



Appendix F: Indicative House of Representatives division allocation

Indicative House of Representatives division allocation if the Northern Territory were granted two additional Senators upon statehood

The *Commonwealth Electoral Act 1918* outlines the following formula to determine the number of members in the House of Representatives:

- The Electoral Commissioner ascertains the population of the Commonwealth (excluding the territories).
- The Commissioner then calculates an entitlement quota, by dividing this population figure by twice the number of state senators ($72 \times 2 = 144$).¹
- The number of electorates for each state or territory is then established by dividing the population of each state by the quota. If this exercise leaves a remainder greater than one-half of the quota, one more Member shall be allocated to a state or territory.²

The table F.1 below shows the calculation by the Commonwealth Electoral Commissioner of the November 2005 quota determination using the Commonwealth population (excluding the territories) and the number of Senators from the states. Table F.2 uses the population of the states including the population of the Northern Territory and the Territory of Cocos (Keeling)

- 1 In 1977, the High Court ruled that the four Senators from the NT and ACT could not be used for calculating the number of Members of the House under the nexus provision in the Constitution. See *Queensland v. The Commonwealth* 1977 HCA 60; 139 CLR 585.
- 2 S. Bennett & G. Newman, 'A Fair Deal for Territory Voters?' Parliamentary Library Research Note No. 27, 2003, p. 1.

Islands, and the number of Senators from the states including four from the Northern Territory.

Table F.1 November 2005 quota determination (excluding the territories)

Number of people of the Commonwealth	=	19 752 065
Twice the number of Senators from the states	=	144
Quota	=	137 167.1181

Table F.2 November 2005 quota determination

(including the NT population in the national population and four Senators from the NT)

Number of people of the Commonwealth	=	19 959 149
Twice the number of Senators from the states (74 Senators from the original states, plus 4 Senators from the new State, time 2)	=	152
Quota	=	131 310.1908

Table F.3 below compares the outcome of the 2005 electoral determination and the impact of two additional Senators from the Northern Territory (if it were counted as a state), with the 2003 determination. The table indicates that, if the Northern Territory gained two additional Senators following statehood, redistributions may be required to create two additional electoral divisions in New South Wales, and one additional electoral division each in Victoria, Queensland and South Australia, based on 2005 population data. Moreover, if the Northern Territory and Commonwealth Governments negotiated a minimum of five MPs from the Territory following statehood (the minimum for original states), a further three electoral divisions would need to be created in the Northern Territory. In sum, an additional two Senators from the Northern Territory upon statehood may require the creation of five or eight new electoral divisions.

Note that table F.3 provides an indicative assessment only. The actual implications for the House of Representatives of two additional Senators from the Northern Territory would differ to that shown in the table according to the agreed terms and conditions of statehood and the national and state populations at the time of the determination following a grant of statehood.

Table F.3 Potential implication of two additional Northern Territory Senators on House of Representatives electoral divisions³

State/Territory	Population	Result (population divided by 2005 quota 137 167.1181)	Number of Members to be chosen	Change (from 2003 deter- mination)	Result (population divided by quota, NT treated as a state 131 310.1908)	Number of Member s to be chosen	Change (from 2003 deter- mination)
New South Wales	6 764 690	49.3171	49	-1	51.5169	52	+ 2
Victoria	5 012 689	36.5444	37	-	38.1744	38	+ 1
Queensland	3 945 940	28.7674	29	+1	30.0505	30	+ 1
Western Australia	2 003 778	14.6083	15	-	15.2599	15	-
South Australia	1 540 223	11.2288	11	-	11.7297	12	+ 1
Tasmania ⁴	484 745	3.5340	5	-	3.6916	5	-
Australian Capital Territory	325 790	2.3751	2	-	2.4811	2	-
Northern Territory ⁵	206 492	1.5054	2	-	1.5726	5	+ 3

3 The table uses population and 2005 quota data from Australian Electoral Commission, Redistribution Backgrounder, 'Why is a redistribution undertaken?', pp. 1 - 2 & 4.

4 Section 24 of the Constitution guarantees each original state a minimum of five MPs.

5 Assumes that the NT is guaranteed a minimum of five MPs in accordance with s. 24 of the Constitution. This would be subject to negotiation between the NT and Commonwealth Governments.

