



Possible electoral redistributions during the 41st Parliament: an update

Introduction

With the release of the March quarter 2005 population estimates by the Australian Statistician on Thursday 22 September 2005, the Australian Electoral Commissioner now has the information needed to determine the representation entitlements for the states and territories.¹ This note supersedes an earlier version released in May 2005.

Redistribution triggers

Section 59 of the *Commonwealth Electoral Act 1918* (the Act) sets out the three triggers for electoral redistributions. Briefly these are:

- equality of divisions—a redistribution must be held if the number of electors in more than one third of the divisions in a state or territory deviates from the average enrolment in that state or territory by over 10 per cent for three consecutive months. This has never been a trigger for a redistribution since the current provisions were introduced in 1984
- representation entitlement—a redistribution must be held if the number of members of the House of Representatives to which a state or territory is entitled has changed, or
- passage of time—if neither of the above occur within seven years of the previous redistribution, then a redistribution must be held in a state or territory.

Representation entitlement

Under sections 45 and 46 of the Act, the Electoral Commissioner ascertains the population of the states and territories from the Australian Statistician 12 months after the first meeting of a newly elected House of Representatives.

The first meeting of the current House of Representatives took place on 16 November 2004. Thus, on 17 November 2005, the Electoral Commissioner will be required to ascertain the latest population figures published by the Australian Statistician.

Section 48 of the Act specifies the manner in which representation

entitlements are calculated. An initial quota is ascertained by dividing the population of the six states by twice the number of senators from the six states. A quota for each state and territory is then determined by dividing the population of the state or territory by the initial quota. The resultant figures rounded to the nearest whole number determine the entitlements. Each original state is guaranteed at least five members under section 24 of the Australian Constitution. Thus Tasmania has five members even though it would only be entitled to four under the representation formula.

According to the Australian Bureau

Table 1: Representation entitlements using March 2005 population estimates

	Population Mar 2005	Quotas	Entitlement	Change (a)
New South Wales	6 764 563	49.317	49	-1
Victoria	5 012 680	36.545	37	0
Queensland	3 945 845	28.767	29	1
South Australia	1 540 212	11.229	11	0
Western Australia	2 003 764	14.608	15	0
Tasmania	484 739	3.534	5	0
Six states	19 751 803		146	0
Northern Territory	201 767	1.471		
Cocos (Keeling) Islands	592	0.004		
Christmas Island	1 520	0.011		
Margin of error (b)	2 612			
Total NT	206 491	1.505	2	0
Australian Capital Territory	325 136	2.370		
Jervis Bay	562	0.004		
Total ACT (c)	325 698	2.374	2	0
Australia	20 281 380		150	0

Note: For representational entitlement purposes, Cocos (Keeling) and Christmas Islands are included in the Northern Territory and Jervis Bay is included in the Australian Capital Territory.

(a) Change over 2003 entitlement.

(b) Two standard errors of measure of net Census undercount.

(c) Margin of error (2 442 for ACT) not used. It is only added (as in the NT situation) if it changes the entitlement.

of Statistics publication schedule, the latest published population figures available at 17 November 2005 will relate to March 2005 and are shown in Table 1 with the probable representation entitlements of the states and territories.²

The table shows that Queensland will gain an additional seat in the House of Representatives (an increase from 28 to 29) while New South Wales will lose a seat (a decrease from 50 to 49). The situation in the Northern Territory (NT) is discussed below. All other states and territories will remain unchanged.

A change in a state or territory's entitlements automatically triggers a redistribution in that state or territory. Thus, redistributions will commence in New South Wales and Queensland in November 2005.

Northern Territory

At the 2003 determination of entitlements the NT's representation was reduced from two to one.³ In a subsequent inquiry into increasing the minimum entitlement of the territories, the Joint Standing Committee on Electoral Matters recommended that the margin of error in the Territory's population estimate be taken into account when determining the Territory's entitlement (this recommendation also included the Australian Capital Territory).⁴ Legislation was subsequently passed to set aside the 2003 determination in respect of the NT and to give effect to the Committee's recommendation.

Over the latter half of 2004, the NT's population relative to the other states was declining and there was some doubt that the inclusion

of the margin of error in the NT's population would be sufficient to entitle the NT to a second seat at the next determination. However, the latest NT population estimates saw a reversal of this decline and, with the inclusion of the two standard errors of the net Census undercount, the NT maintains its second seat.

Passage of time

Table 2 sets out the dates of the most recent electoral redistributions held in each state and territory and the date of the next scheduled redistribution under this provision. A redistribution must commence within 30 days after the expiration of the seven years.

A redistribution was commenced under this provision in the Australian Capital Territory (ACT) on 30 November 2004 and a redistribution is scheduled in Tasmania during the life of the 41st Parliament.⁵ There was also a redistribution scheduled in New South Wales but this will now be superseded by the change in entitlements provision.

The redistribution in the ACT was triggered by the passage of time provision because the last redistribution occurred in December 1997. This redistribution has now been finalised and is expected to be gazetted in October 2005.

Under subsection 59(4) of the Act, redistributions scheduled within 12 months of the expiration of a House of Representatives are deferred until 30 days after the first meeting of the new House. Thus a redistribution triggered by the seven-year rule for Tasmania in March 2007 will likely be deferred until after the next election.

Table 2: Electoral redistribution dates under passage of time provision

	Most recent	Next scheduled (a)
New South Wales	11 February 2000	March 2007
Victoria	29 January 2003	February 2010
Queensland	25 November 2003	December 2010
South Australia	17 December 2003	January 2011
Western Australia	20 November 2000	December 2007
Tasmania	11 February 2000	March 2007
Northern Territory	21 December 2000	January 2008
Australian Capital Territory	October 2005	November 2012

(a) Unless a redistribution is triggered under a different provision.

Conclusion

A redistribution has already been held in the ACT and, based on the current population estimates and the 41st Parliament serving its full term, redistributions will be held in New South Wales and Queensland during the remaining life of the Parliament.

1. Under section 95AA of the *Commonwealth Electoral Act 1918*, the Australian Electoral Commissioner adjusts these population estimates to allow for eligible Norfolk Island voters. These adjustments are very small and will not change the outcome shown in Table 1.
2. Australian Bureau of Statistics, *Australian Demographic Statistics, March Quarter 2005*, Australian Bureau of Statistics, Canberra, 22 September 2005.
3. Scott Bennett and Gerard Newman, 'A fair deal for Territory voters?', *Research Note*, no. 27, Parliamentary Library, Canberra, 2002–03.
4. Joint Standing Committee on Electoral Matters, *Territorial representation: report of the inquiry into increasing the minimum representation for the Australian Capital Territory and the Northern Territory in the House of Representatives*, November 2003, p. 24.
5. Australian Electoral Commission, *Electoral Commissioner announces redistribution in the ACT*, media release, Australian Electoral Commission, Canberra, 30 November 2004.

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