

EMBARGO UNTIL DELIVERY



PRIME MINISTER

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ADDRESS TO TOOWOOMBA REFERENDUM LUNCHEON

Its very good to be here in Toowoomba speaking in support of the four referendum proposals, because the proposals are fair, just and reasonable, because they will make a major contribution to improving the constitution, and because the principles of the referendums were supported by the Hobart Constitutional Convention.

These referendums are a test of our ability as a nation to improve the constitution in the way the founding fathers intended. In ways that they provided for in the constitution itself. They are not like many other referendums which were initiated solely by Canberra, which sought to increase the power of Canberra and of politicians, which sought to undermine the States, which sought to weaken the Senate.

These referendums will strengthen the Senate and increase its ability to protect the States.

The Constitutional Convention overwhelmingly endorsed the principles behind the referendums and this Convention was dominated by the States. The States had 72 of the 92 votes at the Convention, the Commonwealth only 16.

State representatives at the Convention outnumbered Commonwealth representatives by 4 to 1. All four proposals passed in the House of Representatives without a single dissent. The Senate, the body whose powers the referendums are supposed to threaten passed the referendum proposals by an overwhelming majority.

All the major Federal Parties support the proposal on a bipartisan basis. The National Party organisation in Queensland is firmly behind the referendums. As are outstanding Queenslanders including Sir Gordon Chalk, Dame Annabelle Rankin, and Charles Adermann.

The simple fact is that these referendums will improve our Constitution strengthen the Senate and more effectively protect the States.

These referendums are our opportunity to use the amending process the founding fathers built into the Constitution to ensure that the Constitution which we are all rightly proud of is strengthened and continues to serve the needs of our nation.

The first of the four referendum proposals is for simultaneous elections for the House of Representatives and the Senate.

The simultaneous elections proposal was supported unanimously at the Convention. Those in favour included Mr. Knox, Mr. Hewitt, Mr. Lickiss, Mr. Porter and Mr. Bjelke-Petersen. Every representative of the Queensland Government supported the simultaneous elections proposal just 7 months ago at the Constitutional Convention.

The proposal that Federal elections always be held at the same time is just plain common sense. You should only have to vote in a Federal election when you have to choose Australia's Government. This proposal means we will not have to vote in as many Federal elections.

It will also protect the less populous States like Queensland when there are separate elections for the House of Representatives political leaders are tempted to appear mainly to the southern States to New South Wales and Victoria which have over 60 per cent of House of Representatives seats.

But if the Senate, in which all States are equally represented, is elected at the same time the campaign must be fought vigorously in all six States and the views of the people of the less populous States are much more influential.

Some have said that this referendum is unnecessary, that simultaneous elections can be achieved by bringing the House of Representatives election forward to coincide with that of the Senate. But this is neither practical nor a desirable method of achieving simultaneous elections.

Unless the Constitution is changed the only way to bring the elections together would be repeatedly to cut short the term of the House of Representatives.

The three year term is however already relatively short. One of the shortest parliamentary terms in the democratic world. Further reducing it would damage good Government.

Most importantly this proposal will maintain and strengthen the Senate and the protection it gives the States. If this proposal is not passed the future of the Senate will ultimately be put in jeopardy.

It was an accident that in November 1975, when the House of Representatives was dissolved, Bills existed which permitted both Houses to be dissolved. Had Liberal Senators not been liable to face the people themselves, a number of them would not have agreed to block supply.

I myself would never have sought the blocking of supply from a Senate that would not itself have also faced the people of Australia. If any House of Parliament were to send another House to the polls, while not itself facing the people, it would not survive. If you believe in the fundamental principle that the Senate should not be able to force the Government to the polls unless the Senators themselves face the voters at the same time the Constitution must be changed to ensure this will always occur.

You can do this by voting yes to simultaneous elections on 21 May. Unless the present situation is changed, I can foresee two alternative consequences. The Senate might refuse to check a bad Government unless there were circumstances permitting a double dissolution.

Alternatively, if Senators were to make the House of Representatives go to an election alone, the public outcry against the Senate could lead to the Senate's powers being restricted or abolished.

Either of these alternatives would damage our democracy. That is why it is important that this referendum be passed.

The second referendum proposal is that whenever a Senator dies or resigns, he will be replaced for the remainder of his term of office by a member of the same party. This will guarantee that your choice of parties for the Senate cannot be altered by accident or design. Under the Constitution as it now stands, a Senate vacancy can completely change the party balance.

But only the people should determine the balance of the parties in the Senate. This is of particular importance to the less populated States because it is the Senate in which all States are equally represented.

The importance of this cannot be understated, and the example Evan Adermann put to me recently brings it home. He often travels home from Canberra by air in the same aircraft as almost all the Queensland Senators. What would happen he asked if the aeroplane were to be involved in a tragic accident? Would the people of Queensland, of any State, be content to make the party affiliation of their Senators depend on some State Government observing a Convention that might be breached by considerations of political advantage.

Constitutions are supposed to make laws for this sort of situation now allow it to depend on the political calculations of State Governments.

Once this proposal is accepted, the peoples choice will be preserved until they have an opportunity to make another choice at the next election.

The third referendum proposal is to give voters in the Australian Capital Territory and Northern Territory the basic right to vote in all future referendums. This is a fundamental right all other Australians have. I know of no rational or reasonable argument for denying it to territorial voters.

They have the same obligations as other Australians. They pay taxes, they are obliged to observe the laws of the Commonwealth, they vote for Members of Parliament. The outcome of referendums affect them as much as they do other Australians.

Restoring this right will strengthen Australian democracy.

The fourth and final referendum proposal is to set a retiring age for Federal Justices. High Court Justices would retire at 70 and the retirement age for other Federal Court Judges would be determined by Parliament. The proposal does not affect the terms of judges already appointed to the bench.

Most jobs have retirement ages, and for good reason. Judges are as affected by old age as the rest of us.

In Queensland the Judges retiring age is set at 70, opposition to the same retiring age for Federal Judges certainly cannot be based on any view that this adversely affects Queensland's judicial system. It is only fair that after the age of 70 responsibility should be handed over to younger people. This is even more important, now that the new system of Federal Family Courts has been set up.

All four referendum proposals are fair, just and reasonable. They have been extensively considered, they have the support of all major federal parties, they do not involve power for Canberra, they will strengthen the Senate and ensure that it can better look after the interests of the State. They will make the Constitution work better.

The polls show that all referendums have substantial support in all States.

Support for the four proposals is strong in Queensland, Queenslanders have traditionally taken a leading role in Constitutional reform.

Voting in favour of referendums on no less than 18 of the 32 referendums since Federation, a far higher proportion than some of the southern states.

On Saturday, I am sure that the people of Queensland will vote yes on four more referendums. But those people who think the referendum propositions should be passed, cannot afford to be complacent. The referendums will not pass themselves.

All people who care about constitutional and political reform in this country have a responsibility to work for the referendums. If we all do this then the referendums will be passed and we will have a Constitution which serves Australia's needs more effectively.