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COMMONWEALTH ELECTORAL (REPRESENTATION OF THE PEOPLE)
AMENDMENT BILL 1986

(Private Senator's Bill)

Date introduced: 17 April 1986
House: Senate
Presented by: Senator the Hon. Michael Macklin

DIGEST OF BILL

Purpose

To introduce multi-member electorates for elections to the House of Representatives.

Background

A number of electoral systems are used by various countries. They may be divided into two broad categories, those that use single member electorates and those that have multi-member electorates.

The single member electorate system, as is currently used for elections to the House of Representatives, has a number of variants. Its most simplified form is the 'first past the post' scheme where each voter has one vote and the candidate with the most votes wins. Where there are only two candidates, the winner will require an absolute majority of votes (i.e. 50% + 1) though where there are more than two candidates there is no requirement for an absolute majority. This system has the advantages of simplicity but can lead to results that do not reflect the actual voting power. For example, if one party gains 51% of the vote in 51% of the electorates it will have power with 26% of the total vote. Another party could secure 49% of votes in all electorates (i.e. 49% of total votes) and win no seats. This system is used in elections to the UK House of Commons, the US Senate, the Canadian House of Commons and the New Zealand House of Representatives.

One of the defects of the first past the post system is that, as mentioned above, where there are more than two candidates, the winner is not required to have the support of the absolute majority. Two systems have been devised to correct this defect, first the second ballot and secondly, the preferential voting system. Both systems eliminate the least successful candidate. For example, under the second ballot system, the least successful candidate will be eliminated until a candidate receives an absolute majority. Where there are a number of candidates, more than one are often excluded from the second ballot to increase the chances that a candidate will receive an absolute majority. However, often more than two ballots are necessary. This method is used in elections to the French National Assembly.

The system of preferential voting aims to eliminate the need for successive polls. Basically, the system allows a voter to express alternative votes at the one election. If their first preference is excluded before a candidate achieves an absolute majority, the vote will go to the second preference candidate (if that candidate has already been excluded the vote will go to the next most preferred candidate etc.). This system is currently used for elections to the House of Representatives.

There are also a number of variations on how multi-member electorate systems work. Such systems may work on a quota basis. The quota is generally calculated by dividing the number of electors by the number of positions to be filled. Therefore, if there are N voters and V candidates, a candidate who receives $N/V + 1$ votes will be assured of a position. Under the quota system the voter will have either a single vote or a transferable vote (i.e. one that will go to the second preferred candidate if the first preference is excluded). This is the system currently used for Senate elections and the Tasmanian Legislative Assembly.

An alternative to the quota system is to distribute preferences until all candidates elected have an absolute majority. For example, if there are six candidates for election and three vacancies, and only one candidate has an absolute majority, that candidate is elected. To determine the remaining places the least successful candidate is eliminated and their votes distributed to the second choice candidates. After distribution any candidate with an absolute majority will be elected and the process will be repeated until all places are filled. Such a system is

generally characterised by voters having a number of votes, all of equal value, equal to the number of vacancies. The voting and distribution procedures for such a system are very complex and can produce large changes in who is elected for quite small changes in votes. This is a result of the need for an absolute majority and multiple votes. A form of this system is used in elections for Italian Chamber of Deputies.

The effectiveness of electoral systems can be judged on a number of factors. Representation of the majority of opinions can be best assured through multi-member electorates as single seat electorates must result in a large range of opinion not be represented. However, multi-member electorates have often been criticised as promoting instability and allowing small minority parties to have disproportionate power.

Main Provisions

Clause 10 will amend section 55 of the Commonwealth Electoral Act 1918 (the Principal Act) to introduce a definition of 'average enrolment per member' which is to be calculated by dividing the number of House of Representative positions due for election by the number of voters in the State.

Sections 56 and 57 of the Principal Act are to be repealed by clause 11 which will also substitute a new section 56 into the Principal Act. Under the proposed new section, each State is to be divided into Electoral Districts each of which will return an odd number of representatives equal or greater than five. The number of Electoral Districts is to be determined by the appropriate State Redistribution Committee. No Electoral District is to have a greater population density than an Electoral District that returns more members. Each Territory will form one Electoral District.

In determining redistributions, State Redistribution Committee's are to have regard to a community of interests between electors, the means of communication within each Electoral Division, population trends and the physical features of the Electoral Divisions. The average density per member in the various Electoral Divisions is not

to differ by more than 10% (clause 14 which will substitute a new section 66 into the Principal Act).

For further information, if required, contact the Law and Government Group.

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