and \$6,523 a year to other Ministers.

All amounts payable in the foregoing paragraphs are in addition to amounts payable as Parliamentary allowances (*see* page 54).

Parliaments and elections

The Commonwealth Parliaments

The first Parliament of the Commonwealth of Australia was convened by proclamation dated 29 April 1901 by His Excellency the Marquis of Linlithgow, then Earl of Hopetoun, Governor-General. It was opened on 9 May 1901 by H.R.H. the Duke of Cornwall and York. The Rt Hon. Sir Edmund Barton, G.C.M.G., K.C., was Prime Minister.

The following table shows the number and duration of Parliaments since federation.

† Party affiliation is indicated by the use of the following abbreviations: A.L.P.—Australian Labor Party; N.P.—National Party; L.P.—Liberal Party of Australia; N.C.P.—National Country Party of Australia.

COMMONWEALTH PARLIAMENTS

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

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

The thirty-first Parliament opened on 21 February 1978 and ended on 19 September 1980 when the House of Representatives was dissolved. Elections for the House of Representatives, Senators for the Australian Capital Territory and the Northern Territory, and Senators whose term expired on 30 June 1981 were held on 18 October 1980. Writs were issued by the Governor-General on 19 September 1980 for the House of Representatives elections in all States and Territories, and for the Senate elections in the Australian Capital Territory and Northern Territory. Writs for the Senate elections in the respective States were issued on the same date by the State Governors. For voting figures *see* page 52. For particulars of electors enrolled and of electors who voted in the several States and Territories at previous Commonwealth elections *see* Year Book No. 61 and earlier issues.

Qualifications for membership and for franchise—Commonwealth Parliament

Qualifications necessary for membership of either House of the Commonwealth Parliament are possessed by any British subject, eighteen years of age or over and not disentitled on other grounds, who has resided in Australia for at least three years and who is, or is qualified to become, an elector of the Commonwealth Parliament. Qualifications for Commonwealth Parliament franchise are possessed by any British subject, not under eighteen years of age and not disentitled on other grounds, who has lived in Australia for six months continuously. Residence in a Subdivision for a period of one month prior to enrolment is necessary to enable a qualified person to enrol. Enrolment and voting are compulsory except that the compulsory enrolment provisions do not relate to an Aboriginal native of Australia. A member of the Defence Force on service outside Australia who is not less than eighteen years of age, is a British subject and has lived in Australia for six months continuously is entitled to vote at Commonwealth Parliament elections even though he may not be enrolled.

The principal reasons for disqualification of persons otherwise eligible for election as members of either Commonwealth House are: membership of the other House, allegiance to a foreign power, being attainted of treason, being convicted and under sentence for any offence punishable by imprisonment for one year or longer, being an undischarged bankrupt or insolvent, holding an office of profit under the Crown (with certain exceptions), or having pecuniary interest in any agreement with the public

service of the Commonwealth Government except as a member of an incorporated company of more than twenty-five persons. Persons of unsound mind, attainted of treason, convicted and under sentence for any offence punishable by imprisonment for one year or longer, or persons who are holders of temporary entry permits under the *Migration Act* 1958 or are prohibited immigrants under that Act are excluded from the franchise. In the main, these or similar grounds for disqualification apply also to State Parliament membership and franchise. Aborigines are entitled to enrol and to vote at both Commonwealth and State elections in all States.

Commonwealth Parliaments and elections

From the establishment of the Commonwealth of Australia until 1949 the Senate consisted of thirty-six members, six being returned by each of the original federating States. The Constitution empowers Parliament to increase or decrease the size of the Parliament, and, as the population of Australia had more than doubled since its inception, the Parliament passed the *Representation Act* 1948 which provided that there should be ten Senators from each State instead of six, thus increasing the total to sixty Senators, enlarging both Houses of Parliament and providing a representation ratio nearer to the proportion which existed at Federation.

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

In accordance with the Constitution, the total number of State Members of the House of Representatives must be as nearly as practicable twice the number of State Senators. Consequent upon the increase in the size of the Senate in 1949, the number of State Members was increased from 74 to 121. In 1955 there were 122 State Members; in 1969, 123; in 1974, 124; in 1977, 121; in 1980, 122.

Redistribution of the States into electoral divisions has taken place in 1949, 1955, 1968, 1974 (Western Australia only), 1977 and 1979 (Western Australia only). The quota (or average number) of electors is the basis for electoral distribution, but the Distribution Commissioners may vary the enrolment of electorates by up to 10 per cent from the quota in order to take account of communities of interest, including economic, social and regional interests, means of communication and travel, the trend of population changes, physical features, and existing boundaries of electoral Divisions and Subdivisions. In addition, no electorate with an area of 5000 square kilometres or more may contain a greater number of electors than any electorate less than 5000 square kilometres in area.

The Chief Australian Electoral Officer determines the representation entitlements of the States during the twelfth month of the life of each Parliament. Determinations are based on the latest population statistics as provided by the Australian Statistician. Should the representation entitlement of a State change, the preparation of a redistribution is mandatory. The representation entitlements of the States at the three most recent determinations are shown in the following table:

REPRESENTATION ENTITLEMENTS OF THE STATES

State	1972	1977	1979
New South Wales	45	43	43
Victoria	34	33	33
Queensland	18	19	19
South Australia	12	11	11
Western Australia	10	10	11
Tasmania	5	5	5
Total	124	121	122

Following the 1977 Determination, Distribution Commissioners were appointed for all States in April and the proposed redistributions were approved by Parliament in October. The proposed redistributions came into effect by force of the *Commonwealth Electoral (Redistribution) Act* 1977. The election of 10 December 1977 was conducted on the basis of the new boundaries. Following the 1979 Determination, Distribution Commissioners were appointed for Western Australia in April and the proposed redistribution was approved by Parliament in November 1979.

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

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

Following the passing of the Australian Capital Territory (House of Representatives) Act in October 1973 a Distribution Committee was appointed to distribute the Australian Capital Territory into two electoral Divisions. On 19 March 1974, the Committee published an initial redistribution proposal. By early 1974 there was an indication that the House of Representatives would be dissolved before the Distribution Committee could complete its task. Accordingly the *Australian Capital Territory Representation (House of Representatives) Act 1974* was enacted to provide that the Territory be divided into two electoral divisions, adopting the boundaries recommended by the Distribution Committee. The 1974 and subsequent House of Representatives elections were held on those boundaries.

Members of the House of Representatives are elected for the duration of the Parliament, which is limited to three years. At elections for Senators the whole State constitutes the electorate. For the purpose of elections for the House of Representatives the State is divided into single electorates corresponding in number to the number of members to which the State is entitled. Further information regarding the Senate and the House of Representatives is given in earlier issues of the Year Book.

The *Commonwealth Electoral Act 1948*, enacted with the *Representation Act 1948* which enlarged the Commonwealth Parliament (see page 51), changed the system of scrutiny and counting of votes in Senate elections from the alternative vote to that of proportional representation. The method of voting for both the Senate and the House of Representatives is preferential.

Particulars of voting at Senate elections and elections for the House of Representatives up to 1975 appear in earlier issues of the Year Book. Additional information is available in the *Statistical Returns* issued by the Chief Australian Electoral Officer following each election and printed as Parliamentary Papers.

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

COMMONWEALTH PARLIAMENT ELECTIONS, 18 OCTOBER 1980

	N.S.W.	Vic.	Qld	S.A.	W.A.	Tas.	N.T.	A.C.T.	Australia
HOUSE OF REPRESENTATIVES ELECTION									
Electors enrolled	3,183,091	2,413,273	1,355,374	849,302	749,286	273,477	55,160	135,957	9,014,920
Number of votes recorded for—									
Australian Labor Party	1,357,556	1,016,617	535,846	348,649	286,259	118,336	17,426	68,916	3,749,605
Liberal Party	1,044,191	874,395	342,154	348,981	317,636	133,144	..	48,016	3,108,517
National Country Party(a)	307,400	109,506	273,668	10,937	15,837	..	18,805	..	736,153
Australian Democrats	166,144	183,212	66,502	68,857	48,076	3,732	2,509	7,001	546,033
Democratic Labor Party	..	25,456	..	..	..	..	..	..	25,456
Progress Party	6,869	..	10,171	..	..	..	..	..	17,040
Communist Party	8,155	1,902	..	1,261	..	..	..	..	11,318
Others	38,139	22,768	24,438	5,519	13,328	1,310	4,432	1,577	111,511
Informal votes	70,742	61,920	22,435	22,491	18,821	6,967	2,231	2,752	208,359
Total votes recorded	2,999,196	2,295,776	1,275,214	806,695	699,957	263,489	45,403	128,262	8,513,992
SENATE ELECTION									
Electors enrolled	3,183,091	2,413,273	1,355,374	849,302	749,286	273,477	55,160	135,957	9,014,920
Number of votes recorded for—									
Australian Labor Party	1,215,796	877,468	445,277	300,420	244,729	86,833	16,384	63,280	3,250,187
Liberal Party: National Country Party(a)(b)	1,139,825	831,703	..	..	..	..	..	..	1,971,528
Liberal Party(b)	..	..	266,407	319,088	283,429	96,098	19,129	46,267	1,030,418
National Country Party(a)(b)	..	..	309,622	7,419	25,937	..	..	..	342,978
Australian Democrats	187,507	231,113	115,429	96,662	58,538	7,780	4,113	10,663	711,805
Democratic Labor Party	..	31,766	..	..	..	..	..	..	31,766
Progress Party	2,260	..	3,399	..	2,593	..	..	..	8,252
Others	172,470	67,666	17,196	12,747	15,278	53,127	2,452	4,494	345,430
Informal votes	281,338	256,060	117,884	70,359	69,453	19,651	3,325	3,558	821,628
Total votes recorded	2,999,196	2,295,776	1,275,214	806,695	699,957	263,489	45,403	128,262	8,513,992

(a) The National Country Party is known in the various States as follows: New South Wales, South Australia and Western Australia—National Country Party; Victoria, Queensland and Tasmania—National Party. (b) In New South Wales and Victoria the Liberal Party and the National Country Party/National Party candidates stood as one group; in Tasmania and the Australian Capital Territory only the Liberal Party stood as a group; in Queensland, South Australia and Western Australia the National Party/National Country Party and the Liberal Party each stood as separate groups; in the Northern Territory there was a Country Liberal Party group only. In the Northern Territory the Country Liberal Party (CLP) is affiliated with both the National Country Party and the Liberal Party; the CLP MHR for the Northern Territory sits with the National Country Party while the CLP Senator for the Northern Territory sits with the Liberal Party. Accordingly, CLP votes in the Northern Territory have been allocated to the National Country Party in the House and to the Liberal Party in the Senate.

The State of the parties in each House at the commencement of the thirty-second Parliament was: *Senate*—Liberal Party 30, National Country Party 5, Australian Labor Party 26, Australian Democrats 2 and Independent 1; *House of Representatives*—Liberal Party 54, National Country Party 20 and Australian Labor Party 51.

Following the retirement of those Senators whose terms expired on 30 June 1981 the state of the parties in the Senate was: Liberal Party 28, National Country Party 3, Australian Labor Party 27, Australian Democrats 5 and Independent 1.

Referendums

In accordance with section 128 of the Constitution any proposed law for the alteration of the Constitution, in addition to being passed by an absolute majority of each House of Parliament must be submitted to a referendum of the electors in each State and Territory and must be approved by a majority of the electors in a majority of the States and by a majority of all the voters who voted before it can be presented for Royal Assent.

Since 1901 thirty-six proposals have been submitted to referendums and the consent of the electors has been received in eight cases: the first in relation to the election of Senators in 1906, the second and third in respect of State Debts—one in 1910 and the other in 1928, the fourth in respect of Social Services in 1946 and the fifth in respect of Aborigines in 1967. The remaining three proposals in relation respectively to Senate casual vacancies, maximum retirement age for justices of the High Court and other Federal Courts and the right of electors in the Territories to vote in referendums for the alteration of the Constitution were approved in May 1977. In addition to referendums for alterations of the Constitution, other Commonwealth referendums have been held—two prior to Federation regarding the proposed Constitution and two regarding military service during the 1914–1918 War. For further details of referendums see Year Book No. 52, pages 66–8, Year Book No. 60, pages 90–91, and Year Book No. 62, pages 72–73.

The Parliaments of the States

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

Membership of State Parliaments. The following table shows the party distribution in each of the various State Parliaments at September 1980.

STATE PARLIAMENTS: MEMBERSHIP, BY PARTY AFFILIATION, SEPTEMBER 1980

Party	N.S.W.	Vic.	Qld	S.A.	W.A.	Tas.
UPPER HOUSE						
Australian Country Party (C.P.)	6	..	..	..	..	..
Australian Labor Party (A.L.P.)	23	13	..	10	9	3
Independent (Ind.)	..	..	..	..	..	16
Liberal Party of Australia (L.P.)	14	27	..	11	19	..
National Country Party (N.C.P.)(a)	..	..	..	..	3	..
National Party (N.P.)	..	..	..	..	1	..
National Party of Australia (Victoria) (N.P.A.)	..	4	..	..	..	..
Australian Democrats (A.D.)	..	..	..	1	..	..
Total	43	44	(b)	22	32	19
LOWER HOUSE						
Australian Country Party (C.P.)	17	..	..	..	..	..
Australian Labor Party (A.L.P.)	61	32	23	20	23	19
Independent (Ind.)	1	..	..	..	..	..
Independent Labor (Ind. Lab.)	..	..	..	1	..	..
Liberal Party of Australia (L.P.)	16	42	25	24	26	15
National Country Party (N.C.P.)(a)	..	..	..	1	3	..
National Party (N.P.)	..	..	34	..	3	..
National Party of Australia (Victoria) (N.P.A.)	..	7	..	..	..	..
Australian Democrats (A.D.)	..	..	..	1	..	1
Total	95	81	82	47	55	35

(a) Formerly the National Alliance Party.

(b) Upper House abolished in 1922.

For corresponding particulars for the Commonwealth Parliament, see page 52.

Number and salaries and allowances of members of the legislatures, Commonwealth parliaments, September 1980.

COMMONWEALTH PARLIAMENTS: MEMBERS AND ANNUAL SALARIES AND ALLOWANCES, SEPTEMBER 1980

Members in—	Cwlth.	N.S.W.	Vic.	Qld	S.A.	W.A.	Tas.	Total
NUMBER OF MEMBERS								
Upper House	64	43	44	(a)	22	32	19	224
Lower House	124	99	81	82	47	55	35	523
Total	188	142	125	82	69	87	54	747
ANNUAL SALARY (b) (\$)								
Upper House	30,026	14,985	29,526	(a)	25,025	26,041	25,949	
Lower House	30,026	24,975	29,526	29,630	25,025	26,041	25,949	
ELECTORAL ALLOWANCES (\$)								
Upper House	(c)11,500	5,159	6,785–9,120	(a)	7,950	(d)8,310–16,110	(d)2,854–6,747	..
Lower House	(c)11,500–16,750(e)	(d)8,599–13,538	(d)6,785–9,120	(d)7,360–18,990	(d)5,000–18,500	(d)7,560–15,360	(d)3,892–9,082	..

(a) Abolished in 1922. (b) Basic rates (payable to backbenchers, etc.) only; additional rates apply for Ministers, etc. (c) Certain additional allowances are also provided for holders of parliamentary offices, etc. (d) Allowance payable depends on location of electorate and, for Victoria and Tasmania, size of electorate. A special expense allowance for members in N.S.W., ranging from \$3,190 to \$3,985 is paid to members representing country electorates. (e) A member of the House of Representatives representing an electorate of less than 5,000 square kilometres receives an electorate allowance at the rate of \$11,500 p.a.; a member representing an electorate of 5000 square kilometres or more receives an electorate allowance at the rate of \$16,750 p.a.

Outlay on parliamentary government

The table below shows, in broad groups, the expenditure incurred in the operation of the parliamentary system in Australia, comprising the Governor-General and Governors, the Ministries, the Upper and Lower Houses of Parliament, and electoral activities; *it does not attempt to cover the expenditure on Commonwealth and State administration generally*. Only broad groups are shown, but even these are not entirely comparable because of differences in accounting procedures and in the presentation of accounts. Expenditure under the head of Governor-General or Governor includes salaries of Government House staffs and maintenance of residences, official establishments, grounds, etc., and expenditure on capital works and services.

OUTLAY ON PARLIAMENTARY GOVERNMENT, 1978–79 (\$'000)

Expenditure group	Cwlth.	N.S.W.	Vic.	Qld	S.A.	W.A.	Tas.	Total
Governor-General or Governor (a)	4,419	754	871	535	494	461	494	13,742
Ministry (b)		1,174	1,161	1,526	565	482	804	
Parliament—								
Upper House (c)	2,885	963	1,260	..	572	1,309	570	7,559
Lower House (c)	5,682	3,267	2,396	2,669	1,200	2,047	850	18,111
Both Houses (d)	26,820	6,947	7,228	3,807	3,366	3,630	2,273	54,071
Miscellaneous (e)	14,610	672	984	3,311	771	871	151	21,370
Total, Parliament	49,997	11,849	11,868	9,785	5,909	7,857	3,844	101,109
Electoral (f)	14,734	4,498	2,585	633	539	489	219	23,696
Royal Commissions, Select Committees, etc.	1,274	1,040	28	34	396	228	21	3,021
Grand Total	70,424	19,315	16,512	12,514	7,904	9,517	5,381	141,568

(a) Salaries and other expenses, including maintenance of house and grounds. (b) Salaries, travelling and other expenses as ministers. (c) Allowances to members (including ministers' salaries as members), travelling and other expenses. (d) Government contribution to members' superannuation funds, printing, reporting staff, library, etc. (e) Services, furniture, stores, etc. (f) Salaries, cost of elections, etc.

OUTLAY ON PARLIAMENTARY GOVERNMENT

Year	Cwth.	N.S.W.	Vic.	Qld	S.A.	W.A.	Tas.	Total
TOTAL (\$'000)								
1973-74	38,926	7,378	5,218	4,340	3,190	4,213	1,935	65,200
1974-75	44,113	8,047	7,194	6,332	3,895	4,865	2,461	76,907
1975-76	53,680	12,454	12,541	7,839	5,207	6,333	3,031	101,086
1976-77	60,698	14,181	12,434	7,616	5,995	7,256	4,525	112,705
1977-78	69,830	16,846	13,412	9,823	7,554	8,096	4,650	130,210
1978-79	70,424	19,315	16,512	12,514	7,904	9,517	5,381	141,568
PER HEAD OF POPULATION (\$)								
1973-74	2.89	1.53	1.43	2.16	2.60	3.82	4.86	4.83
1974-75	3.22	1.65	1.94	3.07	3.12	4.29	6.11	5.62
1975-76	3.88	2.54	3.36	3.74	4.14	5.47	7.46	7.30
1976-77	4.34	2.87	3.30	3.59	4.73	6.13	11.06	8.05
1977-78	4.93	3.38	3.53	4.56	5.89	6.69	11.28	9.19
1978-79	4.91	3.83	4.30	5.74	6.12	7.72	12.95	9.88

Commonwealth Government Departments

For current detailed information on the Acts administered, the functions and the organisation of the Departments and Agencies of the Commonwealth Government see the *Commonwealth Government Directory* 1980.

Acts of the Commonwealth Parliaments

In the Commonwealth Parliament all laws are enacted in the name of the Sovereign, the Senate, and the House of Representatives. The subjects with respect to which the Commonwealth Parliament is empowered to make laws are enumerated in the Australian Constitution. In all States, other than South Australia and Tasmania, laws are enacted in the name of the Sovereign by and with the consent of the Legislative Council (except in Queensland) and Legislative Assembly. In South Australia and Tasmania laws are enacted in the name of the Governor of the State, with the advice and consent of the Parliament in the case of South Australia, and of the Legislative Council and House of Assembly in the case of Tasmania. Generally, assent to Bills passed by the Legislatures is given by the Governor-General or State Governor acting on behalf of, and in the name of, the Sovereign. In certain special cases Bills are reserved for the Royal Assent. The Parliaments of the States are empowered generally, subject to the Australian Constitution, to make laws in and for their respective States in all cases whatsoever. Subject to certain limitations they may alter, repeal, or vary their Constitutions. Where a law of a State is inconsistent with a law of the Commonwealth Parliament, the latter law prevails and the former law is, to the extent of the inconsistency, invalid.

The enactment/history of Commonwealth Parliament legislation

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

The following figures indicate the variation over the years in the number of enactments of the Commonwealth Parliament since 1901: 17 Acts were passed in 1901, 36 in 1914, 38 in 1927, 87 in 1939, 109 in 1952, 156 in 1965, 157 in 1968, 223 in 1973, 166 in 1974, 121 in 1975, 209 in 1976, 161 in 1977, 211 in 1978 and 191 in 1979.

