



**Legislative Assembly  
Parliament of Victoria**

## **Fact Sheet 12**

### **Victoria's Parliamentary History**

The importance of parliamentary democracy in Victoria is summarised in the motto on the magnificent mosaic tile floor of the vestibule in Parliament House. Taken from Proverbs 11:14 it reads: 'Where no counsel is, the people fall; but in the multitude of counsellors there is safety'. The following is a snapshot of Victoria's colourful legislative history from the days of colonial governance to the present bicameral, or two house, Parliament.

#### **Early Days**

From 1836 to 1851 Victoria was a district of New South Wales administered from Sydney. It became a colony in 1851 and a State in 1901. In 1850 *An Act for the better Government of Her Majesty's Australian Colonies* was passed by the British Parliament. It permitted the creation of three new, self-governing colonies: South Australia, Tasmania, and Victoria. Each would be governed by a 30 member Legislative Council which, in collaboration with a Crown representative (a Governor or Lieutenant-Governor), would rule the colony. On 1 July 1851, formal separation occurred. Victoria was now an independent colony.

The Legislative Council struggled to govern effectively. Chaos triggered by the gold rushes tested the wits of this inexperienced legislature. Yet despite its problems, the Legislative Council made the following enduring contributions to the character of Victorian parliamentary democracy:

- Drafting a Constitution for Victoria;
- Approving the use of the secret ballot for elections, a world first; and
- Starting construction of the splendid Parliament House, in Spring Street Melbourne.

#### **Responsible Government**

On 23 November 1855 Victoria's new *Constitution Act* was officially proclaimed in Melbourne. Elections for the Parliament, using the secret ballot, took place in Spring 1856. The Lower House (the Legislative Assembly) was more democratic, liberal and radical in orientation. The Upper House (the Legislative Council) was more noble,

less democratic, and represented a bastion of wealth and privilege. More than any other factor, these differences shaped the character of the Parliament of Victoria.

### **Parliament of Victoria**

On 21 November 1856 Victoria's first members of Parliament met in their recently completed chambers to be sworn in. On 25 November the Parliament of Victoria was officially opened. In 1857 universal manhood suffrage was introduced for Legislative Assembly voters while all property qualifications for candidates to the Lower House were also abolished. These reforms were not adopted in the Upper House until 1950.

Preferential voting was introduced for electing members to the Lower House in 1911 and in 1922 for members to the Upper House. Voting was made compulsory for elections of Legislative Assembly members in 1926 and for Legislative Council members in 1935.

### **From Federation to the Present**

On 1 January 1901 Victoria ceased being an independent colony and became instead a State in the newly federated Australia. This had the effect of altering the nature of the powers assumed by the Parliament of Victoria. Frequent bouts of political instability characterised the period from Federation until the 1950s. However in June 1955, the Liberal Country Party assumed government under Sir Henry Bolte's leadership. Sir Henry was Premier until 1972 — a record 6,288 days — and at his retirement was succeeded by Sir Rupert Hamer.

The Liberal Party lost government in 1982 to the Australian Labor Party (ALP) led by Hon John Cain, whose father was Premier in the 1950s, and later by Joan Kirner, Victoria's first female Premier. The ALP held office until 3 October 1992 when it was defeated in a general election by the Liberal Party, under the leadership of Jeffrey Kennett, in coalition with the National Party. At the September 1999 election the ALP led by Stephen (Steve) Bracks, regained office, subsequently being re-elected in 2002 and 2006. Following Mr Bracks' resignation in 2007, John Brumby became Victoria's 45th Premier. Since 1955 the government has only changed hands three times.

### **Women in Parliament**

Prior to 1933 no women had been elected to the Parliament of Victoria.

- In 1933, Lady Millie Peacock became the first woman elected to Parliament.
- Gracia Baylor and Joan Coxsedg became the first women elected to the Legislative Council in 1979.
- Joan Kirner was the first female Premier of Victoria. She was Premier from 1990–92.
- In 2003, Judy Maddigan became the first female Speaker of the Legislative Assembly and Monica Gould became the first female President of the Legislative Council.

## The Crown

The Crown is represented in Victoria by the Governor. The Governor is appointed by the Queen on the advice of the Premier and may be dismissed in the same manner.

When Victoria became an independent colony, Charles La Trobe assumed the position of Lieutenant-Governor and remained in this position until 1854. It was not until 23 November 1855 that Victoria became a self governing colony, however many consider La Trobe to have been Victoria's first Governor.

The current Governor is Professor David de Kretser, AC, who took office on 7 April 2006.

All legislation passed jointly by the Legislative Assembly and Legislative Council must be approved by the Monarch, or the Governor as her representative. It is now accepted practice that the Governor follows the advice of the Premier. Accordingly, the Governor recalls, prorogues, and dissolves Parliament on the recommendation of the Premier.

## The Legislative Assembly

There are 88 members in the Assembly. Each member represents one electoral district. Following the general election in November 2006, the numbers in the House are:

- ALP — 55 seats
- Liberal Party — 23 seats
- National Party — 9 seats
- Independent — 1 seat.

The Opposition comprises the largest party or grouping that does not support the Government, and the Liberals and Nationals, in coalition, hold that position. The Leader of the Opposition is Mr Ted Baillieu MP.

The Constitution provides that the Lower House is the source of all money bills. Financial management matters concerned with State revenue raising and expenditure, or with the passage of the annual Victorian budget, must therefore be initiated in the Legislative Assembly.

Changes to the *Constitution Act 1975* made in 2003 provide that the Legislative Assembly will normally sit for fixed four year periods. There are some exceptions, such as if a no confidence motion is passed in the Premier and ministers.

The next general election is scheduled to take place on Saturday 27 November 2010, with the term of the 56th Parliament expiring on Tuesday 2 November 2010.

## The Legislative Council

There are 40 members of the Legislative Council. They represent eight regions with five Legislative Councillors representing each region. The regions are the equivalent of 11 Legislative Assembly districts.

In 2003 substantial amendments were made to the *Constitution Act 1975*, which resulted in the following changes to the Legislative Council:

- Both Houses have the same fixed four year terms, with all members of Parliament being elected for four years. Previously Legislative Councillors served for two terms of the Legislative Assembly.
- The number of members in the Legislative Council was reduced from 44 to 40.
- The members of the Legislative Council are now elected by proportional representation.
- The Legislative Council is no longer able to ‘block supply’ (the Budget). It can debate and consider the bills but if they are not passed within a month of the Assembly passing them, they can be presented to the Governor to sign without the Council’s agreement.

The Parliament’s bicameral system of checks and balances has fundamentally shaped the nature of parliamentary democracy in Victoria. Disagreements between the two houses have resulted in ‘deadlocks’ and have provoked constitutional crises particularly in the 1860s, 1870s and 1930s.

As expected, following the 2006 election the make up of the Legislative Council changed and it now consists of members from five parties, with neither the Government nor the Opposition having a majority of members.

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### **Fact Sheets**

The Legislative Assembly Procedure Office has produced a series of Fact Sheets that explain parliamentary procedure and terminology. All Fact Sheets are available on Parliament’s website [www.parliament.vic.gov.au](http://www.parliament.vic.gov.au) or through the Procedure Office.

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