

## IMPLEMENTATION

There are a number of avenues which can be utilised and these will be outlined.

Firstly, legislative - the Parliament:-

The implementation of all proposals, except fixed four-year terms and increasing the size of the House, is possible through amendment to the relevant Act - the Commonwealth Electoral Act. The terms of reference to the Distribution Commissioners will be altered to provide for Divisions returning three, four or five members each (except for the Northern Territory). The marking of the ballot paper for the election of the House will be altered to provide for optional preferential voting. The printing of party affiliations against the candidates' names will be provided for, and the provision for alphabetical order on the ballot paper will be replaced by the drawing of lots for the places. The method of counting and allocating of seats for the House of Representatives will be altered along the lines of the method currently prescribed (in the Act) for the Senate. This amending legislation will be required to pass both Houses of Parliament.

Secondly, legislative - the Senate:-

After July, 1981, the opportunity will present itself in the Senate for certain initiatives to be taken in the field of electoral reform. Firstly, legislation as outlined above could be introduced in order to create a climate of expectation for reform and to place the Government on the defensive. It would stand a good chance of being passed thus forcing the Government into the position of rejecting it in the House. Secondly, legislation submitted by the Government for redistribution of current electorates (if required by population shift as expected) could be rejected by the Senate thus forcing the Government into a crisis situation involving electoral reform. Section 25A of the Commonwealth Electoral Act provides for a State to be treated as one electorate-at-large in the

absence of satisfactory distribution. Thirdly, Section 128 of the Constitution provides for the Senate to take unilateral action on the matter of referenda to alter the Constitution. A Constitution Alteration Bill to provide for electoral reform could be proposed and passed by the Senate. The Government would be forced either to hold the referendum or to advise the Governor-General not to accept the decision of the Senate as provided in the Constitution. In this latter case, the Government would again face a constitutional crisis and risk being seen as a suppressor of the democratic process. However, if it were felt that ALP policy did not allow for the Senate to force such an issue in this way it would be equally valuable for a precedent on the matter to be set so that a future Labor Government would not come under a similar threat. On the other hand, it is arguable that in this specific area the Senate's Constitutional power should be upheld preserving as it does recourse to the democratic process against a reluctant Government whilst not denying the existence of that Government. In any case, the Government could be forced to show its hand on electoral reform and bring the issue to a head.

Thirdly, parliamentary - the Senate:-

Again, after July, 1981, a Joint Committee of the Senate on Electoral Reform could be set up to investigate all aspects of the Act. Such a Committee would reflect the political composition of the Senate and would almost certainly make recommendations of a radical nature. These recommendations could then be converted into the legislative action outlined above.

Fourthly, constitutional - referendum:-

The constitutional alteration which the Senate would propose would probably involve inserting the term "proportional" in some way into the sections dealing with electing the House. This could also be combined with a proposal to alter the term of 3 years, or less, to a fixed term of 4 years. The referendum, if held, would be supported by the

Australian Democrats, other small parties, the Proportional Representation Society of Australia, and possibly, elements of the Liberal Party.

Fifthly, public debate:-

A continuing exposure of the deficiencies of our electoral system is necessary to raise the community's awareness of the need for reform. Anything which may encourage debate should be pursued and in this regard all those measures outlined above form an integral part of this plan.