

## Time to revisit territory representation

### Introduction

The ACT has had the same Senate representation with the same anomalous election arrangements for 50 years!

During that time the ACT electoral enrolment has increased by 143% and the size of the State representation in the Senate has increased by 20% but the ACT representation has remained unchanged.

The Territories also continue to be disadvantaged by shorter terms and the simultaneous elections provisions which were included in the 1974 legislation to establish territory representation.

It is time to revisit the number and nature of the representation.

### Submission

In 1975 the enrolment for the first ACT Senate election was 115916. In 2025 that number had grown to 322246. However, the ACT still has only two Senators.

They continue to be elected on a different rhythm to other Senators.

Neither provision makes sense any more.

The last time the size of the parliament was increased the territories missed out. The 1984 changes increased the discrepancy between state and territory representation. State Senate representation increased by 20% but Territory representation remained the same.

Given that the constitutional design of Senate representation is based on enhanced representation of smaller jurisdictions it is appropriate to compare trends in the ACT with those of the least populated states.

The population growth in the ACT is significantly greater than the increase in the two smallest states, Tasmania and South Australia.

In the ACT the increase in electoral enrolment has been 143% since 1975 compared to 61% in Tasmania and 65% in South Australia. Enrolment in the ACT has grown from 45% of that in Tasmania in 1975 to 78% in 2025. Compared to South Australia the increase has been from 14% to 24%.

Senate uniform numbers per state were designed to recognize and protect the interests of smaller jurisdictions. The Constitution explicitly rejects one-vote-one-value for the Senate. It is time to stop anomalous arrangements for the ACT and to treat it as nearly as possible to the treatment of smaller States.

Simultaneous elections for Territories were a product of then PM Whitlam's obsession with holding all elections on the same day. It may have been a good idea, but after 50 years it is time to stop experimenting on the Territories and treat Territory Senate elections in the same manner as the State Senate elections.

### Proposal

ACT Senate elections should be three Senators elected for six-year terms at each Senate election on the same basis and timetable as State Senators.

Why 3?

If it is accepted, as it should be, that the timetable for ACT Senate elections should be the same as the State Senate elections, the remaining question is: how many should be elected each time?

The relationship to Tasmanian enrolment and consequent Senate quotas would suggest 4 or 5 Senators per cycle. The quota for the ACT at the most recent election would have been approximately 58694 for 4 Senators or 48912 for 5 Senators compared to the Tasmanian quota of 48953.

However, the comparison with South Australia would suggest only 2 or 3 per cycle. Given growth trends and the constitutional structure of Senate representation, I would suggest 3 ACT Senators per cycle would be a reasonable compromise.

If the number of Senators from the ACT at each election is increased to 3 the quota to elect a senator will still be much greater than the quota for Tasmania. The quota for election of Tasmanian senators at the last election was 48953, the quota for an ACT election for 3 senators would have been 69976.

Additional comments

Northern Territory

It is not my intention to make specific recommendation with regard to Senate representation of the Northern Territory.

Obviously, the same argument with regard to the rhythm of Senate elections discussed above also should apply to the NT.

However, I will leave any recommendation about the number of NT Senators per election to the Committee.