

Part 2

GOVERNMENT AND ADMINISTRATION

Constitution

Introduction

The present Constitution of Victoria derives from an Act passed by the Parliament at Westminster in 1855 and known in Victoria as The Constitution Act. That Act, together with *The Constitution Act Amendment Act 1958* (which consolidates the many constitutional provisions passed by the Victorian Parliament itself since 1855), provides the legal and constitutional background to a system of responsible Cabinet Government based on a legislature of two Houses, both elected upon adult suffrage. The Victorian Constitution has also been affected by the establishment of the Commonwealth Constitution by the *Commonwealth of Australia Constitution Act 1900*, by which legislative and executive powers upon certain specified matters were granted to the Commonwealth Parliament and 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 Parliament of Victoria may now make laws in and for Victoria upon all matters not exclusively granted to the Commonwealth by the Commonwealth Constitution; but upon some of these matters the Victorian law may be superseded by the passing of a Commonwealth Act.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.

Governor

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

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

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

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

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

The Governor also has power to appoint a Deputy to exercise his functions as the Queen's representative during his temporary absence from the seat of Government whether within or outside Victoria.

In the execution of the powers and authorities vested in him, the Governor shall be guided by the advice of the Executive Council, which is a body created under the Governor's Instructions and which in practice gives effect to Cabinet and ministerial decisions. If in any case he shall see sufficient cause to dissent from the opinion of the said Council, he may act in the exercise of his said 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 emphasizes 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 Major-General Sir Rohan Delacombe, K.C.M.G., K.B.E., C.B., D.S.O., who assumed office on 8th May, 1963.

A list of representatives of the Sovereign since the establishment of the Port Phillip District in 1839 is set out on pages 68 to 70 of the Victorian Year Book 1961.

Lieutenant-Governor

The Lieutenant-Governor is appointed to this office 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 authorized 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 the Commonwealth 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 the Commonwealth 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 Lieutenant-General the Hon. Sir Edmund Francis Herring, K.C.M.G., K.B.E., D.S.O., M.C., E.D.

Executive Council

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

The Executive Council, consisting of Executive Councillors under summons, namely, members of the current Ministry, usually meets weekly or as required. The quorum of three (3) comprises the Governor and at least two (2) 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, &c., the Governor acts formally with the advice of the Executive Council, but actually in accordance with Cabinet or Ministerial decisions.

Cabinet

Formation and Composition of Cabinet

Victoria has followed the system of Cabinet Government evolved in Britain. The Queen's representative in Victoria, the Governor, acts by convention upon the advice of a Cabinet of Ministers, the leader of whom is called the Premier, although there is no mention of Cabinet as such in the Victorian Constitution.

The authority under which Victorian Ministers are appointed is contained in section 15 of *The Constitution Act Amendment Act 1958*, which provides that the Governor may, from time to time, appoint up to fifteen (15) officers who are either members or capable of being elected members of either House of Parliament. No Minister shall hold office for a longer period than three months unless he is or becomes a member of the Legislative Council or the Legislative Assembly. This section further provides that not more than five (5) of such officers shall at any one time be members of the Legislative Council and not more than ten (10) 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 who he thinks would be supported by a majority in that House and asks him whether he is able and willing to form a new Government with himself as leader. If that member can assure the Governor accordingly, he may then be commissioned by the Governor to form a Ministry.

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

Powers of Cabinet

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

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

Functions and Methods of Procedure

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

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

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

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

Government

Ministries

Ministries, 1945 to 1964

The following is a list of the Premiers of the Governments from 1945 to 1964 :—

Ministry and Name of Premier	Date of Assumption of Office	Date of Retirement from Office	Duration of Office
Albert Arthur Dunstan ..	18th September, 1943	2nd October, 1945	days 746
Ian Macfarlan, K.C. ..	2nd October, 1945	21st November, 1945	51
John Cain ..	21st November, 1945	20th November, 1947	730
Thomas Tuke Hollway ..	20th November, 1947	3rd December, 1948	380
Thomas Tuke Hollway ..	3rd December, 1948	27th June, 1950 ..	572
John Gladstone Black McDonald	27th June, 1950 ..	28th October, 1952	855
Thomas Tuke Hollway ..	28th October, 1952	31st October, 1952..	4
John Gladstone Black McDonald	31st October, 1952..	17th December, 1952	48
John Cain	17th December, 1952	31st March, 1955 ..	835
John Cain	31st March, 1955 ..	7th June, 1955 ..	69
Henry Edward Bolte ..	7th June, 1955 ..	Still in Office	

A list of Government officers administering Victoria from 1851 to 1855 and of Premiers of the Governments from 1855 to 1955 is set out on pages 72 to 74 of the Victorian Year Book 1961.

Present Ministry

The last triennial elections for the Legislative Council and the last general election for the Legislative Assembly were held conjointly on 27th June, 1964.

At 31st July, 1964, the 62nd Ministry led by the Hon. H. E. Bolte consisted of the following members :—

From the Legislative Assembly:

The Hon. H. E. Bolte ..	..	Premier and Treasurer.
.. .. A. G. Rylah, E.D.	..	Chief Secretary and Attorney-General.
.. .. J. S. Bloomfield	..	Minister of Education.
.. .. G. O. Reid ..	..	Minister of Labour and Industry and Minister of Electrical Undertakings.
.. .. M. V. Porter	..	Commissioner of Public Works, and a Vice-President of the Board of Land and Works.
.. .. E. R. Meagher, M.B.E., E.D. ..	..	Minister of Transport, and a Vice- President of the Board of Land and Works.
.. .. J. C. M. Balfour	..	Commissioner of Crown Lands and Survey, Minister of Soldier Settlement, Minister for Conservation, and President of the Board of Land and Works.
.. .. T. A. Darcy	..	Minister of Water Supply and Minister of Mines.
.. .. J. F. Rossiter	..	Assistant Minister of Education.
.. .. V. F. Wilcox	..	Minister of Immigration.

From the Legislative Council:

The Hon. G. L. Chandler, C.M.G.	Minister of Agriculture and a Vice-President of the Board of Land and Works.
„ „ L. H. S. Thompson	.. Minister of Housing and Minister of Forests.
„ „ R. W. Mack	.. Minister of Health.
„ „ R. J. Hamer, E.D.	.. Minister for Local Government.
„ „ V. O. Dickie	.. Minister of State Development.

*Parliament***Introduction**

The Constitution Act, creating a Legislative Council and a Legislative Assembly, was assented to by Her Majesty in Council on the 21st July, 1855, and came into operation in Victoria on the 23rd 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 Legislature of the Commonwealth of Australia.

The Legislative Council has 34 members elected from two-member provinces for six year terms and the Legislative Assembly has 66 members elected from single electorates for three year terms. Both Houses are elected on adult suffrage, and their powers are normally co-ordinate, although Money Bills must originate in the Legislative Assembly.

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

The landmarks of Assembly suffrage were: 1857, manhood suffrage; 1899, plural voting abolished; and 1908, women's franchise. Adult suffrage for the Council was introduced in 1950. Payment of members has also been frequently adjusted. The present complex scale makes extra payments to the Leader of the third party as well as to the Leader of the Opposition; Opposition and third party Whips and

the Deputy Leader of the Opposition are also specially rewarded. Electorates are graded as "metropolitan", "urban", "inner country", and "outer country", and receive different rates.

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 capable of re-election. A session is that period between the summoning of Parliament and prorogation. When Parliament is prorogued all business on hand lapses and, if it is to be continued in the next session, it must be reintroduced.

There are three political parties at present (July, 1964) represented in the Parliament of Victoria: the Liberal and Country Party, the Labor Party, and the Country Party. Of the 34 members of the Legislative Council, eighteen belong to the Liberal and Country Party, eight to the Labor Party and eight to the Country Party. Of the 66 members of the Legislative Assembly, 38 belong to the Liberal and Country Party, eighteen to the Labor Party and ten to the Country Party. The Liberal and Country 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, and 1964. The Leader of that Party holds the office of Premier. The Labor Party forms the official Opposition Party, whilst the Country Party sits on the corner benches of the Government side of the Assembly.

Functions of Parliament

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

Parliamentary Procedure

Parliament controls the Government in office by the Assembly's power, in the last resort, to pass a resolution of no-confidence in the Government or to reject a proposal which the Government considers so vital that it is made a matter of confidence. This would force

the Government to resign. Procedure of each House is governed by Standing Orders, Rules and practice, based mainly on the procedure of the House of Commons, and administered by the respective presiding officers : the President of the Legislative Council, the Speaker of the Legislative Assembly, and the respective Chairmen of Committees. The principal innovations in Assembly procedure are time limit of speeches and the elaborate ballot procedure at the opening of a new Parliament for the election of the Speaker.

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

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

Under "Orders of the Day" which now follows, Bills are dealt with in their various stages. All Bills, with the exception of the annual Appropriation Bill, when passed by both Houses are presented by the Clerk of the Parliaments to the Governor, who, acting on the advice of his "Council of Legislation", gives the Royal Assent. This advice is set out at the commencement of each Bill and is as follows:—"Be it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria." The Appropriation Bill is presented by the Speaker to the Governor for assent. Unless otherwise provided, all Acts come into force on the day of assent.

PRIVATE LEGISLATION

Year Book 1962 (86-87).

MONEY BILLS

Year Book 1963 (73-75).

PARLIAMENTARY COMMITTEES

Year Book 1964 (52-56).

Resolving Disagreements or Deadlocks Between the Two Houses

Introduction

Since the establishment of responsible Government in Victoria in 1856 there have been many conflicts between the two Houses of the Legislature. The majority have been quickly settled, many after long and bitter struggles, and a very small minority—less than half a dozen—have ended in what might be termed a deadlock, a term used only in those rare cases where the ordinary processes of bi-cameral government have failed.

A Strong Upper House

The Legislative Council of Victoria has always been a strong and rather conservative House and eminent authorities have been known to describe it as a conservative bastion without parallel in the British Empire. The Constitution was designed to make it strong. From the beginning it has been an elective House and until 1951, when adult franchise was introduced for the Council, it was representative of what might be called the settled interests in the State, i.e., the owners of property and persons of high educational standards. From 1951 onwards, however, by virtue of being elected on an adult franchise it has been as fully and as truly representative of the whole of the people as has the Legislative Assembly.

The Council has derived strength from the fact that, being a wholly elective House it can never be “swamped” to serve the purpose of the Government of the day as can a nominee or partly nominee House. Its position has been further strengthened by a provision in The Constitution Act which provides for a special annual appropriation sufficiently large to meet the Council’s expenses. It is thus independent of the Assembly and a hostile Assembly is unable to hamstring the Council by, at any time, refusing to grant the money necessary for the Council to function. Another safeguard is the provision in the Constitution Act that no alteration in the constitution of either House can be made unless it is agreed to in each House by an absolute majority of the whole number of the members of the House. This means that any proposal to alter the constitution of the Council would require the support not only of an absolute majority of Assembly members but an absolute majority of Council members also.

The Council has the same privileges, immunities, and powers as the Assembly with one important difference—it cannot initiate “money” Bills which, generally speaking, are Bills for appropriating any part of the Consolidated Revenue or for imposing any duty, rate, tax, rent, return, or impost. Nor until 1903 could the Council amend such Bills. It had either to accept or reject them as they were. But in 1903 the Assembly conceded to the Council the right to suggest amendments to such Bills at three stages in their consideration, viz., the Committee stage, Report stage, and Third Reading stage. The Council could not, however, suggest any amendment if the effect of such amendment would be to increase any proposed charge or burden on the people. This concession strengthened the Council’s powers in dealing with such Bills and in many cases it had the effect, where the Houses differed as to parts only of a “money” Bill, of enabling agreement to be reached and so saving the Bill.

A practice sometimes adopted by the Assembly during the latter part of the last century in order to secure the passage of a "money" Bill unpalatable to the Council was to "tack" on to it provisions which it knew the Council favoured. This placed the Council in the position of having either to accept or reject both proposals. This device was eventually prohibited by an amendment to the Constitution.

Normal Parliamentary Practice

The machinery of Parliament is devised to facilitate as far as possible the resolution of differences between the two Houses over legislative proposals. Bills rejected outright must stand over until the next Session when they may be re-submitted. But where one House makes amendments in a Bill sent to it by the other House it returns the Bill desiring the other House's concurrence in the amendments. The other House may agree to the amendments, disagree with some or all of them, or agree to them with amendments of their own. It then sends the Bill back for concurrence in what it has done. This exchange back and forth could continue indefinitely but in practice, should agreement not be reached after three such exchanges, the Bill is dropped. Sometimes, where after one or two such exchanges agreement seems unlikely, resort is had to a less formal method. One House may request a Free Conference with the other on the subject-matter of the amendments in dispute. If the other House agrees, each House then appoints an equal number of its members referred to as Managers who meet in Conference and endeavour by discussion to effect an Agreement. Any Agreement so effected has almost invariably been confirmed by both Houses. This method of settling disagreements has been freely used throughout the years although no such Conference has been held since 1945. It can be used only to settle disagreements over amendments made to Bills, but never the outright rejection of a Bill.

Disagreements over some clear cut, vital principle have occasionally been overcome when the issue has been decided at a normal election at which a mandate was sought and given. Where the mandate has been clear the Council has given way.

Statutory Deadlock Provisions

Bitter disagreements occurred between the two Houses during the 1860's and 1870's, but the Council came through these conflicts with its strength unimpaired. All its powers were still intact and in 1881 its position was made even more secure by the reduction of the property qualification for its electors to as low as £10 thereby greatly broadening the basis of its representation. It continued to reject important Bills and unsuccessful attempts were made during the 1880's to resolve the many disagreements between the two Houses by constitutional reform aimed at securing the predominance of the Assembly. In 1893 a Parliamentary Royal Commission recommended the Referendum as a solution for deadlocks, but it was never used and the Government had to wait until 1903 before it at last secured the passage of a deadlock provision.

In the original Constitution no limit was placed on the Council's power to insist on its amendments to Assembly Bills (other than Appropriation and Taxation Bills which, as has been shown, it could

not amend). The Council could not be dissolved and there was no limit to the number of times it could reject an Assembly Bill. The 1903 legislation partly changed this by providing for, first, the dissolution of the Assembly in consequence of disagreement as to a Bill, and then, if the disagreement continued, for the dissolution of both the Council and the Assembly simultaneously. But this method proved ineffective, as even after the double dissolution the newly elected Council could, if it still thought fit, again reject the Bill should it be sent up by the newly elected Assembly.

The legislation availed the Government nothing. It was never put into operation, and the Council's position was stronger than ever since, to secure its passage, the Government had to concede the Council not only the additional powers (already referred to) in relation to "money" Bills, but had to place a restriction on what might be termed a "money" Bill. This meant agreeing to a provision that a Bill should not be construed as one appropriating any part of the revenue or for imposing any rate, duty, tax, etc., by reason only of its containing provisions for the imposition of fines or other pecuniary penalties or for the payment of fees for services or licences. The net result was that the Council was now regarded as probably being the most unassailable Second Chamber in the world.

The next attempt was made in 1935 when the Government endeavoured to provide a more effective method whereby Bills (other than Bills to abolish the Council) could be automatically passed without the consent of the Council if, after the Council had rejected or unacceptably amended it, the Assembly had been dissolved and again passed the same Bill. The attempt was defeated, the Council regarding it as a departure from the bi-cameral system of Government and the virtual establishment of the uni-cameral system.

Two years later agreement was reached on a new deadlock procedure—the one that is now operative. Under this new procedure the Council's power of unlimited rejection was taken away as it was provided that if the Council rejected an Assembly Bill and the Assembly was dissolved in consequence of the disagreement between the two Houses as to such Bill, and if the newly elected Assembly again sent up the Bill and the Council again rejected it, the Council could be dissolved. Then, if the Assembly again sent up the Bill and the Council again rejected it, a joint meeting of the members of both Houses was to be held to consider the Bill. If the Bill was passed at such joint meeting by an absolute majority of the total number of the members of the two Houses it was to be deemed to have been passed by the Council and was to become law. Certain procedural requirements make this method cumbersome and lengthy. It can not be used if the Assembly is within six months or less of its expiry by effluxion of time, and the Bill in dispute must be passed by the newly elected Assembly in the next session (but not earlier than nine months after the date of the second reading in the Assembly in the preceding session); the Council can not be dissolved within one month of its last rejection of the Bill nor within nine months after any general or periodical election for the Council; the Bill must be sent to the Council not less than two months before the end of the session,

and it can only be deemed to have been rejected if the Council has not passed it within two months of the date of the receipt of the Bill from the Assembly.

This procedure for securing the passage of a Bill in dispute can not be used in the case of a Bill providing for the abolition of the Council or for amending or repealing any of the above provisions.

Although in force since 1937 no attempt has as yet been made to use these deadlock provisions.

Members of the State Parliament

Political Parties

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

(*A.L.P.*) Australian Labor Party.

(*C.P.*) Country Party.

(*L.C.P.*) Liberal and Country Party.

Legislative Council

The following list shows members of the Legislative Council elected at the last triennial election held on 27th June, 1964 :—

Member	Province	Number of Electors on Rolls	Number of Electors Who Voted	Total Percentage of Electors Who Voted
Byrne, The Hon. Murray (<i>L.C.P.</i>)	Ballaarat ..	58,127	55,919	96·20
Byrnes, The Hon. Sir Percy (<i>C.P.</i>)	North-Western ..	47,206	45,206	95·76
Clarke, The Hon. Michael Alastair (<i>C.P.</i>)	Northern ..	55,775	53,301	95·56
Garrett, The Hon. William Raymond, A.F.C., A.E.A. (<i>L.C.P.</i>)	Southern ..	263,979	250,434	94·87
Granter, The Hon. Frederick James (<i>L.C.P.</i>)	Bendigo ..	60,773	57,959	95·37
Gross, The Hon. Kenneth Samuel (<i>L.C.P.</i>)	Western ..	57,644	55,371	96·06
Hamer, The Hon. Rupert James, E.D. (<i>L.C.P.</i>)	East Yarra ..	135,028	125,853	93·21
Hewson, The Hon. Henry Arthur (<i>C.P.</i>)	Gippsland ..	79,024	74,691	94·52
Mair, The Hon. William Phillip (<i>L.C.P.</i>)	South-Eastern ..	136,509	128,412	94·07
Merrifield, The Hon. Samuel (<i>A.L.P.</i>)	Doutta Galla ..	102,595	96,419	93·98
Nicol, The Hon. Graham John (<i>L.C.P.</i>)	Monash ..	94,213	86,425	91·73
O'Connell, The Hon. Geoffrey John (<i>A.L.P.</i>)	Melbourne ..	40,806	37,495	91·89
Snider, The Hon. Baron David (<i>L.C.P.</i>)	Higinbotham ..	123,503	115,652	93·64
Swinburne, The Hon. Ivan Archie (<i>C.P.</i>)	North-Eastern ..	51,762	49,059	94·78
Thom, The Hon. Geoffrey Walter (<i>L.C.P.</i>)	South-Western ..	83,634	79,918	95·56
Todd, The Hon. Archibald (<i>A.L.P.</i>)	Melbourne West	96,466	90,831	94·16
Walton, The Hon. John Malcolm (<i>A.L.P.</i>)	Melbourne North	148,267	140,639	94·86

Members of the Legislative Council who did not come up for election at the last triennial election on 27th June, 1964, are shown in the following table :—

Member	Province
Bradbury, The Hon. Archibald Keith (C.P.)	North-Eastern
Campbell, The Hon. William Montgomery (L.C.P.) ..	East Yarra
Chandler, The Hon. Gilbert Lawrence, C.M.G. (L.C.P.)	Southern
Dickie, The Hon. Vance Oakley (L.C.P.)	Ballaarat
Elliot, The Hon. Douglas George (A.L.P.)	Melbourne
Feltham, The Hon. Percy Victor, M.B.E. (C.P.) ..	Northern
Galbally, The Hon. John William (A.L.P.)	Melbourne North
Gawith, The Hon. Charles Sherwin (L.C.P.)	Monash
Grigg, The Hon. Thomas Henry (L.C.P.)	Bendigo
Hunt, The Hon. Alan John (L.C.P.)	South-Eastern
Knight, The Hon. Alexander Wilson (A.L.P.)	Melbourne West
McArthur, The Hon. Sir Gordon (L.C.P.)	South-Western
Mack, The Hon. Ronald William (L.C.P.)	Western
Mansell, The Hon. Arthur Robert (C.P.)	North-Western
May, The Hon. Robert William (C.P.)	Gippsland
Thompson, The Hon. Lindsay Hamilton Simpson (L.C.P.)	Higinbotham
Tripovich, The Hon. John Matthew (A.L.P.)	Doutta Galla

President: The Hon. Sir Gordon McArthur.

Chairman of Committees : The Hon. William Raymond Garrett.

Clerk of the Legislative Council : Leslie Graham McDonald, Esquire.

Legislative Assembly

The following list shows members of the Legislative Assembly elected at the general election held on 27th June, 1964. It also includes details of electoral districts and voting at this last general election.

Member	District	Number of Electors on Rolls	Number of Electors Who Voted	Total Percentage of Electors Who Voted
Balfour, The Hon. James Charles Murray (L.C.P.)	Morwell ..	24,713	23,662	95·75
Birrell, Hayden Wilson, Esquire (L.C.P.)	Geelong ..	22,523	21,500	95·46
Bloomfield, The Hon. John Stoughton (L.C.P.)	Malvern ..	18,966	17,299	91·21
Bolte, The Hon. Henry Edward (L.C.P.)	Hampden ..	21,137	20,383	96·43
Borthwick, William Archibald, Esquire (L.C.P.)	Scoresby ..	36,199	34,141	94·31
Christie, Vernon, Esquire (L.C.P.)	Ivanhoe ..	23,700	22,302	94·10
Clarey, Reynold Arthur, Esquire (A.L.P.)	Melbourne ..	14,228	12,827	90·15
Cochrane, Leslie James, Esquire (C.P.)	Gippsland West ..	22,861	21,841	95·54
Crick, George Roy, Esquire (A.L.P.)	Grant	46,160	43,586	94·42
Darcy, The Hon. Thomas Anthony (L.C.P.)	Polwarth ..	26,603	25,566	96·10

MEMBERS OF THE LEGISLATIVE ASSEMBLY—*continued*

Member	District	Number of Electors on Rolls	Number of Electors Who Voted	Total Percentage of Electors Who Voted
Divers, William Thomas, Esquire (<i>A.L.P.</i>)	Footscray ..	20,055	18,944	94·46
Dixon, Brian James, Esquire (<i>L.C.P.</i>)	St. Kilda ..	18,561	17,046	91·84
Dunstan, Roberts Christian, Esquire, D.S.O. (<i>L.C.P.</i>)	Mornington ..	33,536	31,129	92·82
Evans, Alexander Thomas, Esquire (<i>L.C.P.</i>)	Ballaarat North ..	22,914	22,155	96·69
Evans, Bruce James, Esquire (<i>C.P.</i>)	Gippsland East ..	21,857	20,356	93·13
Fennessy, Leo Michael, Esquire (<i>A.L.P.</i>)	Brunswick East ..	15,773	14,645	92·85
Floyd, William Laurence, Esquire (<i>A.L.P.</i>)	Williamstown ..	18,504	17,487	94·50
Fraser, The Hon. Alexander John, M.C. (<i>L.C.P.</i>)	Caulfield ..	21,310	19,773	92·79
Gainey, Richard John, Esquire, M.B.E. (<i>L.C.P.</i>)	Elsternwick ..	20,887	19,569	93·69
Gibbs, George Sampson, Esquire (<i>L.C.P.</i>)	Portland ..	23,338	22,352	95·78
Holden, Jack Bruce, Esquire (<i>L.C.P.</i>)	Moonee Ponds ..	19,976	18,755	93·89
Holding, Allan Clyde, Esquire (<i>A.L.P.</i>)	Richmond ..	16,168	15,022	92·91
Holland, Kevin Myles Stephen, Esquire (<i>A.L.P.</i>)	Flemington ..	18,402	17,332	94·19
Hudson, Philip Martin, Esquire (<i>L.C.P.</i>)	Toorak ..	18,921	17,021	89·96
Hyland, The Hon. Sir Herbert John Thornhill (<i>C.P.</i>)	Gippsland South	24,775	23,403	94·46
Jenkins, Dr. Henry Alfred (<i>A.L.P.</i>)	Reservoir ..	28,648	27,397	95·63
Jona, Walter, Esquire (<i>L.C.P.</i>)	Hawthorn ..	18,558	17,230	92·84
Lovegrove, Denis, Esquire (<i>A.L.P.</i>)	Fitzroy ..	16,093	14,854	92·30
Loxton, Samuel John Everett, Esquire (<i>L.C.P.</i>)	Prahran ..	18,283	16,874	92·29
McCabe, James Edmund, Esquire (<i>L.C.P.</i>)	Lowan ..	21,134	20,334	96·21
MacDonald, James David, Esquire (<i>L.C.P.</i>)	Burwood ..	21,599	20,363	94·28
McDonald, Russell Stanley Leslie, Esquire (<i>C.P.</i>)	Rodney ..	23,352	22,341	95·67
McDonald, The Hon. Sir William John Farquhar (<i>L.C.P.</i>)	Dundas ..	21,644	20,812	96·16
Manson, James Williamson, Esquire (<i>L.C.P.</i>)	Ringwood ..	40,985	39,018	95·20
Meagher, The Hon. Edward Raymond, M.B.E., E.D. (<i>L.C.P.</i>)	Mentone ..	28,065	26,397	94·06
Mitchell, The Hon. Thomas Walter (<i>C.P.</i>)	Benambra ..	23,895	22,593	94·55
Moss, The Hon. George Colin (<i>C.P.</i>)	Murray Valley ..	24,526	23,347	95·19
Mutton, Charles, Esquire (<i>A.L.P.</i>)	Coburg ..	20,970	19,890	94·85
Phelan, William, Esquire (<i>C.P.</i>)	Kara Kara ..	19,409	18,706	96·38
Porter, The Hon. Murray Victor (<i>L.C.P.</i>)	Sandringham ..	27,833	26,240	94·28

MEMBERS OF THE LEGISLATIVE ASSEMBLY—*continued*

Member	District	Number of Electors on Rolls	Number of Electors Who Voted	Total Percentage of Electors Who Voted
Rafferty, Joseph Anstice, Esquire (<i>L.C.P.</i>)	Ormond ..	25,534	24,151	94·58
Reid, The Hon. George Oswald (<i>L.C.P.</i>)	Box Hill ..	37,755	35,776	94·76
Reid, Leonard Stanley, Esquire, D.F.C. (<i>L.C.P.</i>)	Dandenong ..	45,070	42,626	94·58
Ring, Eugene Cornelius, Esquire (<i>A.L.P.</i>)	Preston ..	25,958	24,698	95·15
Rossiter, The Hon. John Frederick (<i>L.C.P.</i>)	Brighton ..	21,133	19,518	92·36
Rylah, The Hon. Arthur Gordon, E.D. (<i>L.C.P.</i>)	Kew	21,403	19,473	90·98
Scanlan, Alan Henry, Esquire (<i>L.C.P.</i>)	Oakleigh ..	23,331	22,265	95·43
Schintler, George Roy, Esquire (<i>A.L.P.</i>)	Yarraville ..	21,274	20,186	94·89
Stephen, William Francis, Esquire (<i>L.C.P.</i>)	Ballaarat South..	21,887	20,882	95·41
Stirling, Harold Victor, Esquire (<i>C.P.</i>)	Swan Hill ..	20,109	19,225	95·60
Stokes, Russell Newton, Esquire (<i>L.C.P.</i>)	Evelyn ..	35,240	33,297	94·49
Stoneham, The Hon. Clive Phillip (<i>A.L.P.</i>)	Midlands	23,894	22,670	94·88
Suggett, Robert Harris, Esquire (<i>L.C.P.</i>)	Moorabbin ..	33,974	32,290	95·04
Sutton, Patrick Keith, Esquire (<i>A.L.P.</i>)	Albert Park ..	16,223	14,909	91·90
Tanner, Edgar Stephen, Esquire, C.B.E., E.D. (<i>L.C.P.</i>)	Ripponlea ..	19,723	17,890	90·71
Taylor, Alexander William, Esquire, E.D. (<i>L.C.P.</i>)	Balwyn ..	28,438	26,686	93·84
Trethewey, Robert Hugh, Esquire (<i>L.C.P.</i>)	Bendigo ..	22,157	21,175	95·57
Trewin, Thomas Campion, Esquire (<i>C.P.</i>)	Benalla ..	21,091	20,074	95·18
Treziise, Neil Benjamin, Esquire (<i>A.L.P.</i>)	Geelong West ..	28,186	26,916	95·49
Turnbull, Campbell, Esquire (<i>A.L.P.</i>)	Brunswick West..	18,482	17,533	94·87
Wheeler, Kenneth Henry, Esquire (<i>L.C.P.</i>)	Essendon ..	25,421	24,116	94·87
Whiting, Milton Stanley, Esquire, (<i>C.P.</i>)	Mildura ..	20,973	19,985	95·29
Wilcox, The Hon. Vernon Francis (<i>L.C.P.</i>)	Camberwell ..	20,597	19,058	92·53
Wilkes, Frank Noel, Esquire (<i>A.L.P.</i>)	Northcote ..	19,465	18,423	94·65
Wilton, John Thomas, Esquire (<i>A.L.P.</i>)	Broadmeadows ..	52,865	50,435	95·40
Wiltshire, Raymond John, Esquire (<i>L.C.P.</i>)	Mulgrave ..	58,067	55,029	94·77

Speaker : The Hon. Sir William John Farquhar McDonald.

Chairman of Committees : Joseph Anstice Rafferty, Esquire.

Clerk of the Parliaments and Clerk of the Legislative Assembly : John Archibald Robertson, Esquire.

Number of Parliaments and Their Duration

During the period 1856 to 1964 there have been 43 Parliaments. The Forty-third Parliament was opened on 14th July, 1964. 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 Year Book for 1928-29, page 21. Similar information for the Twenty-ninth to the Thirty-ninth Parliaments (1927 to 1955) was published in the Year Book for 1952-53 and 1953-54, page 31. As from the commencement of the Thirty-eighth Parliament (20th 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 *	Sittings			
			Legislative Assembly		Legislative Council	
			Number of Sittings	Percentage of Sittings to Duration	Number of Sittings	Percentage of Sittings to Duration
		days				
Thirty-eighth ..	1950-52	865	131	15.1	81	9.4
Thirty-ninth ..	1952-55	852	92	10.8	61	7.2
Fortieth ..	1955-58	1,038	139	13.4	99	9.5
Forty-first ..	1958-61	1,059	150	14.2	103	9.7
Forty-second ..	1961-64	1,015	149	14.7	112	11.0

* Calculated from the date of opening to the date of dissolution of the Parliament.

Cost of Parliamentary Government

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

The table shows this expenditure for the State for the years ended 30th June, 1960 to 1964. In order to avoid incorrect conclusions about the cost of the Governor's establishment, it is pointed out that a large part of the expenditure (with the exception of the item "Salary") under the general heading "Governor" represents official services.

Parliamentary salaries and allowances were amended as from 6th October, 1954. Prior to that date, the President of the Legislative Council and the Chairman of Committees, the Speaker of the Legislative Assembly and the Chairman of Committees, and Ministers of the Crown received salaries and allowances only in connection with their offices. Under the new legislation, however, these persons receive salaries and allowances as members of Parliament in addition to those connected with their offices. These former amounts are included under "Parliament".

VICTORIA—COST OF PARLIAMENTARY GOVERNMENT (£)

Year Ended 30th June—	Governor		Ministry	Parliament		Electoral	Royal Commissions, Select Committees, etc.	Total
	Salary	Other Expenses *		Salaries of Members	Other Expenses †			
1960 ..	7,500	62,400	‡39,544	284,291	251,010	30,046	20,608	695,399
1961 ..	7,500	60,768	‡41,583	279,794	274,464	59,565	24,817	748,491
1962 ..	7,460	75,773	35,254	281,239	294,586	147,961	27,894	870,167
1963 ..	7,500	84,534	‡46,010	282,816	306,971	44,982	51,370	824,183
1964 ..	9,000	83,191	45,752	279,508	338,930	116,107	46,013	918,501

* Includes salaries of staff and maintenance of house and gardens.

† Includes cost of members' railway passes, parliamentary staff and maintenance.

‡ Includes cost of oversea conferences in Ministry costs.

State Acts Passed during 1963

The following Acts were passed by State Parliament during the year ended 31st December, 1963 :—

No. 6978 6979 6980 6981 6982 6983 6984	Eliza's Restaurant Act provides for the renewal of a restaurant licence Consolidated Revenue Act Solicitor-General (Pensions) Act grants the Solicitor-General a right to a pension after twelve years' service Racing (Totalizators Percentages) Act alters the respective rights of the Treasurer and the racing clubs Bungaree and Warrenheip Lands Exchange Act authorizes the exchange of certain Crown lands for certain private lands State Electricity Commission (Licensing of Electrical Mechanics) Act increases the powers of the Commission with relation to the licensing and control of electrical mechanics Drainage Areas (Rates) Act authorizes rates and special improvement charges to be levied after drainage works have begun	No. 6985 6986 6987 6988 6989	Companies Act makes two small amendments to the Companies Act, 1961. The first provides the court may order the winding-up of a company where as a result of a special investigation an inspector has recommended the winding-up, and the second varies the fees payable in relation to the registration of companies and the inspection of documents Insurance Commissioner (Cost and Expenses) Act authorizes the Insurance Commissioner to recover costs incurred by him when discharging certain functions Railways Dismantling Act authorizes the dismantling of certain disused railways Marine (Amendment) Act amends the 1958 Act Gas Regulation (Amendment) Act amends the 1958 Act
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STATE ACTS PASSED DURING 1963—*continued*

No.		No.	
6990	Inflammable Liquids Act deals with the storage and transportation of inflammable liquids	7002	Local Government (Protection from Fire) Act extends the powers of municipalities with respect to fire protection
6991	Railways (Brighton-street Richmond Bridge) Act provides for the removal of a railway bridge, and requires the Victorian Railways Commissioners to replace the bridge removed with a foot bridge	7003	The Metropolitan Transportation Committee Act establishes that Committee
6992	Hawkers and Pedlers (Amendment) Act amends the 1958 Act	7004	Fruit and Vegetable Marketing Advisory Committee establishes that Committee
6993	Geelong (Market Site) Land Act vests certain land formerly reserved as a livestock market in the council of the City of Geelong, and authorizes the Council to grant building leases over that land	7005	Wholesale Fruit and Vegetable Market (Traders) Act regulates the establishment of wholesale fruit and vegetable businesses
6994	Parole Board Membership Act authorizes the appointment of deputies for the Chairman and members of the Parole Board	7006	Goods (Title on Execution) Act amends the 1958 Act
6995	Co-operation (Deputy Registrar) Act authorizes the appointment of a Deputy Registrar of Co-operative Societies	7007	Companies (Trustees for Debenture Holders) Act limits the class of person that may act as a trustee for debenture holders
6996	Landlord and Tenant (Execution of Warrants) Act amends the Landlord and Tenant Act 1958 and makes it clear that a member of the police force executing a warrant for possession, is not required to remove goods and chattels from the premises when he delivers up possession to the landlord	7008	Grain Elevators (Border Wheat) Act authorizes the Grain Elevators Board to extend its operations outside Victoria by authorizing the Board to enter into an agreement with farmers in New South Wales who are in the area adjacent to the New South Wales-Victorian Border
6997	Justices (Service of Summonses by Post) Act extends the range of offences for which summonses may be served by post	7009	Revocation and Excision of Crown Reservations Act
6998	Consolidated Revenue Act	7010	Housing (Contracts with Minors) Act authorizes the Housing Commission to enter into terms contracts with persons over the age of eighteen years
6999	Melbourne Harbor Trust (Amendment) Act amends the 1958 Act	7011	Rural Finance and Settlement Commission Act makes substantial amendments to the law governing the operations of the Commission
7000	Racing (Trotting Control) Act increases the number of trotting meetings that may be held in Victoria in each year. It also provides for the Trotting Control Board to be a body corporate	7012	Estate Agents (Amendment) Act amends the 1958 Act
7001	Sheep Branding Fluids Act prohibits the use of branding substances for branding sheep unless the substance has been approved by the Minister for Agriculture	7013	Local Government Act amends the 1958 Act
		7014	Local Government (Decentralized Industries) Act authorizes country municipalities to commute rating liability for the purpose of encouraging decentralization of industry
		7015	Victoria Amateur Turf Club Act amalgamates the Victoria Amateur Turf Club and the Melbourne Racing Club
		7016	North Melbourne Municipal Buildings Site Act relates to certain land at North Melbourne

STATE ACTS PASSED DURING 1963—*continued*

No.		No.	
7017	Friendly Societies (Building Societies) Act authorizes friendly societies to join together to establish a building society	7034	Vermin and Noxious Weeds (Financial) Act increases the amount that may be borrowed for the purposes of the 1958 Act
7018	Westernport (Oil Refinery) Act authorizes the establishment of an oil refinery at Crib Point	7035	Grain Elevators (Borrowing Powers) Act increases the amount that may be borrowed by the Grain Elevators Board
7019	Valuation of Land (Rates) Act in effect postpones the operation of certain revaluations of land affecting rating by various statutory bodies until 1964	7036	Home Finance (Amendment) Act makes minor amendments to the Home Finance Act 1962, and makes it clear that the Fund may be used to pay off prior mortgagees where such a payment will better secure a loan made from the Home Finance Fund
7020	Health (Amendment) Act amends the 1958 Act	7037	Trustee Companies Act enables certain Trustee Companies operating in different States of the Commonwealth to be amalgamated
7021	Motor Car (Roadworthiness) Act regulates the disposal of second-hand motor cars	7038	Local Government (Amendment) Act amends the 1958 Act
7022	State Savings Bank (Amendment) Act increases the amount of debentures that may be issued by the Bank	7039	Evidence (Affidavits) Act authorizes affidavits for use in the Supreme Court to be sworn before notaries public
7023	Estate Agents (Further Amendment) Act amends the earlier 1963 Act	7040	Justices (Adjourned Proceedings) Act varies the powers and procedures to be adopted by Courts of Petty Sessions
7024	Local Government (Shire of Fern Tree Gully) Act authorizes the creation of a new Shire	7041	Foreign Judgments (Amendment) Act amends the 1962 Act
7025	Consolidated Revenue Act	7042	Supreme Court (Vexatious Litigants) Act extends the control over vexatious litigants
7026	Adoption of Children (Guardians) Act amends the 1958 Act	7043	Fraudulent Debtors Commitment Act resolves conflicting provisions relating to the imprisonment of fraudulent debtors
7027	Geelong Waterworks and Sewerage (Amendment) Act amends the financial management of the Trust	7044	Stock Medicines (Amendment) Act amends the 1958 Act
7028	State Forests Loan Application Act	7045	Fertilizers (Amendment) Act amends the 1958 Act with respect to branding and testing for standards
7029	Mildura Irrigation and Water Trusts Act extends the power of the Trust	7046	Railways (Financial Reports) Act amends the provisions relating to quarterly financial reports required to be supplied by the Victorian Railways Commissioners
7030	Co-operative Housing Societies (Guarantees) Act amends the 1958 Act	7047	Stamps (Amendment) Act amends the 1958 Act
7031	Legal Aid (Amendment) Act incorporates the Legal Aid Committee	7048	Land (Amendment) Act amends the 1958 Act
7032	Sewerage Districts Act makes various amendments to the 1958 Act	7049	Colac to Weepproinah Railways Dismantling Act
7033	Transport Regulation (Amendment) Act extends the right to apply for a commercial passenger vehicle licence to intending owners, and gives the Governor in Council power to require safety screens, &c., to be fitted in commercial passenger vehicles (which include taxis)	7050	Water Act amends the 1958 Act

STATE ACTS PASSED DURING 1963—*continued*

No.		No.	
7051	Housing (Municipal Donations) Act extends the powers of the Housing Commission in relation to agreements with municipalities with respect to land donated by municipalities for housing purposes	7067	Australian and Overseas Insurance Company Limited Act relates to claims against this company in respect of workers' compensation policies
7052	Sale of Land (Amendment) Act amends the 1962 Act	7068	University (Amendment) Act relates to the number of student-ships and free places granted by the University
7053	The Shell Company of Australia Limited Act authorizes this company to be incorporated in Victoria	7069	State Savings Bank (Amendment) Act authorizes the Bank to grant advances to depositors in certain cases without requiring any security
7054	Public Officers Salaries and Allowances Act relates to the salaries, allowances and fees of certain public officers	7070	Tourist (Amendment) Act amends the 1958 Act
7055	Judges' Salaries and Allowances Act increases the remuneration payable to judges of the Supreme and County Courts	7071	Railway Loan Application Act
7056	Water Supply Loan Application Act	7072	Boilers Inspection (Amendment) Act relates to the registration and inspection of boilers
7057	Children's Welfare (Retainers) Act extends the powers of the Minister in relation to approved children's homes, hostels and registered houses	7073	Motor Car Act amends the 1958 Act
7058	Police Offences (Amendment) Act amends the 1958 Act	7074	Agricultural Education (Cadets-ships) Act authorizes the Minister of Agriculture to employ persons as cadets while undergoing courses of training in agricultural science, veterinary science and other related courses
7059	Standard Insurance Company Limited (Amendment) Act amends the 1962 Act	7075	Land (Surrender by Trustees) Act authorizes the surrender to the Crown of land held for certain public purposes by trustees
7060	Dandenong Valley Authority Act creates this Authority	7076	Coal Mines (Amendment) Act increases the pension payable to dependants of coal mine workers in certain circumstances
7061	River Murray Waters (Menindee Lakes Storage) Act	7077	Labour and Industry (Employment of Children) Act amends the law relating to the employment of children under the age of fifteen years
7062	River Murray Waters Act	7078	Portland Harbor Trust (Grain Terminal) Act
7063	State Insurance Funds Act	7079	Apprenticeship (Amendment) Act amends the 1958 Act
7064	Public Works Loan Application Act	7080	Labour and Industry (Amendment) Act amends the 1958 Act
7065	Statute Law Revision Act revises the Statute Law	7081	Superannuation Act extends the benefits under the 1958 Act to members of the police force
7066	Judges' Pensions Act alters the period of service required before a Judge of the Supreme Court or of the County Court or the Solicitor-General is to be entitled to a pension. The new provisions require ten years' service and the attainment of the age of 60 years before a pension is payable on retirement. The Act also increases the pension payable to widows of these officers from 20 per cent. of the salary to 25 per cent. of the salary of the officer	7082	Racing (Totalizators) Act authorizes off-course totalizators to operate on interstate horse races

STATE ACTS PASSED DURING 1963—*continued*

No.		No.	
7083	Co-operation (Amendment) Act extends the powers of the Registrar of Co-operative Societies in relation to contracts for the purchase of the land by societies and contracts providing for the function of the society to be performed by independent contractors. Power is also given to dispose of shares of members of societies whose whereabouts are unknown	7095	Underseas Mineral Resources Act provides for the exploitation of undersea mineral resources within and beyond the territorial limits of Victoria
7084	Raising of School Leaving Age Act raises the school leaving age from fourteen years to fifteen years	7096	Commercial Goods Vehicles (Decentralized Industries) Act provides for licences for vehicles owned by persons carrying on approved decentralized secondary industries
7085	Wheat Industry Stabilization Act confers various powers and functions upon the Australian Wheat Board	7097	Co-operative Housing Societies (Amendment) Act amends the Co-operative Housing Societies Act, 1958, and in particular with relation to advances in respect of stratum estates and as to the cases in which the Treasurer may indemnify societies against loss
7086	Justices (Jurisdiction) Act extends the jurisdiction of Courts of Petty Sessions in civil matters	7098	Williamstown (Melbourne Harbor Trust) Land Act closes portion of a road on Crown land in the City of Williamstown
7087	Electrical Undertakings Act increases the borrowing powers of the State Electricity Commission	7099	Land Tax (Rates and Appeals) Act fixes the rates of land tax to be charged for the year ending 31st December, 1964
7088	Crimes (Aircraft) Act creates various offences in relation to acts committed on or in relation to aircraft	7100	City of Melbourne Underground Railway Construction Act revokes a proclamation made under the 1960 Act, but authorizes a new proclamation to be made
7089	Companies (Public Borrowings) Act substantially amends the companies legislation with respect to public borrowings by companies	7101	Cultural and Recreational Lands Act prohibits the compulsory acquisition of recreational lands without the authority of a special Act of Parliament
7090	Vegetation and Vine Diseases (Amendment) Act amends the 1958 Act	7102	Consolidated Revenue Act
7091	Door to Door (Sales) Act enables persons who enter into various types of credit or hire purchase agreements at their places of residence to avoid the contract by giving notice within five days of the agreement being made	7103	Hospitals and Charities (Amendment) Act amends the 1958 Act
7092	Grain Elevators (Bulk Barley) Act permits the handling of barley in bulk by the Grain Elevators Board	7104	Appropriation of Revenue Act
7093	Milk Board (Amendment) Act amends the 1958 Act	7105	Police Offences (Further Amendment) Act creates offences in relation to giving information with respect to betting systems and with respect to the use of tobacco vending machines by children under the age of sixteen years
7094	Marketing of Primary Products (Tobacco Leaf) Act enlarges the meaning of the word "producer" in the 1958 Act	7106	Governor's Salary Act increases the salary payable to the Governor of the State of Victoria

Electoral System

Introduction

Electoral Basis of the Two Houses

When first constituted, the Legislative Council or Upper House was composed of 30 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 21 years. A similar provision applies to the Legislative Assembly.

Victoria is divided, for Legislative Council purposes, into seventeen 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 on the dissolution of the Council, when one-half of the members are to be elected for only three years. (See Fig. 9.)

For Legislative Assembly purposes, the State is divided into 66 Electoral Districts, each returning one member. Members are elected for three years, unless Parliament is dissolved before this period.

Redistributions of Electoral Districts for the Legislative Assembly

Under the *Electoral Districts Act* 1953, provision was made for a redivision of the State to be carried out on the basis of each of the 33 Commonwealth Electoral Divisions in Victoria being divided into two Electoral Districts for the Assembly. The first general election conducted on the basis of electorates so created took place on the 28th May, 1955. The *Electoral Districts Act* 1953 (now incorporated into *The Constitution Act Amendment Act* 1958) also provided for recurrent redivisions on the same basis to be made whenever there is any alteration in the number of Commonwealth Electoral Divisions in Victoria, or in any of its boundaries, subject to the proviso that no such redivision shall be made if the whole number of members of the Legislative Assembly would be reduced as a result.

Apart from the redivision mentioned above, the only other redivision made following the *Electoral Districts Act* 1953, took place in 1956 and the general elections of 31st May, 1958, 15th July, 1961, and 27th June, 1964 were held on the basis of the 66 Electoral Districts created as a result. (See Fig. 10.)

Enrolment of Electors

Enrolment on the electoral roll is compulsory for every person, of the age of 21 years or over, who is a natural-born or naturalized subject of the Queen and who has resided in Australia for six months continuously, and in Victoria for at least three months. The electoral rolls for the State are compiled by the Commonwealth Electoral

VICTORIA
LEGISLATIVE COUNCIL
STATE ELECTORAL PROVINCES

- | | |
|--------------------|------------------|
| A. Melbourne | J. South-Western |
| B. Melbourne West | K. Ballarat |
| C. Doutta Galla | L. Bendigo |
| D. Melbourne North | M. North-Eastern |
| E. East Yarra | N. Gippsland |
| F. Monash | O. Western |
| G. Higinbotham | P. North-Western |
| H. South-Eastern | Q. Northern |
| I. Southern | |

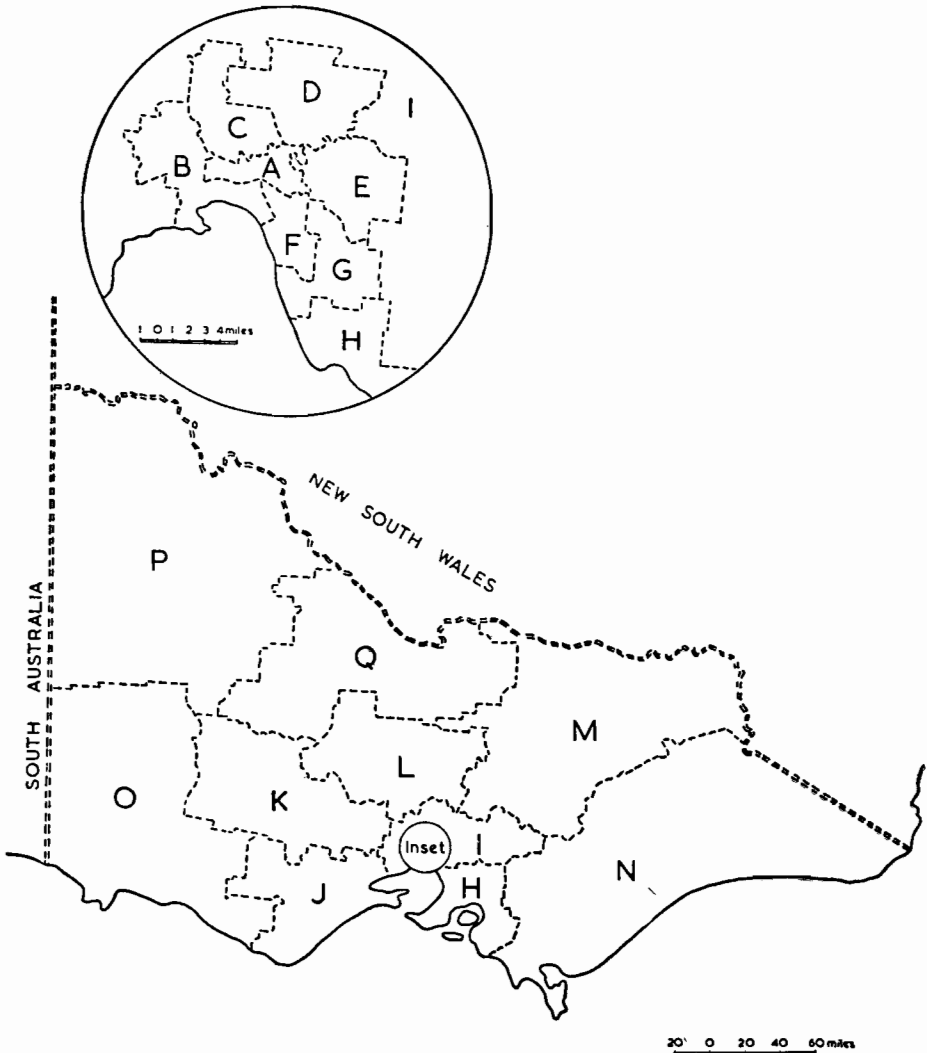


FIGURE 9.—Map of Victoria and inset of Melbourne Metropolitan Area showing State electoral provinces.

VICTORIA LEGISLATIVE ASSEMBLY

STATE ELECTORAL DISTRICTS

- | | | |
|-------------------|------------------|---------------------|
| 1. Brunswick East | 23. Balwyn | 45. Geelong |
| 2. Fitzroy | 24. Kew | 46. Geelong West |
| 3. Melbourne | 25. Camberwell | 47. Ballarat South |
| 4. Flemington | 26. Burwood | 48. Ballarat North |
| 5. Brunswick West | 27. Malvern | 49. Midlands |
| 6. Coburg | 28. Caulfield | 50. Bendigo |
| 7. Northcote | 29. Oakleigh | 51. Benalla |
| 8. Ivanhoe | 30. Ormond | 52. Benambra |
| 9. Richmond | 31. Elsternwick | 53. Gippsland East |
| 10. Hawthorn | 32. Brighton | 54. Gippsland South |
| 11. Toorak | 33. Moorabbin | 55. Morwell |
| 12. Prahran | 34. Sandringham | 56. Gippsland West |
| 13. St. Kilda | 35. Grant | 57. Polwarth |
| 14. Ripponlea | 36. Broadmeadows | 58. Hampden |
| 15. Albert Park | 37. Evelyn | 59. Portland |
| 16. Williamstown | 38. Box Hill | 60. Dundas |
| 17. Yarraville | 39. Ringwood | 61. Lowan |
| 18. Footscray | 40. Scoresby | 62. Kara Kara |
| 19. Moonee Ponds | 41. Mulgrave | 63. Mildura |
| 20. Essendon | 42. Dandenong | 64. Swan Hill |
| 21. Reservoir | 43. Mentone | 65. Rodney |
| 22. Preston | 44. Mornington | 66. Murray Valley |

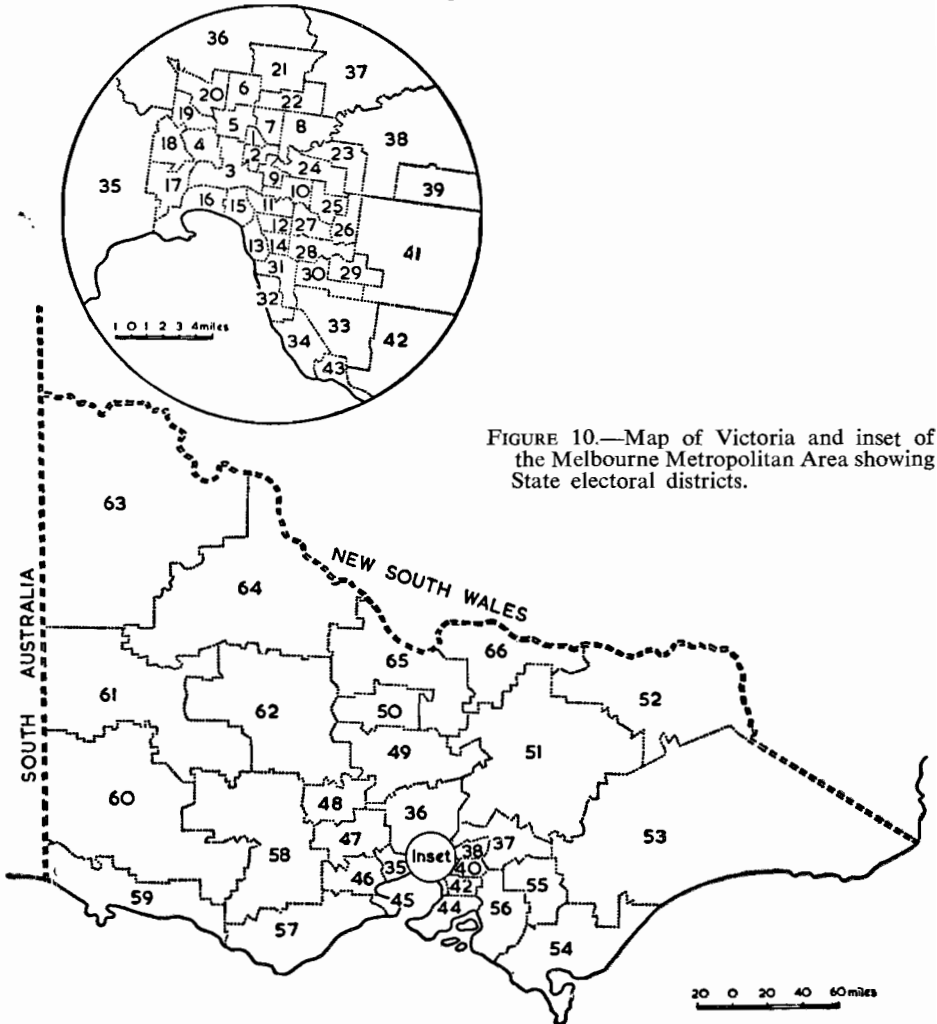


FIGURE 10.—Map of Victoria and inset of the Melbourne Metropolitan Area showing State electoral districts.

authorities under a joint Commonwealth–State agreement, each Government paying half the cost of compilation. All Federal 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 297 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 of Australia and the State of Victoria, the electoral rolls prepared and maintained by the Commonwealth Electoral Officer for Victoria have been used at all Commonwealth elections and elections for the Legislative Assembly of Victoria.

The *Legislative Council Reform Act 1950*, which came into force on 1st 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 elections and State parliamentary elections, whether for the Legislative Assembly or the Legislative Council.

VICTORIA—ELECTORS ENROLLED ON JOINT ROLL

Year Ended 30th June—							Number of Electors Enrolled
1960	..	..	..	..	..	..	1,522,481
1961	..	..	..	..	..	..	1,554,856
1962	..	..	..	..	..	..	1,588,633
1963	..	..	..	..	..	..	1,596,807
1964	..	..	..	..	..	..	1,635,311

Voting Features at 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 and are within any part of Australia, or in Great Britain, or New Zealand, 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. (See also pages 79 to 82.) 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, &c.) indicating his relative degree of preference being written opposite the names of the other candidates. Where an elector has so indicated his order of preference for all candidates except one, he is deemed to have given his last contingent vote or preference to such candidate.

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

Parliamentary Elections

At the Legislative Assembly election held on the 27th June, 1964, there were contests in all of the 66 Electoral Districts and in all of them there were more than two candidates engaged.

In 40 of these contests the successful candidate had an absolute majority of the total first preferences recorded and consequently no distribution of further preferences was necessary. After the necessary distribution of second or subsequent preferences had been completed in the other 26 contests, the leading candidate, on the first count, was elected in 19 instances but was defeated in the remaining seven 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 Electorates				
	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

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

Year of Election	Number of Members of Legislative Assembly	Population per Member	Proportion of Persons Enrolled to Total Population	Number of Electors Enrolled on Date of Election	Average Number of Electors per Member
			per cent.		
1952 ..	65	36,300	59·4	1,402,705	21,580
1955 ..	66	38,100	56·6	1,422,588	21,554
1958 ..	66	41,300	54·2	1,478,065	22,395
1961 ..	66	44,398	53·1	1,554,856	23,558
1964 ..	66	47,175	52·5	1,635,311	24,777

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 since that year for the Legislative Assembly is found on page 86 of the Victorian Year Book 1961.

Legislative Council

The Legislative Council consists of 34 members representing seventeen Provinces. Voting in elections held for the Legislative Council since 1952 is shown in the next table. At the triennial election of 27th June, 1964, there were contests in all Provinces and in all of them there were more than two candidates engaged.

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

The following table shows particulars of elections for the Legislative Council :—

VICTORIA—VOTING AT ELECTIONS FOR THE LEGISLATIVE COUNCIL

Year of Election	Whole State		Contested Province s			
	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

Parliamentary By-election

The following are details of a by-election held between 30th June, 1963, and 27th June, 1964 :—

Legislative Council—

14th March, 1964, Mr. William Montgomery Campbell elected for East Yarra Province.

FURTHER REFERENCES

Chief Electoral Officer for Victoria—*Various Publications Giving Detailed Statistics of State Elections.*

Department of Political Science, University of Melbourne—*The Government of Victoria* (1958).

Victorian Members of the Federal Parliament

Political party affiliations of Victorian Members of the Federal Parliament are indicated thus :—

(A.L.P.) Australian Labor Party.

(C.P.) Country Party.

(L.P.) Liberal Party.

The following are the Senators elected for Victoria sitting in the Senate as at 30th June, 1964 :—

Breen, Maria Freda, O.B.E. (L.P.)	Hendrickson, Albion (A.L.P.)
Cohen, Samuel Herbert, Q.C. (A.L.P.)	Kennelly, the Hon. Patrick John (A.L.P.)
Cormack, Magnus Cameron (L.P.)	Sandford, Charles Walter (A.L.P.)
Gorton, The Hon. John Grey (L.P.)	Wade, The Hon. Harrie Walter (C.P.)
Hannan, George Conrad (L.P.)	Wedgwood, Ivy Evelyn (L.P.)

The Victorian Members in the House of Representatives and the electorates they represent as at 30th June, 1964, are shown below :—

Member	Constituency*
Beaton, Noel Lawrence (A.L.P.)	Bendigo
Benson, Samuel James, R.D. (A.L.P.)	Batman
Bryant, Gordon Munro (A.L.P.)	Wills
Buchanan, Alexander Andrew (L.P.)	McMillan
Cairns, James Ford (A.L.P.)	Yarra
Calwell, The Hon. Arthur Augustus (A.L.P.)	Melbourne
Chipp, Donald Leslie (L.P.)	Higinbotham
Courtney, Frank (A.L.P.)	Darebin
Crean, Frank (A.L.P.)	Melbourne Ports
Davis, Francis John (L.P.)	Deakin
Erwin, George Dudley (L.P.)	Ballaarat
Fox, Edmund Maxwell Cameron (L.P.)	Henty
Fraser, John Malcolm (L.P.)	Wannon
Haworth, The Hon. William Crawford (L.P.)	Isaacs
Holt, The Rt. Hon. Harold Edward (L.P.)	Higgins
Holten, Rendle McNeilage (C.P.)	Indi
Howson, The Hon. Peter (L.P.)	Fawkner
Jess, John David (L.P.)	La Trobe
Kent Hughes, The Hon. Sir Wilfrid Selwyn, K.B.E., M.V.O., M.C., E.D. (L.P.)	Chisholm
King, Robert Shannon (C.P.)	Wimmera
Lindsay, Robert William Ludovic (L.P.)	Flinders
Mackinnon, Ewen Daniel (L.P.)	Corangamite
McEwen, The Rt. Hon. John (C.P.)	Murray
McIvor, Hector James (A.L.P.)	Gellibrand
Menzies, The Rt. Hon. Sir Robert Gordon, K.T., C.H., Q.C. (L.P.)	Kooyong
Nixon, Peter James (C.P.)	Gippsland
Opperman, The Hon. Hubert Ferdinand, O.B.E. (L.P.)	Corio
Peters, Edward William (A.L.P.)	Scullin
Pollard, The Hon. Reginald Thomas (A.L.P.)	Lalor
Snedden, The Hon. Billy Mackie (L.P.)	Bruce
Stokes, Philip William Clifford, E.D. (L.P.)	Maribyrnong
Turnbull, Winton George (C.P.)	Mallee
Whitton, Raymond Harold (L.P.)	Balaclava

* The population as disclosed by the Census taken on 30th June, 1961 necessitated further representational changes, Victorian representation becoming 34. The necessary redistribution of boundaries to bring these into effect has not yet been approved by the Commonwealth Parliament.

AGENT-GENERAL FOR VICTORIA IN THE UNITED KINGDOM AND
NORTHERN IRELAND

Year Book 1964 (74-77).

Government Administration

Government administration in Victoria is carried on through a variety of administrative agencies. The Government departments proper and the large statutory corporations administer most of the governmental activities, and there are also small regulatory or advisory bodies or committees set up under statute for specific limited purposes.

Victorian Public Service

The Public Service consists of fifteen Departments, each of which is generally self-contained and has a responsibility for the implementation of a function or functions allotted to it by Parliament or by the Government. The Departments which come under this head are :—

Agriculture	Mines
Chief Secretary's	Premier's
Crown Lands and Survey	Public Works
Education	State Forests*
Health	Transport
Labour and Industry	Treasury
Law	Water Supply*
Local Government	

* These two bodies are Departments only for the purposes of personnel administration under the Public Service Act. They are also listed as Government Instrumentalities in relation to their operative functions.

DEPARTMENTAL FUNCTIONS

Year Book 1963 (93-99).

History of State Government Departments

The first of a series of short, comprehensive histories of the State Government Departments appeared on pages 100 to 104 of the 1963 Victorian Year Book and described the development of the Chief Secretary's Department. An article on the Premier's Department was published in the 1964 Victorian Year Book, pages 81 to 84, and a history of the Crown Law Department is outlined in the following article.

Crown Law Department

Although the Law Department as such did not come into actual being until the separation of Port Phillip from New South Wales, the foundations of law enforcement upon which it is based were laid as

early as 1836, the year of the foundation of the Port Phillip settlement. On 2nd May, 1836, disputes between Fawkner and Henry Batman were decided between three arbitrators, James Simpson, Dr. Alexander Thomson, and John Aitken. This was the first arbitration at Port Phillip.

George Stewart, the Police Magistrate at Goulburn, was sent by Sir Richard Bourke to inquire into the state of affairs at Port Phillip, and he arrived there in the revenue cutter *Prince George* on 25th May, 1836. He called a meeting of the residents of the district, and as a result James Simpson was appointed arbitrator and other temporary provisions for dispensing justice were made. It was also resolved that a petition be prepared for presentation to Governor Bourke praying him to appoint a resident Police Magistrate at Port Phillip and local justices of the peace.

Thus was born the law in Victoria and under such simple rules the new settlement was administered until the following 9th September when Sir Richard Bourke issued a Government Order, notifying that His Majesty's Government had authorized the location of settlers at Port Phillip under the Crown Lands Regulations of New South Wales, and that he had appointed Captain William Lonsdale of the 4th or King's Own Regiment to be Police Magistrate for that district.

On 12th September, the Assistant Military Secretary of New South Wales, Captain W. Hunter, informed Captain Lonsdale that he had been appointed to the command of a detachment of troops who were under order to proceed to Port Phillip. On his arrival he was to select a site for the erection of a temporary residence for himself, barracks for the military, a commissariat and temporary huts for constables and others. On 14th September, the Colonial Secretary of New South Wales, Alexander McLeay, informed Captain Lonsdale that, in addition to exercising the ordinary jurisdiction of a justice of the peace, he was to send a confidential report monthly to the Governor, and also to inform him at once of any important occurrence.

Captain Lonsdale made an official landing on 1st October and the following day wrote a "confidential letter" to Sir Richard Bourke, stating that settlers had "expressed themselves in such a manner as to leave no doubt that the establishment which your Excellency has directed to be formed here is considered the greatest boon that could be granted them, indeed it had become absolutely necessary for their safety, as many of the lower order of people who had come over on adventure were taking advantage of the absence of power to behave in a lawless and intimidating manner".

In 1837, Captain Lonsdale suggested to the Governor the opening in Melbourne of Courts of Quarter Sessions and Requests, and the appointment of a Magistrate selected from the residents. Sir Richard Bourke also suggested to Lord Glenelg the appointment of a Lieutenant-Governor at Port Phillip at a salary of £800 a year, and of a fourth judge of the Supreme Court of New South Wales at a salary of £1,000 a year, in order that one of the four should be available for holding assizes twice a year at Port Phillip.

In 1838, the first Court of Petty Sessions in Little Collins-street near Spencer-street was established. This erection being of wattle and daub construction proved to be too flimsy and was ultimately destroyed by fire by prisoners in the adjoining lock-up. The court then moved to a stone structure on the site of the Western Market and thence to the corner of Little Collins and Swanston Streets where it remained until 1884 when it took over the recently vacated Supreme Court on the corner of Latrobe and Russell Streets. The present Law Courts which were opened in 1884 and to which the Supreme Court was transferred from Latrobe-street took ten years to build at a cost of £300,000.

Melbourne was also appointed a place for holding Courts of General Quarter Sessions in 1838 and trial by jury was extended to Courts of General Quarter Sessions of Melbourne by an Act of the Legislative Council of New South Wales. This court sat originally in Little Collins-street between Swanston and Russell Streets, afterwards moving to Swanston-street between Latrobe and Franklin Streets before its final move as the County Court to the Law Courts in 1885.

The first Supreme Court was formally opened in a "small inconvenient brick building" on the south-west corner of Bourke and King Streets in 1841 by Judge J. W. Willis and continuous sittings were held there until a new Supreme Court was erected at the corner of Russell and Latrobe Streets and opened in 1843 by Judge Jeffcott, who had succeeded Judge Willis.

Thus in 1851, when the Proclamation of Separation as from 1st July, 1851, was read on the steps of the Government Offices (on the site of the present Law Courts), a judicial system had long been in operation. Its administration had, however, been one of the functions of the Superintendent of the Port Phillip District (Charles Joseph Latrobe), who had arrived in 1839, until his appointment as first Lieutenant-Governor of the new Colony of Victoria in 1850.

Captain William Lonsdale, who had governed the settlement until the arrival of Latrobe in 1839 and who had afterwards continued in the

office of Police Magistrate, was, on Latrobe's elevation to Lieutenant-Governor, appointed to be the first Colonial Secretary for the new Colony and continued to conduct the administration until the Proclamation of Separation when the Departments of the Public Service came into separate existence each with its own responsibilities and answerable through its Permanent Head to its Minister.

In 1851, two Ministers were appointed to administer the Department, William F. Stawell as Attorney-General and Redmond Barry as Solicitor-General, and the Department continued under dual administration of similar Ministers of the Crown until the passing of the *Solicitor-General Act* 1951 which provided for the appointment of the first Solicitor-General who was not a responsible Minister of the Crown. Since 1951 the Department has been administered solely by the Attorney-General. It is worth noting, however, that from 1861 to 1890 a third Minister of the Crown under the title of Minister of Justice assisted in the administration of the Law Department.

In 1888, the Law Department, in addition to the staffs of the Supreme, County, Insolvency, and Petty Sessions Courts, also included the branches of the Registrar-General (with its sub-branches handling matters pertaining to Companies, Registration of Births, Deaths and Marriages, Patents, Trade Marks, and Copyrights) and the Titles Office. These had been subsequently added to the Law Department after its constitution in 1854.

Many changes in the composition of the Department have since taken place, the following of which are the most notable.

In 1904, the Patents, Trade Marks and Copyrights sub-branch of the Registrar-General's Office was transferred to the Commonwealth. In 1928, the official Accountant in Insolvency, whose office had been created under the *Insolvency Act* 1897, was transferred to the Commonwealth following the passing of uniform bankruptcy legislation. The Collector of Imposts who had been appointed to the office of the Registrar-General and the Registrar of Titles pursuant to the *Stamp Duties Act* 1879 became, in 1890, a sub-branch under the *Stamps Act* 1890 and in 1904 became the Comptroller of Stamps and Collector of Imposts and was later transferred to the Treasury between 1930 and 1932.

The sub-branch (in the Office of the Registrar-General and Registrar of Titles) of the Registrar of Births, Deaths and Marriages was transferred between 1871 and 1894 to the Office of the Government

Statist. Prior to 1906 all juvenile offenders were dealt with in Courts of Petty Sessions, but Children's Courts came into being with the passing of the *Children's Court Act 1906*, and a sub-branch was created under the *Poor Persons' Legal Assistance Act 1927*. Under the *Public Trustee Act 1939*, the Office of the Public Trustee came into being taking over the Office of the Curator of Estates of Deceased Persons which had been transferred from the Treasury to the Law Department in 1931. The Discharged Servicemen's Preference Board, the Discharged Servicemen's Employment Board, and the Patriotic Funds Council were transferred to the Law Department from the Premier's Department following the creation of a Raffles Advisory Board in 1950. The Equity and Lunacy Department, a sub-branch of the Supreme Court since 1851, continued as such under the control of officers holding the dual offices of Master in Equity and Master in Lunacy until 1940 when the functions of the Master in Lunacy were transferred to the Public Trustee. In 1948, under the *Master of the Supreme Court Act 1948* an Office of the Master of the Supreme Court was created which amalgamated the existing offices of Master in Equity and Chief Clerk of the Supreme Court. In 1962, the Companies Branch, formerly a sub-branch of the Registrar-General's Office, was constituted a branch of the Law Department under the control of the Registrar of Companies.

Victorian Government Instrumentalities

The term "Instrumentalities" is limited to statutory bodies which are not departments even though some are administered within or associated with departments.

The general form of the instrumentalities is a constituent statute, a controlling Board or Commission appointed by the Governor in Council, freedom from direct Ministerial control over day-to-day administration (but subject to governmental or Ministerial control in matters of major policy) and, subject in some cases to the approval of the Governor in Council or the Minister, control over the appointment of staff and the determination of salaries and other conditions of employment. Financial arrangements differ considerably.

The larger of the instrumentalities are engaged in public utility or developmental fields of activity, for example, Railways Commissioners, State Electricity Commission, Melbourne and Metropolitan Board of Works, Country Roads Board, and the State Rivers and Water Supply Commission.

The greater number of the instrumentalities listed are small regulatory or advisory bodies or committees.

The following is an alphabetical list of Government instrumentalities :

- Aborigines Welfare Board
- Advisory Committee (Agricultural Colleges Act)
- Advisory Committee to Mental Health Authority
- Advisory Committee—West Melbourne Market
- Anti-Cancer Council
- Apprenticeship Commission
- Architects Registration Board
- Board of Discipline (Railways)
- Board of Examiners of Coal Mine Managers
- Board of Examiners for Engine Drivers
- Board of Examiners of Engineers of Water Supply
- Board of Examiners of Fusion Welders
- Board of Examiners of Metalliferous Mine Managers
- Board of Examiners for Mine Managers
- Board of Land and Works
- Bookmakers and Bookmakers' Clerks Registration Committee
- Building Regulations Committee
- Cancer Institute Board
- Cinematograph Operators Board
- Clean Air Committee
- Coal Mine Workers Pension Tribunal
- Commission for Public Health
- Companies Auditors Board
- Consultative Council for Influenza
- Consultative Council for Maternal Mortality
- Consultative Council for Poliomyelitis
- Consultative Council for Quarantinable Diseases
- Consumers Committee (Agriculture)
- Co-operative Housing Advisory Committee
- Co-operative Societies Advisory Council
- Council of Adult Education
- Council of Legal Education
- Council of Public Education
- Councils of the University of Melbourne and Monash University
- Country Fire Authority
- Country Racing Clubs Fund Committee
- Country Roads Board
- Court of Marine Inquiry
- Dental Board
- Dietitians Registration Board
- Discharged Servicemen's Employment Board
- Dog Racing Control Board
- Egg and Egg Pulp Marketing Board
- Electrical Approvals Board
- Estate Agents Committee
- Exhibition Trustees
- Fairfield Hospital Board
- Fair Rents Board
- Family Welfare Advisory Council
- Food Standards Committee
- Foreign Practitioners Qualification Committee
- Forests Commission
- Forestry Education Board
- Free Library Service Board
- Fruit and Vegetable Marketing Advisory Committee
- Gas and Fuel Corporation
- Geelong Harbor Trust Commissioners
- Geelong Waterworks and Sewerage Trust
- Grain Elevators Board
- Hairdressers Registration Board
- Home Finance Trust
- Hospital and Charities Commission
- Housing Commission
- Housing Commission Death Benefit Advisory Committee
- Indeterminate Sentences Board
- Industrial Appeals Court
- Industrial Safety Advisory Council
- Inland Meat Authority
- Land Utilization Advisory Council
- Latrobe Valley Development Advisory Committee
- Latrobe Valley Water and Sewerage Board
- Local Government Advisory Board
- Local Authorities Superannuation Board
- Marine Board
- Marketing Boards—
 - Chicory
 - Dried Fruits
 - Egg and Egg Pulp
 - Maize
 - Milk
 - Onion
 - Seed Beans
- Masseurs Registration Board
- Medical Board
- Melbourne and General Markets Advisory Committee
- Melbourne and Metropolitan Board of Works
- Melbourne and Metropolitan Tramways Board
- Melbourne Cricket Ground Trustees
- Melbourne Harbor Trust Commissioners
- Mental Health Authority
- Metropolitan Fire Brigade Appeal Tribunal
- Metropolitan Fire Brigades Board
- Milk Board
- Milk Pasteurization Committee
- Municipal Auditors Board
- Municipal Building Surveyors Board

- Municipal Clerks Board
 Municipal Electrical Engineers Board
 Municipal Engineers Board
 National Art Gallery and Cultural Centre Building Committee
 National Fitness Council
 National Parks Authority
 Olympic Park Committee of Management
 Opticians Registration Board
 Parole Boards
 Patriotic Funds Council
 Pharmacy Board
 Pilots' Superannuation Board
 Plumbers and Gasfitters Board
 Poisons Advisory Committee
 Police Classification Board
 Police Discipline Board
 Portland Harbor Trust Commissioners
 Premiums Committee
 Proprietary Medicines Advisory Committee
 Public Service Board
 Public Works Committee
 Racecourses Licences Board
 Railways Commissioners
 River Murray Commission
 Rural Finance and Settlement Commission
 Shrine of Remembrance Trustees
 Sir Colin Mackenzie Sanctuary Committee of Management
 Sludge Abatement Board
 Social Welfare Training Council
 Soil Conservation Authority
 State Coal Mine Industrial Tribunal
 State Electricity Commission
 State Relief Committee
 State Rivers and Water Supply Commission
 State Savings Bank
 Stock Medicine Board
 Street Traders Licences Board
 Superannuation Board
 Superintendents Committee
 Supplementary Workers Compensation Board
 Teachers Tribunal
 Tender Board
 Tobacco Leaf Marketing Board
 Totalizator Agency Board
 Tourist Development Authority
 Town and Country Planning Board
 Traffic Commission
 Tramways Appeal Board
 Transport Regulations Board
 Trotting Control Board
 Trustees, Institute of Applied Science
 Trustees, National Gallery
 Trustees, National Museum
 Trustees, State Library
 Trustees, Various Cemeteries
 Valuers Qualifications Board
 Various Local Water and Sewerage Authorities
 Various Other Trusts
 Various Reserve Committees
 Various River Improvement and Drainage Trusts
 Vermin and Noxious Weeds Destruction Board
 Veterinary Board Committee
 Victoria Promotion Committee
 Victorian Coal Miners Accidents Relief Board
 Victorian Dairy Products Board
 Victorian Dried Fruits Board
 Victorian Government Motor Transport Committee
 Victorian Licensing Court
 Victorian Medical Advisory Committee
 Victorian Nursing Council
 Victorian Surveyors Board
 Wages Boards
 Western Metropolitan Market Trust
 Workers Compensation Boards
 Yallourn Town Advisory Council
 Yarra Bend National Park Trustees
 Youth Advisory Council
 Zoological Board

FURTHER REFERENCES

Year Book 1962 (102-110).