



COMMONWEALTH OF AUSTRALIA

Referendum (Constitution Alteration) Act 1906-1966

REFERENDUMS

to be held on Saturday, 27th May, 1967
on the Proposed Laws for the alteration of the
Constitution entitled—

CONSTITUTION ALTERATION (PARLIAMENT) 1967

and

CONSTITUTION ALTERATION (ABORIGINALS) 1967

The Arguments FOR and AGAINST THE PROPOSED ALTERATIONS TOGETHER WITH A STATEMENT SHOWING THE PROPOSED ALTERATIONS

In respect of each of the proposed laws, this pamphlet contains the **ARGUMENT IN FAVOUR OF** the Proposed Law authorised by a majority of the Members of the Parliament who voted for the Proposed Law and desire to forward such an argument; and

In respect of the proposed law entitled *Constitution Alteration (Parliament) 1967*, this pamphlet contains the **ARGUMENT AGAINST** the Proposed Law authorised by a majority of the Members of the Parliament who voted against the Proposed Law and desire to forward such an argument.

Constitution Alteration (Parliament) 1967

The Argument in favour of the proposed law .. page 2
The Argument against the proposed law .. page 6

Constitution Alteration (Aboriginals) 1967

The Argument in favour of the proposed law .. page 11

STATEMENT showing the proposed alterations to
the Constitution page 13

Canberra,
6 April 1967

F. L. LEY
Chief Electoral Officer for the Commonwealth

THE ARGUMENTS

CONSTITUTION ALTERATION (PARLIAMENT) 1967

Argument in favour of the proposed law

The Case for YES

The principal purpose of this proposed amendment to the Commonwealth Constitution is to delete the existing requirement that increases in the membership of the House of Representatives must be accompanied by an increase of, as nearly as practicable, half that number in the Senate. The purposes of this, in more detail, are as follows:—

1. To remove the need for the Parliament to increase the number of Senators when the number of Members of the House of Representatives is increased.
2. To impose a limit on the extent to which the membership of the House of Representatives can be increased. (There is no such limit at present).
3. To protect the States—and the Senate—against any reduction of their State representation in the Senate—that is, ten Senators from each State. (There is no such protection at present).

Now, to assist you to understand why some change in the present position is necessary, let us look briefly at what has happened since 1949. That is the year when the size of the House of Representatives was increased from 74 to 121. In that year, Australia's population was just on 8 million. It should reach 12 million by the end of 1969, when the present Parliament will have run its normal 3 year term. This would be a population increase of 50% in the 20 years which will have elapsed since 1949.

But the number of Members has, in substance, remained unchanged since 1949.

In 1949, a Member represented, on the average, some 66,000 persons. In 1969, this figure will be about 97,000 persons.

These increases alone would suggest that the volume of work of Members has increased substantially, and so it has. It has increased also because the subject matters dealt with by the Commonwealth Parliament have increased enormously, and they have become more complex. Australia is a rapidly-growing nation with widening interests and responsibilities. Matters which in the past occupied little or no time of the Commonwealth are now matters of major concern, which in the judgment of the electorate call for Commonwealth attention and participation. Examples are:

- Education
- Housing
- National Development
- Employment
- External Affairs
- Health and Social Services
- Immigration.

You may say, "Well, there certainly seems to be a good case for some moderate increase in the size of the House of Representatives, but why can't you do it without asking us to change the Constitution?" You will see from

what follows that the Parliament can increase the House under the present Constitutional provisions—so long as it increases the Senate at the same time. Some commentators have described the referendum proposal as a change in the Constitution to increase the number of Members of Parliament. We don't need a change in the Constitution to do that. The Parliament has that power now.

What we ask for is the means to increase the size of the House of Representatives alone, however modestly, without being compelled by the Constitution—as it stands—to increase the numbers in the Senate at the same time. When the House of Representatives was increased in 1949, the size of the Senate was also increased—by 24 Senators. It is this requirement that the Senate must also be increased which the proposed amendment will remove.

Let us explain the position to you further by taking the questions we think will naturally occur to you, and answering them.

Q. Why can't you increase the membership of the House without increasing the membership of the Senate?

A. Because the Commonwealth Constitution, which only you can alter by your votes, now says this:

“The House of Representatives shall be composed of Members directly chosen by the people of the Commonwealth, and the number of such Members shall be, as nearly as practicable, twice the number of the Senators” (section 24).

At present there are 60 Senators, and 123 voting Members of the House. To make any real increase in the House Membership, the Parliament would therefore have to increase the size of the Senate, so that the number of Members of the House should continue to be “as nearly as practicable, twice the number of the Senators”.

Q. If we vote YES, won't that mean that there will be large increases in the number of Members of Parliament?

A. No. Indeed, the passing of this referendum would effectively limit future increases in the Commonwealth Parliament in two ways. This, at first sight, may seem odd to you. Let us explain it.

First, under this proposed Constitutional amendment, there is an entirely new and important safeguard. The number of Members of the House of Representatives is to be determined by dividing the population of each State by not less than 85,000, though Parliament may decide to have a higher dividing figure. With today's population, a quota of 85,000 would give a House membership of 136, as against the present 123. You will see from this that no increase which was not justified by the population could be made if you vote for the proposed change.

Second, suppose the Parliament wished to increase the membership of the House of Representatives by, say, 12—not a big increase for a country like ours, with a rapidly-growing population.

As the Constitution now stands, Parliament could do it, but only if it added 6 to the membership of the Senate! In other words, wanting only 12 new Members of the House of Representatives, Parliament would be compelled to add an additional 6 Senators it did not need. That is, 18 in all.

Q. Isn't this saying that the present Constitutional provisions produce a rather absurd situation?

A. Yes. But there is more to it than this. Normally, half the Senators retire each three years. Consider the difficulties and anomalies that would result from increasing the number of Senators by 6 or 12, that is, from increasing the number of Senators from each State to 11 or 12. If the increase were to be 6, then 5 Senators would have to retire in the one State at one election, and 6 at the next. This would produce curious results, and frequently periods in which a Government, upon election to office—election by YOU—would be in a minority in the Senate. It could be expected to take 6 years to change the political complexion of the Senate.

Adding 12 Senators—making 12 for each State—would almost certainly produce a permanently evenly divided Senate, as 6 would retire in each State at each election. This is because it is virtually impossible for one side to win 4 seats and the other 2. The most likely result would be 3 each.

But Section 23 of the Constitution provides that, "When the votes are equal, the question shall pass in the negative". In short, in such a Senate, no Government could pass any Bill or resolution contested by its Opposition, and no contested amendment could succeed.

Such a state of affairs would be disastrous for Parliamentary democracy. It would completely frustrate a Government with a clear majority in the House, a majority given to it by your own votes.

Q. How can deadlock situations like this be avoided?

A. All the main parties are agreed that, in the normal course, the number of Senators retiring in each State each 3 years should be an odd number—that is, 5 as at present, or 7, or 9.

But even with the next higher odd number—if we had 7 Senators retiring in each State each year—there must be 14 Senators from each State. That is—a Senate of 84!!—or 24 more than at present. If this were done, the existing Constitutional provisions would leave Parliament no option but to increase the size of the House of Representatives to twice 84—that is 168!!—a total increase of 72, that is 24 Senators and 48 Members. Nobody wants such an increase. We don't want it, and you don't. All that is required is an increase in the House of Representatives alone, and a modest increase at that.

Q. Will the role of the Senate be adversely affected if the Constitution is changed as we are asking?

A. No. The Senate's powers, which are defined in the Constitution, will not be altered.

Its powers do not depend on numbers. Indeed, the amendments which we are proposing will ensure that the size of the Senate will never be less than its present strength of 60—10 from each State. If, in the future, it is considered that a larger Senate is desirable, then Parliament will be able to achieve this—but without having at the same time to increase the Members in the House of Representatives.

Q. But why do we want more Members in the National Parliament? Aren't there enough already?

A. The work of Parliament yearly becomes more complex while the needs of the electors become more varied and urgent. There must be a limit to the number of people to be represented by one Member. It is commonsense

that the number of Members of the House of Representatives should grow to some reasonable extent as the population grows and the tasks of representation become heavier.

Q. Would we, by voting NO, effectively prevent an increase in the number of Members of the National Parliament?

A. No. In fact your vote would, in the long run, have the opposite effect! You would compel Parliament to exercise, when it thought fit, the powers it now has under which it can increase the numbers in the Senate and in the House at its own will, provided the House remains, in effect, twice the size of the Senate. What we have said earlier will show you that, under the present Constitution, increases, which will become more and more urgent as the nation grows and develops, would need to be far too great.

We wish to avoid that position by making possible moderate and necessary increases in the House of Representatives alone, within the sensible limits to which we have referred.

CONCLUSION

These proposals are supported by the Liberal Party, the Australian Country Party, and the Australian Labor Party in the Parliament. They were in substance recommended by an All-Party Committee—the Constitutional Review Committee—which examined the Constitution in great detail.

Some will be inclined to say, "All this is too complicated for me—I will play safe and vote 'NO'". We hope you will not be among those people, because a "NO" vote could cause this vital reform to be delayed for a great many years. The three principal Parliamentary Parties, the Liberal Party, the Australian Country Party and the Australian Labor Party are all agreed that this is an appropriate time to make this change in the Constitution. The vote in the House of Representatives in support of this constitutional change was unanimous. In the Senate there was a majority of 45 to 7.

One of two results could follow from a "NO" vote. Either proper representation of you, the people, in the House of Representatives will fail to keep pace with the growth in population, or needlessly great increases in the membership of both Houses may some day, and at no distant point of time, be made.

We believe that you would not desire either of these results.

FOR ADEQUATE REPRESENTATION IN THE HOUSE OF REPRESENTATIVES WITHOUT UNNECESSARY EXPANSION IN THE SENATE

Vote

YES

by writing "YES" in the square provided on the ballot-paper.

This case has been authorised by the majority of those Members of both Houses of the Parliament who voted for the proposed law, and was prepared by the Prime Minister, the Rt. Hon. Harold Holt, Leader of the Federal Parliamentary Liberal Party; by the Deputy Prime Minister, the Rt. Hon. John McEwen, Leader of the Australian Country Party; and by the Leader of the Opposition, Mr. Gough Whitlam, Leader of the Australian Labor Party.

CONSTITUTION ALTERATION (PARLIAMENT) 1967

Argument against the proposed law

The Case for NO

Vote NO because—

- We do not need more parliamentarians.
- Australia is already over-governed.
- A Yes vote would be a vote against the interests of the States, particularly the small States, and country districts.
- A NO vote will tell the Government that you do not want an increase in the size of either the House of Representatives or the Senate.

Q. What exactly is this "Nexus"?

- A. "Nexus" is a Latin word meaning "link". The Founding Fathers inserted in section 24 of the Constitution a provision that the House of Representatives "shall be, as nearly as practicable, twice the number of the senators". This is the nexus and explains how the present numbers, 124 (House of Representatives) and 60 (Senate) come about.

The strong reasons for this provision in section 24 were stated by the leading constitutional writers, Quick and Garran, in their monumental book "The Annotated Constitution of the Australian Commonwealth"—

"This 'two to one ratio' is a rigid element and basic requirement of much importance and significance . . . It was adopted after due consideration and for weighty reasons . . .

It was considered extremely necessary to prevent an automatic or arbitrary increase in the number of members of the House of Representatives, by which there would be a continually growing disparity between the number of members of the House and the Senate; and to give some security for maintaining the numerical strength, as well as the Constitutional power, of the Senate." (Page 452)

In this referendum the Government wants you to remove this safeguard from the Constitution. If you do that, you will be destroying the only braking device against unnecessary increases in the size of the National Parliament.

Moreover, if you vote NO and retain this nexus provision, you will preserve the position and power of the Senate and will prevent the Senate from being weakened.

Always think of the Senate as the States Assembly, which was its name in the draft Constitution. It is your House, designed to protect the interests of your State. Thus any attack on the Senate is an attack on the protection of the interests of your State in the Federal Parliament.

Q. What is the purpose of this referendum?

- A. The only purpose is to get an easy way to increase the members of the House of Representatives. For 66 years the nexus has acted as an effective brake on unwarranted increases in the size of the National Parliament.

The objectives of this referendum were explained by Mr. Calwell in 1962 when he said—

“We ask the Government to hold a referendum on a proposal that the Constitution be amended, so that the nexus between the Senate and the House of Representatives can be broken and so that whenever there are 80,000 people, anywhere in Australia or the equivalent of 46,000 electors, a seat shall be created and a new member elected to this House to represent them.” (Hansard, 4th December, 1962.)

We say vote NO and ensure that unnecessary increases are not made easy.

Q. What will be the result of a Yes vote?

A. There will be an immediate increase of 13 members of the House of Representatives and there will be regular increases as the population expands—

Year	Estimated Population	Size of House of Representatives (Based on one member for every 85,000 persons.)
1967	11.7 million	137 (13 above present 124)
1971	13.2 „	156
1981	16.5 „	195
1991	20.4 „	240
2000	24.6 „	290

} Likely size if you vote Yes.

Q. What will be the result of a NO vote?

A. A NO vote will mean that the 2 to 1 ratio will remain in the Constitution and that the Government will not dare proceed with its threat to increase the size of the National Parliament.

We are unanimous in our view that there is **no need** for an increase in the size of **either** the House of Representatives or the Senate.

Q. Does the Senate play a useful role?

A. Undoubtedly. It is a sad truth that for many years the Senate was handicapped by a manipulated voting system which produced grotesque results, as shown by the 1943 Senate election—

A.L.P.	19
U.A.P.	nil
Country Party	nil

Senators are now elected by the proportional representation system, under which the result of the 1964 Senate election was—

Liberal Party	11
A.L.P.	14
Country Party	3
D.L.P.	2

It is because the Senate is now functioning in an effective manner that the Yes men want to weaken its position.

One commentator this year has said that “the Senate has emerged as the true critic of Government administration . . . The House of Representatives has developed increasingly into a circus”—a view soundly based on the fact that legislation receives a more thorough and detailed examination in the Senate than in the House of Representatives.

In 1965, for example, the Senate (1) disallowed the IPEC regulation, (2) forced beneficial amendments to the Repatriation Bill, and (3) amended the Trade Practices Bill in important respects.

The Government dislikes the growing exercise of the Senate's power of review. The Yes men wish to multiply the number of Representatives and dwarf the Senate, and then will say—How dare such a small group of Senators (60) oppose the will of the Representatives (150 or 300) with any amendment or review!

By a Yes vote the Yes men plan the subordination of the Senate—and indeed, in the words of Sir Edmund Barton (Australia's first Prime Minister), "the practical abolition of the power of the Senate".

Q. Does Australia need more parliamentarians?

A. No. We are over-governed. Australia has one National parliamentarian for every 62,000 persons (men, women and children). America has one National parliamentarian for every 355,000 persons (men, women and children).

The Government and the A.L.P. say that an increase in population justifies an increase in the number of members of Parliament. We deny this proposition. We say that the present number of Representatives can quite easily represent the present population and the foreseeable increase.

On average, the total number of men, women and children for each electorate, on the present population, is 92,742. The total number of men, women and children represented by each National parliamentarian (including both Representatives and Senators) is 62,000. That is not too many.

Q. Why is it that some Members represent many more electors than do other Members?

A. Because the Government in 1962 failed to carry out the statutory obligation of a redistribution of electoral boundaries. A new redistribution, without an increase in the number of parliamentarians, would correct these differences in the numerical size of electorates.

Q. Has the A.L.P. always opposed the nexus provision?

A. NO. The A.L.P. in Parliament in 1948 voted against a move to break the nexus. Mr. Kim Beazley (A.L.P., Fremantle, Western Australia) spoke for the smaller States when he said—

"It was intended to safeguard the rights of the smaller States, and I have no doubt that these States would resist any proposal for the enlargement of the Parliament that failed to preserve the present relative strength of the Senate and the House of Representatives, in which the larger States, owing to the operation of the democratic system of election, have so many more representatives than the smaller States." (Hansard, 28th April, 1948.)

Similar views were expressed by Senator McKenna and the late Dr. H. V. Evatt.

Remember that this idea of breaking the nexus has been tried twice before— at the Federal Conventions which drafted the Constitution—and the vote was a convincing NO on each occasion.

Q. Has the Prime Minister (Mr. Holt) always believed that increases in population warrant additional members of Parliament?

A. NO. In 1948 Mr. Holt said in Parliament—

“ . . . a mere increase of population is not the proper test of what a member of Parliament has to do.” (Hansard, 23rd April, 1948.)

We endorse Mr. Holt's view and regret that he has seen fit to change his viewpoint.

Q. Why was the first attempt in 1966 to hold this referendum cancelled?

A. After spending nearly \$192,000 in setting up the machinery to hold this referendum in early 1966, the Government cancelled it when a public opinion poll revealed that only 23% of the electors intended to vote Yes, 47% intended to vote NO, and the remainder were undecided.

Since that first attempt to hold the referendum no new reasons have been advanced to support the proposal. **The \$1,400,000 which will be spent in holding this referendum could be spent usefully on more important matters.**

Q. What will be the effect on country representation?

A. If this referendum is carried and there are increases of seats in the House of Representatives, these new seats will go to the more populous city areas. This will result in a relative decrease of country representation.

Q. Is the protection of the States threatened?

A. Yes. The provision in the Constitution for equality of representation of the States in the Senate was fundamental. The nexus provision was also important to maintain the relative authority of the Senate (the States Assembly). Indeed, without these safeguards, the States would not have joined the Federation.

The increase of Representatives and the stagnation of the Senate would weaken the position of the small States—

- (a) In deadlocks—which are resolved by a joint sitting of Representatives and Senators, following a dissolution of both Houses; and
- (b) in Party rooms (where much of the real power is exercised), in Cabinet and on Parliamentary committees.

Remember that this proposal to remove the nexus is likely to be only the first step to remove other constitutional safeguards embedded in the Constitution for the protection of the States. The plot was hatched by the Constitutional Review Committee and the next step of the super-planners at Canberra is for joint sittings of the two Houses to resolve legislative disagreements without any double dissolution.

In a joint sitting the smaller States would be overruled.

The present representation, based on the 2 to 1 ratio, is—

State	Representatives	Senators	Total
New South Wales	46	10	99
Victoria	33	10	
Queensland	18	10	83
South Australia	11	10	
Western Australia	9	10	
Tasmania	5	10	

But a Yes vote would seriously exaggerate the difference between the representation of the large and small States in the National Parliament.

LESS WORK—MORE MEMBERS—MORE PAY

The only possible case for more members of Parliament is if they are overworked.

From 1901 to 1949, when the number of members of the House of Representatives was 75, the number of sitting days each year averaged 72.

From 1950 to 1966, when members numbered 124, the average was 63.

55 sitting days were found to be enough in 1966.

It will be seen that the last increase in members resulted in less sitting days, but pay increased from \$3,000 to \$7,000 a year. WHAT NEXT?

The Government's declared view announced by Sir Robert Menzies in 1959, and repeated in 1964, is that the pay of members should be dealt with every three years, at the beginning of each Parliament—a view supported by the A.L.P. Opposition. Therefore, you can anticipate a pay rise this year—but obviously not until after the attempt to increase numbers has been resolved on the 27th May.

VOTE NO—WE DO NOT NEED MORE PARLIAMENTARIANS

VOTE NO—PROTECT THE SMALL STATES AND COUNTRY DISTRICTS

VOTE NO—PREVENT UNNECESSARY INCREASES IN THE SIZE OF THE HOUSE OF REPRESENTATIVES

VOTE NO—PREVENT UNNECESSARY INCREASES IN THE COST OF GOVERNMENT

CONSTITUTION ALTERATION (ABORIGINALS) 1967

Argument in favour of the proposed law

The Case for YES

The purposes of these proposed amendments to the Commonwealth Constitution are to remove any ground for the belief that, as at present worded, the Constitution discriminates in some ways against people of the Aboriginal race, and, at the same time, to make it possible for the Commonwealth Parliament to make special laws for the people of the Aboriginal race, wherever they may live, if the Commonwealth Parliament considers this desirable or necessary.

To achieve this purpose, we propose that **two provisions of the Constitution be altered which make explicit references to people of the Aboriginal race.**

The first proposed alteration is to remove the words "other than the Aboriginal race in any State" from paragraph (xxvi.) of Section 51. Section 51 (xxvi.) reads:

"The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to:

(xxvi.) The people of any race, other than the aboriginal race in any State, for whom it is deemed necessary to make special laws."

The proposed alteration of this section will do two things. **First, it will remove words from our Constitution that many people think are discriminatory against the Aboriginal people.**

Second, it will make it possible for the Commonwealth Parliament to make special laws for the people of the Aboriginal race, wherever they may live, if the Parliament considers it necessary.

This cannot be done at present because, as the Constitution stands, the Commonwealth Parliament has no power, except in the Territories, to make laws with respect to people of the Aboriginal race as such.

This would not mean that the States would automatically lose their existing powers. What is intended is that the National Parliament could make laws, if it thought fit, relating to Aborigines—as it can about many other matters on which the States also have power to legislate. The Commonwealth's object will be to co-operate with the States to ensure that together we act in the best interests of the Aboriginal people of Australia.

The second proposed alteration is the repeal of Section 127 of the Constitution. That section reads:

"In reckoning the numbers of the people of the Commonwealth, or of a State or other part of the Commonwealth, aboriginal natives shall not be counted."

Why was this provision included in the Constitution in 1900? Well, there were serious practical difficulties in counting the Aborigines in those days. They were dispersed, and nomadic. Communications in inland Australia were poor, and frequently non-existent. Today the situation is very different and counting is practicable.

Our personal sense of justice, our commonsense, and our international reputation in a world in which racial issues are being highlighted every day, require that we get rid of this out-moded provision.

Its modern absurdity is made clear when we point out that for some years now Aborigines have been entitled to enrol for, and vote at, Federal Elections. Yet Section 127 prevents them from being reckoned as "people" for the purpose of calculating our population, even for electoral purposes!

The simple truth is that Section 127 is completely out of harmony with our national attitudes and modern thinking. It has no place in our Constitution in this age.

All political parties represented in the Commonwealth Parliament support these proposals. The legislation proposing these Constitutional amendments was, in fact, adopted unanimously in both the House of Representatives and the Senate. We have yet to learn of any opposition being voiced to them from any quarter.

Just as every available Member of the Commonwealth Parliament voted for the proposals outlined above, we believe that the Australian electorate as a whole will give strong support and endorsement to them.

We urge you to vote YES to both our proposals as to Aborigines by writing the word YES in the square on the ballot-paper, thus:

YES

This case has been authorised by the majority of those Members of both Houses of the Parliament who voted for the proposed law and was prepared by the Prime Minister, the Rt. Hon. Harold Holt, Leader of the Federal Parliamentary Liberal Party; by the Deputy Prime Minister, the Rt. Hon. John McEwen, Leader of the Australian Country Party; and by the Leader of the Opposition, Mr. Gough Whitlam, Leader of the Australian Labor Party.

STATEMENT SHOWING THE PROPOSED ALTERATIONS TO THE CONSTITUTION

Two proposed laws for the alteration of the Constitution have been passed by absolute majorities of each House of the Parliament, and are to be submitted to the electors, in accordance with Section 128 of the Constitution, at referendums to be held on the same day. The short titles of the proposed laws are:

1. Constitution Alteration (Parliament) 1967
2. Constitution Alteration (Aboriginals) 1967

The provisions of the Constitution directly affected by the proposed laws are set out below and the textual alterations and additions proposed to be made are indicated in the following manner. Words and sections proposed to be omitted from the Constitution are ruled through and words and sections proposed to be inserted in the Constitution are printed in **BOLD TYPE**. The marginal note in bold type opposite each proposed alteration refers to the proposed law by which that alteration is proposed to be made.

7. The Senate shall be composed of senators for each ^{The Senate.} State, directly chosen by the people of the State, voting, until the Parliament otherwise provides, as one electorate.

But until the Parliament of the Commonwealth otherwise provides, the Parliament of the State of Queensland, if that State be an Original State, may make laws dividing the State into divisions and determining the number of senators to be chosen for each division, and in the absence of such provision the State shall be one electorate.

Constitution
Alteration
(Parliament)
1967.

Until the Parliament otherwise provides there shall be ~~six~~ ten senators for each Original State. The Parliament may make laws increasing or diminishing the number of senators for each State, but so that equal representation of the several Original States shall be maintained and that no Original State shall have less than ~~six~~ ten senators.

The senators shall be chosen for a term of six years, and the names of the senators chosen for each State shall be certified by the Governor to the Governor-General.

* * *

Constitution
Alteration
(Parliament)
1967.

~~24. The House of Representatives shall be composed of members directly chosen by the people of the Commonwealth, and the number of such members shall be, as nearly as practicable, twice the number of the senators.~~

Constitution of
House of
Representatives

~~The number of members chosen in the several States shall be in proportion to the respective numbers of their people, and shall, until the Parliament otherwise provides, be determined, whenever necessary, in the following manner:—~~

~~(i.) A quota shall be ascertained by dividing the number of the people of the Commonwealth, as shown by the latest statistics of the Commonwealth, by twice the number of the senators:~~

~~(ii.) The number of members to be chosen in each State shall be determined by dividing the number of the people of the State, as shown by the latest statistics of the Commonwealth, by the quota; and if on such division there is a remainder greater than one-half of the quota, one more member shall be chosen in the State.~~

~~But notwithstanding anything in this section, five members at least shall be chosen in each Original State.~~

Constitution
Alteration
(Parliament)
1967.

24.—(1.) The House of Representatives shall be composed of members directly chosen by the people of the Commonwealth.

Constitution of
House of
Representatives.

(2.) The numbers of members of the House of Representatives to be chosen in the several States shall be as determined by the Parliament from time to time in accordance with this section. The numbers of members for all the States shall be determined by the one law.

(3.) The number of members so determined in respect of a State shall be the number ascertained by dividing the number of the people of the State by such number as is for the time being determined by the Parliament, being not less than eighty-five thousand and being the one number for all the States. Subject to any provision made by the Parliament, if, on the division, there is a remainder, the number of members shall be increased by one. The Parliament may make provision that every such remainder shall be disregarded, or that every such remainder that is not greater than a specified number or a specified fraction of the divisor shall be disregarded. The Parliament may alter or repeal any such provision.

(4.) For the purposes of a law made by virtue of sub-section (2.) of this section, the respective numbers of the people of the States shall be taken to be the numbers declared by that law to have been those numbers, according to statistics of the Commonwealth, at a date specified in that law, not being earlier than the date as at which the latest census of the people of the Commonwealth was taken under a law of the Commonwealth.

(5.) Notwithstanding anything contained in this section, the number of members of the House of Representatives determined in respect of an Original State shall not be less than five.

(6.) A law made by virtue of sub-section (2.) of this section takes effect upon the first expiry or dissolution of the House of Representatives that occurs after the Governor-General in Council has, by Proclamation, declared that there is an appropriate number of electoral divisions for the purpose of the choosing of members in accordance with that law.

(7.) The provisions of sections twenty-four, twenty-five and twenty-seven of this Constitution as in force immediately before this section became law continue to have effect for the purposes of the composition of the House of Representatives before the first law takes effect in accordance with the last preceding sub-section.

Constitution Alteration (Parliament) 1967. — ~~25. For the purposes of the last section, if by the law of any State all persons of any race are disqualified from voting at elections for the more numerous House of the Parliament of the State, then, in reckoning the number of the people of the State or of the Commonwealth, persons of that race resident in that State shall not be counted.~~ Provision as to races disqualified from voting.

Constitution Alteration (Parliament) 1967. — ~~26. Notwithstanding anything in section twenty-four, the number of members to be chosen in each State at the first election shall be as follows:—~~ Representatives in first Parliament.

New South Wales	..	twenty three;
Victoria	..	twenty;
Queensland	..	eight;
South Australia	..	six;
Tasmania	..	five;

— ~~Provided that if Western Australia is an Original State, the numbers shall be as follows:—~~

New South Wales	..	twenty six;
Victoria	..	twenty three;
Queensland	..	nine;
South Australia	..	seven;
Western Australia	..	five;
Tasmania	..	five.

Constitution Alteration (Parliament) 1967. — ~~27. Subject to this Constitution, the Parliament may make laws for increasing or diminishing the number of the members of the House of Representatives.~~ Alteration of number of members.

* * *

51. The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to:—

* * *

Constitution Alteration (Aboriginals) 1967. (xxvi.) The people of any race, other than the aboriginal race in any State, for whom it is deemed necessary to make special laws:

* * *

Constitution Alteration (Aboriginals) 1967. — ~~127. In reckoning the numbers of the people of the Commonwealth, or of a State or other part of the Commonwealth, aboriginal natives shall not be counted.~~ Aborigines not to be counted in reckoning population.

Two Referendums are being held on the same day on two separate proposed laws for the alteration of the Constitution.

At the Referendums each voter should indicate separately his vote in relation to EACH proposed law as follows:

IF HE APPROVES the proposed law—by writing the word **YES** in the space provided on the ballot-paper opposite the question; or

IF HE DOES NOT APPROVE the proposed law—by writing the word **NO** in the space provided on the ballot-paper opposite the question.

The two questions will be set out on the ballot-paper thus:

DO YOU APPROVE the proposed law for the alteration of the Constitution entitled—

" An Act to alter the Constitution so that the Number of Members of the House of Representatives may be increased without necessarily increasing the Number of Senators " ?

DO YOU APPROVE the proposed law for the alteration of the Constitution entitled—

" An Act to alter the Constitution so as to omit certain words relating to the People of the Aboriginal Race in any State and so that Aborigines are to be counted in reckoning the Population " ?

YOU MUST VOTE IN RESPECT OF EACH PROPOSED

LAW

VOTING IS COMPULSORY