

## Chapter 5: Increasing the Size of Parliament

This is an appropriate place to show the five sections of the Constitution that are the basis of my case. They begin with section 7 which this book mentions more often than any other, especially the words “directly chosen by the people of the State”. Notice the similarity of the Senate words to those in section 24 requiring that the House of Representatives “shall be composed of members directly chosen by the people of the Commonwealth”. The origin of those words is easy to explain. Our Founding Fathers wanted to copy the US Constitution and the American Founding Fathers provided in their ARTICLE ONE, section 2: “The House of Representatives shall be composed of Members chosen every second Year by the people of the several States. . .” It was the intention of the American Founding Fathers that their House of Representatives be the ONLY genuinely democratic part of their Constitution. The reason why our Founding Fathers added the word “directly” to the American “chosen” was to ensure that BOTH senators and lower house members be elected in a *candidate-based* electoral system. That has continued from federation right through to the present day for members of the House of Representatives. That it has not been so for senators is what this book is mainly about.

### Part II. The Senate.

## PART II.—THE SENATE.

**The Senate.**      **7.** The Senate shall be composed of senators for each State, directly chosen by the people of the State, voting, until the Parliament otherwise provides, as one electorate.

But until the Parliament of the Commonwealth otherwise provides, the Parliament of the State of Queensland, if that State be an Original State, may make laws dividing the State into divisions and determining the number of senators to be chosen for each division, and in the absence of such provision the State shall be one electorate.

Until the Parliament otherwise provides there shall be six senators for each Original State. The Parliament may make laws increasing or diminishing the number of senators for each State, but so that equal representation of the several Original States shall be maintained and that no Original State shall have less than six senators.

The senators shall be chosen for a term of six years, and the names of the senators chosen for each State shall be certified by the Governor to the Governor-General.

**14.** Whenever the number of senators for a State is increased or diminished, the Parliament of the Commonwealth may make such provision for the vacating of the places of senators for the State as it deems necessary to maintain regularity in the rotation. Further provision for rotation.

PART III.—THE HOUSE OF REPRESENTATIVES.

Constitution  
of House of  
Representatives.

**24.** The House of Representatives shall be composed of members directly chosen by the people of the Commonwealth, and the number of such members shall be, as nearly as practicable, twice the number of the senators.

The number of members chosen in the several States shall be in proportion to the respective numbers of their people, and shall, until the Parliament otherwise provides, be determined, whenever necessary, in the following manner:—

- (i.) A quota shall be ascertained by dividing the number of the people of the Commonwealth, as shown by the latest statistics of the Commonwealth, by twice the number of the senators:
- (ii.) The number of members to be chosen in each State shall be determined by dividing the number of the people of the State, as shown by the latest statistics of the Commonwealth, by the quota; and if on such division there is a remainder greater than one-half of the quota, one more member shall be chosen in the State.

But notwithstanding anything in this section, five members at least shall be chosen in each Original State.

**27.** Subject to this Constitution, the Parliament may make laws for increasing or diminishing the number of the members of the House of Representatives. Alteration of number of members.

There is a Part VI of the Constitution with four sections. The one below is the second of the four.

Government  
of territories.

**122.** The Parliament may make laws for the government of any territory surrendered by any State to and accepted by the Commonwealth, or of any territory placed by the Queen under the authority of and accepted by the Commonwealth, or otherwise acquired by the Commonwealth, and may allow the representation of such territory in either House of the Parliament to the extent and on the terms which it thinks fit.

The idea that the size of the Parliament should be increased is unpopular among voters but is now quite popular among commentators. In recent times it was expressed, for example, by an article in *The Canberra Times* for Saturday 8 July 2017. The article was by regular Saturday writer Crispin Hull and included this statement:

Our House of Representatives has not been increased since 1984, when Australia's population was 15.5 million. It is now 24 million. So, each of our MPs is representing 50 per cent more people – and growing more distant all the time.

When I read that opinion, I thought it was a good article up to that point. However, it then advocated the breaking of the nexus between the size of the House of Representatives and Senate required by the first paragraph of section 24 which states that: "The House of Representatives shall be composed of members directly chosen by the people of the Commonwealth, and the number of such members shall be, as nearly as practicable, twice the number of the senators." I thoroughly approve of the existing words in section 24 and denounce anyone who advocates breaking the nexus.

Back on 27 May 1967 there was a referendum that had two questions, "Parliament" and "Aboriginals". The first was to break the nexus and allow the size of the House of Representatives to expand irrespective of the Senate which would remain pegged at the then number of sixty senators. The first question went down badly. The second was carried with the largest ever affirmative vote.

Here was the classic case of the intelligence of the Australian people when they vote at referendums. The voters took the bait but rejected the hook. Ordinary voters saw right through the case for breaking the nexus. That case was typical of what one expects from cynical politicians trying to pretend they were saving taxpayers money when, in truth, they were trying to reduce the status of the Senate.

To the pro-Senate campaigners of the day Australian democracy owes a great debt of gratitude. Henceforth, whenever a government wanted to increase the size of the House of Representatives it would be compelled to increase district magnitude at Senate elections. Thus, five-seat half-Senate elections would become six-seat half-Senate elections. That would increase the proportionality of the system and help minor parties. An excellent outcome for Australian democracy!

Following the election of the Hawke Labor Government in March 1983 the caucus of the Labor Party decided to set up an all-party committee on electoral reform. The idea was a success. So successful was it that the committee became permanent federally –and some states followed suit. Consequently, we now have a permanent federal parliamentary body known as the Joint Standing Committee on Electoral Matters. I have made contributions to these committees. However, my main contribution was to the first one. The report in question is known as Parliamentary Paper No. 227/1983 and is headed *The Parliament of the Commonwealth of Australia: Joint Select Committee on Electoral Reform: First Report: September 1983*. My name is mentioned in the report only in respect of one of its recommendations, although my contribution (I claim) was much greater than its sole mention would suggest. The chairman of the committee was Dr. Richard Klugman (Labor) and the deputy chairman was Mr. Steele Hall (Liberal), both being members of the House of Representatives.

Following the 1967 referendum result I became a strong advocate for the view that the size of the Commonwealth Parliament should be increased, with the number of senators being

increased by two per state and the House of Representatives being increased by 24 members. The year 1983 gave me the chance to press my views. I found to my delight that Labor was not alone in proposing the increase. The National Country Party was also in favour. I offered to them that I should write their submission and they agreed. Chapter 8 of the report is titled "Increase in the Size of the Parliament". I quote now paragraph 8.4 on page 136:

The Committee received several submissions and took evidence from several persons advocating an increase in the size of the Parliament. Mr. Malcolm Mackerras in his submission demonstrated how the allocation of State representation would result with an increase of the number of Senators for each State to 12. In his submission Mr. Mackerras pointed out the very considerable increase in the number of electors represented by each Member of the House since the last increase in the size of the Parliament in 1948-49.

There follow several tables of numbers submitted by me, followed by this comment of the Committee in paragraph 8.7 on page 138:

The Mackerras submission also points out the capricious operation of the seat allocation process which is likely to result in Victoria losing a seat to Queensland at the next distribution. This is despite the fact that the population to be represented would have increased; the process rather reflects the shift of population between States. . .

If I had ever imagined this sensible proposal would pass without serious resistance, I was to be disappointed. It was fiercely resisted by both the Liberals and the Democrats. The most senior member of the Committee, Senator Sir John Carrick (Liberal), wrote in his dissenting report (page 235) as follows:

Evidence was submitted to the Committee that if Australia is to have an enlarged Parliament during this decade, steps must be taken now. The 1984 redistribution is likely to prevail for two parliamentary terms. Many of the arguments adduced for an enlarged parliament are cogent. The Australian population has grown rapidly since 1948 (almost doubled) and the demands upon parliamentarians in a more complex social framework have greatly increased. Certainly, the extra burden cannot be fully met simply by increasing the size of the member's personal staff. The community will continue to demand the personal presence and attentions of the member.

However, there follow a number of questions, the gist of which was the suggestion that the increase in the Senate size would ruin the Senate. His conclusion, therefore, was:

In my view, while the logic of a larger parliament is strong, the overriding restraint of the current economic period must prevail. I therefore believe that the question should be deferred and its various aspects (including the nexus) put under further study.

Because I wanted the increase to go ahead, I spent a great deal of time doing number modelling designed to counter the argument that the increase to 76 senators would damage the Senate. I failed to convince the Liberals and the Democrats. Consequently, this change (both sensible and controversial) went through on the combined votes of Labor and the Nationals.

Coming now from 1984 to 2021 it is asserted here that my modelling proved to be wholly correct as a matter of history. I also assert that to increase to seven the number of senators elected at a half-Senate election would give a degree of fairness to the Senate electoral system not there at present. It is not only the smaller parties who would benefit by reducing the quota needed for election. A single big party with 51 per cent of the Senate vote in a state would get a majority of seats for its majority of votes. For the past forty years, by contrast, that party must almost always be content with a three-three result. For more detail on this point see my Chapter 4 *Fair Between Parties?* and my concluding chapter.

Table 1 of the Second Appendix to this chapter gives a great deal of detail about the way House of Representatives seats have been distributed between states and territories in the past and their distribution in the present 46<sup>th</sup> Parliament. The formula for such distribution is based on that contained in section 24 of the Constitution but has been amended to take into account that territories need now to be accommodated.

The Northern Territory has become a protected species. In 2003 and again in 2020 the population formula showed that the second seat would be lost. On each occasion the Parliament sprang to attention and changed the formula to ensure that the second seat would be retained. Thus, the present distribution is now determined pursuant to the *Electoral Amendment (Territory Representation) Act 2020* which passed the Parliament in December 2020.

Most important, however, are the tables showing how seats would be distributed in a House of Representatives determined by there being 88 senators rather than the present 76. Since Tasmania is fixed semi-permanently at five seats the importance of the tables is how the extra seats would be distributed between the five mainland states and the two mainland territories. Table 3 shows the populations as at 31 August 2017 while Table 4 shows the populations as at 3 July 2020.

At this point I make my own attitude clear. *If any increase were to be accompanied by, or preceded by, a decision by the Parliament to give the Australian people a decent Senate voting system THEN I WOULD STRONGLY SUPPORT THE INCREASE.* But not otherwise. I point out this historical fact: both in 1949 and in 1984 the increase in Parliament's size *was accompanied by a better Senate electoral system.* It would be logical if the next increase were to be so accompanied. Perhaps that statement should be qualified. In 1949 the increase was accompanied by a better Senate electoral system. In 1984 the increase was accompanied by a Senate voting system *perceived at the time to be better.* I shared the general perception of that time. That I have now changed my mind is described in my Chapter 2 *A Brief History of Senate Voting.*

This is where the Third Appendix comes in. If the size of the Australian House of Representatives is compared with that of the British House of Commons, then there is a very strong case to say the House of Representatives should be increased in size. However, if the size of the *whole Australian Parliament* is compared with the British House of Commons then the case for an increase becomes rather weak. I am well-enough versed in statistical comparisons to know which set of numbers I would use. I set out now the case I would make *against* more politicians *if a democratic Senate system is refused*.

Table 3 of the Third Appendix shows that in the “Advantaged States” the number of electors for every federal politician is presently a mere 49,283 compared with 73,175 for each British politician elected to the House of Commons. Consequently, if our federal politicians refuse to give the people a decent Senate voting system, I would use those statistics to oppose any decision by our federal politicians to increase their own number. In such opposition I would probably be joined by the Proportional Representation Society of Australia - as I explain in my concluding chapter.

Anyway, I am now going to advocate the increase in size consequent upon receiving a favourable decision from the Parliament on the question which is really important to me, the installation of a decent Senate voting system that would come from the scrapping of the deceitful instructions to voters on the ballot paper. I begin, however, by noting that a problem lies in the fact that seats in the House of Representatives “shall be in proportion to the respective numbers of their *people*” but electoral distributions are done on the number of *electors*.

The countries of the Anglosphere are the ones with which I compare Australia, beginning with New Zealand. At the general election held on 20 September 2014 there were 71 members of their House of Representatives “directly chosen by the people” from single-member electoral districts. The number of electors was 3,140,417 which means the average was 44,231. The Australian member for Grey (SA) represents a division of 908,596 square kilometres, more than twice the area of the whole of New Zealand but he (presently Rowan Ramsey, Liberal) represents some 120,000 electors, two-and-a-half times as many as the typical *elected* New Zealand MP. The New Zealand range was from a high of 49,172 electors in the South Island electoral district of Port Hills (then largely a Christchurch suburban seat) to a low of 32,557 in Te Tai Hauauru, a Maori seat covering the south west of the North Island. That district begins at Tokoroa at its north east, runs south west to Te Kuiti and then to New Plymouth. It then runs down the west coast of the North Island past Whanganui into the northern suburbs of Wellington.

At the general election held on 23 September 2017 the electoral boundaries were the same as they had been three years earlier, so there were still 71 directly elected members. The total number of electors was 3,298,009 so the average was 46,451. The highest enrolment was 53,922 in Rodney, a semi-suburban, semi-rural district north of Auckland in the North Island. Te Tai Hauauru again had the lowest enrolment. It had grown to 34,421.

There was a redistribution finalised in April 2020 intended to apply to the general election set for Saturday 17 October 2020 and to a second election likely in the spring of 2023. The statistics are not yet available, but it is worth noting that a new seat was created in South

Auckland called Takanini, bringing the number of directly elected members up to 72. The name of Rodney was changed to Whangaparaoa and Port Hills changed to Banks Peninsula. Te Tai Hauauru was left unchanged in boundaries.

In the above three paragraphs I discuss only those New Zealand members directly chosen by the people, of which there were 71 at both elections. In 2014 there were added 50 party-list seats to bring the House of Representatives up to 121 while there were 49 such seats in 2017 making for a present House of 120. I am sure readers will understand why I do not think such party-list members are comparable with members of the Australian House of Representatives all of whom are directly chosen by the people.

By now readers may have gathered that I am no fan of New Zealand's Mixed Member Proportional system. However, if I were a New Zealand voter, I would cast a formal vote. I would probably double tick a single party under its two-ticks-one-vote system. I would do it with clenched teeth and holding my nose, but I *would* cast a formal vote because I acknowledge that there are *some things* which can be said in favour of their MMP system. First, it was implemented and then entrenched after thirty years of national debate in which the people at referendums *three times* voted for it. Second, it was recommended by a Royal Commission. Third, there are 72 members of the House of Representatives who are directly chosen by the people. Fourth, it is now accepted as being permanent. It remains, however, *technically* a party list system of a kind which excites my disapproval.

By way of contrast my contempt for the Australian Senate system ensures that my Senate vote will be informal for as long as this system lasts. It was never recommended by any kind of independent body. Its introduction was hasty and sneaky. There was no serious national debate, just propaganda and seriously flawed "analysis" of the results from just one set of half-senate elections, those of September 2013. Senators are not directly chosen by the people except in a pretend sense, which pretence has been upheld by the modern-day Pharisees who compose the High Court. The system is *technically* candidate-based but that is nothing more than a sick joke. Australian senators are just as much party machine appointed as is the case for party-list members of New Zealand's House of Representatives.

However, let me return to my comparisons of Australia with the other countries of the Anglosphere. British comparisons are given in the Third Appendix. The average member of the United Kingdom House of Commons represents fewer electors than the average Tasmanian federal lower house member in Australia and very much fewer than the average mainland federal member in Australia. Those statistics could well be used to justify increasing the number of members in all the mainland states. That is what I propose.

There are two countries of the Anglosphere where national lower house members are chosen by systems of proportional representation. However, the systems are very different. In New Zealand the party-list members are used to "top up" single member direct election members to produce overall proportionality between parties. By contrast, in Ireland every member is directly chosen by the people in a Single Transferable Vote system which is rather like Australia's Hare-Clark. Consequently, comparison is relevant between the Irish Dail and the Australian House of Representatives.

At the Irish general election held on Friday 26 February 2016 there were 3,305,110 electors and 158 members were elected, an average of a mere 20,918 electors per MP. Thus, it can be seen that the total number of electors was about the same in Ireland as in New Zealand but the number of *elected* members in Ireland (158) was more than twice the number in New Zealand (72). Both countries could be used to justify an increase in the size of Australia's House of Representatives. Irish electorate sizes ranged from a high of 117,675 in Donegal to 46,028 in Dublin Central. However, it cannot really be said that constituencies are badly malapportioned since five members were elected in Donegal while only three were elected in Dublin Central. Thus, the average was 23,535 in Donegal and 15,343 in Dublin Central.

There was another Irish election held on Saturday 8 February 2020 on substantially the same electoral boundaries. It was the first Saturday election since 1918. The total number of members was 160 for a total number of electors of 3,505,957, an average of a mere 21,912. Donegal, however, saw its numbers grow significantly. Its electorate was now 125,911 an average of 25,182. In 2020 the smallest electorate was three-seat Dublin North-West with 54,885 electors, an average of only 18,295.

For Canada statistics are available in respect of the elections held on Monday 19 October 2015 and the elections held on Monday 21 October 2019, both held on the same electoral map. They *do support* the view that the Australian House of Representatives is too small. With 338 ridings for the House of Commons there were 25,939,742 electors entitled to vote in 2015, an average of 76,745 electors per MP, about the same as for Tasmania's members of the Australian House of Representatives. However, Canada's population numbers grew more rapidly between 2015 and 2019 than Tasmania's. In 2019, therefore, there were 27,373,058 Canadian electors on the rolls, an average of 80,985 electors per member of the House of Commons. As at the May 2019 Australian federal election the Tasmanian electoral roll had 385,816 electors registered, an average of 77,163 electors. Mainland Australia had 16,033,727 electors, an average of 109,820 for its 146 members.

So, comparing mainland Australia, Canada, Tasmania and the United Kingdom the averages for the 2019 elections were 109,820 for mainland Australia, 80,985 for Canada, 77,215 for Tasmania and 73,175 for the United Kingdom. All three had 2019 elections, Australia in May, Canada in October and the United Kingdom in December.

Readers who study my Third Appendix will quickly understand that the boundaries for the United Kingdom House of Commons are malapportioned by Australian standards. The same is true of the Canadian House of Commons. Whereas the British colloquially refer to their "constituencies" the Canadians colloquially refer to their "ridings" and here are some examples of low enrolment ridings. They begin with four ridings which are large in area, Labrador with 20,045 electors in 2015 and 20,184 in 2019, Yukon with 26,879 in 2015 and 29,591 in 2019, the Northwest Territories with 30,110 in 2015 and 30,704 in 2019 and Nunavut with 20,252 in 2015 and 20,025 in 2019. The areas in question are 294,330 square kilometres for Labrador, 482,443 for Yukon, 1,346,106 for Northwest Territories and 2,093,190 for Nunavut. The three territories are allocated one seat each in the House of Commons. For an explanation in respect of Labrador see below.



Just as Tasmania is favoured in Australia so Prince Edward Island is favoured in Canada – only more so. The province benefits from what is called the “senatorial clause”. It guarantees that no province has fewer seats in the House of Commons than it has in the Senate. As Prince Edward Island has four senators it cannot have fewer than four representatives in the House of Commons. As of 2019 Cardigan had 29,869 electors, Charlottetown 27,719, Egmont 28,557 and Malpeque 30,576

Canada’s most populous province is Ontario with 9,691,517 electors in 2015, an average of 80,095 for its 121 members of the House of Commons. However, within Ontario the range was from 44,306 in Kenora (the area of which is 321,741 square kilometres) to 103,291 in Niagara Falls, in 2015 the biggest in the whole country. In 2019 Kenora had 46,766 electors but Niagara Falls lost its place as having the highest enrolment either in Ontario or in Canada as a whole. In Ontario Simcoe-Grey had the highest number of electors in 2019 at 115,604 with Ontario at 10,484,419, and average of 86,648.

The Australian equivalent of Ontario is New South Wales. The *average* number of electors per MP in our most populous state at the 2015 NSW redistribution was 103,481. See Table 2 of the Third Appendix, attached. The range was from a low of 96,773 in Macarthur (low due to its rapid population growth) while the NSW high was 112,408 in Cowper. By the time of the second election on those boundaries in May 2019 the numbers had grown to 119,094 in Macarthur and 124,340 in Cowper. In May 2019 the second-biggest enrolment in the entire country was in Boothby (SA) at 123,949 electors and the third biggest was in adjoining Sturt (SA) at 123,818. The fourth biggest was in Paterson (NSW) at 122,820.

The Canadian province growing most rapidly in population is Alberta. That meant the 2019 rolls were quite swollen, especially in the cities of Calgary, the biggest city, and Edmonton, the state capital. The biggest enrolment (both in the province and in Canada as a whole) in 2019 was in Edmonton-Wetaskiwin with 125,054 electors on the roll.

The explanation for Kenora and Labrador is as follows: redistribution commissions are allowed to consider non-population factors, including geography, when designing the new boundaries, and may therefore declare certain electoral districts to be in “extraordinary circumstances”. Such allows for a deviation higher than the 25 per cent from the electoral quotient for their province. In the final reports of both the Ontario and Newfoundland and Labrador commissions they provided justification as to why ridings in Northern Ontario and the riding of Labrador were given special consideration.

So far, I have given comparative information for Australia, New Zealand, the United Kingdom, Ireland and Canada. I leave the United States to last because it is the country of the Anglosphere for which comparisons give no comfort to the idea that Australia should increase the size of its lower house. The US House of Representatives has been pegged at 435 members since 1929. Based on the 1930 census California had 20 seats which was fewer than New York (45), Pennsylvania (34) Illinois (27), Ohio (24) and Texas (21). Today California has 53, Texas 36, New York 27, Florida 27 (which was a mere five in 1930), Pennsylvania 18, Illinois 18 and Ohio 16. If the US House of Representatives could be pegged at 435 why cannot its Australian equivalent be pegged at 151? It can be, of course, but I prefer it be pegged at about 175.

I note that for the US elector numbers are useless due to the simple fact that *population* numbers are everything. The present apportionment is based on 2010 census numbers showing the state with the smallest population as Wyoming with 568,300 people and a single member of the House. Tasmania had 519,050 with five. Nebraska had 1,831,825 people with three members of the House. South Australia had 1,716,966 with 11 members elected in 2016 and 10 in 2019. Virginia had 8,037,736 people with 11 members of the House. New South Wales had 7,797,791 people with 47 members elected to the House of Representatives in 2016 and 2019.

Even as I was doing the arithmetic for the above there was, in December 2020, published at Canberra the JSCEM's *Report on the conduct of the 2019 federal election and matters related thereto*. On page 163 there is this Recommendation 24:

The Committee recommends that consideration be given to a future constitutional referendum to break the nexus between the number of Senators for the States and the number of Members of the House of Representatives.

That was preceded, on page 160, by a table showing the average number of electors per federal member at 66,664 in 1984 (with 148 members) and 108,770 in 2019 (with 151 members). Those numbers are quite close to mine. Also shown are some outdated numbers for the United Kingdom and Canada and irrelevant numbers for New Zealand. The outdated British electorate number for 2019 is 47,074,800, an average for 650 members of 72,423. The outdated 2015 Canadian electorate number was 25,939,742, an average for 338 members of 76,745. Those British and Canadian numbers are also quite close to mine. In Canada's case the 2015 numbers are identical to mine but the average for 2015 of 76,745 has grown to 80,985 in 2019.

The rest of page 160 and the whole of pages 161 and 162 are devoted to arguing that there is a good case for increasing the size of the House of Representatives and a good case for keeping the number of senators at 76.

On page 162 paragraph 8.60 reads:

The number of voters per Member of Parliament is growing to an extent where it is challenging for members to service constituent workloads. Accordingly, at an appropriate time, there will need to be an increase in the number of members of the House of Representatives.

Also, on page 162 paragraph 8.61 reads:

The number of office suites in the Parliamentary building and the space for seating on the floor of the House Chamber are suitable for accommodating future growth in the number of MPs.

Again, on page 162 is paragraph 8.62 that reads:

However, there is no equivalent case to expand the number of Senators, as their primary duties pertain to legislative work rather than constituent work. Australia's population has now reached the juncture where the House needs to grow further to keep pace. But the Senate does not need to enlarge, and doing so could make it more fragmented and thereby complicate the ability to achieve compromise in the chamber on legislation.

My massive dissent from that is recorded here. To give the Australian people a decent Senate voting system it is essential that the number of senators for each state be increased from 12 to 14. That would increase the size from 76 to 88. A by-product of that would be to increase the size of the House of Representatives by approximately 24 members.

Finally, I give a summary of what each *mainland state* would get out of the increase I propose. I say "mainland state" because there are three privileged jurisdictions at present, Tasmania, the Australian Capital Territory and the Northern Territory. They would get no increase in their numbers in the House of Representatives, presently being five, three and two members, respectively.

New South Wales would go from the present 47 to 55, so eight more members. Victoria would go from the present 39 (47<sup>th</sup> Parliament) to 45, so six more members. Queensland would go from the present 30 to 35, so five more members. Western Australia would go from the present 15 (47<sup>th</sup> Parliament) to 18, so three more members. South Australia would go from the present 10 to 12, so two more members. The total size of the House of Representatives would go from 151 to 175, so 24 more members.

First Appendix to Chapter 5: Votes on Parliament and Aboriginals Referendum Questions –  
27 May 1967

1. Parliament

	For		Against		Total Formal
	Votes	%	Votes	%	
New South Wales	1,087,694	51.0	1,044,458	49.0	2,132,152
Victoria	496,826	30.9	1,112,506	69.1	1,609,332
Queensland	370,200	44.1	468,673	55.9	838,873
South Australia	186,344	33.9	363,120	66.1	549,464
Western Australia	114,841	29.1	280,523	70.9	395,364
Tasmania	42,764	23.1	142,660	76.9	185,424
Australia	2,298,669	40.2	3,411,940	59.8	5,710,609

2. Aboriginals

	For		Against		Total Formal
	Votes	%	Votes	%	
New South Wales	1,949,036	91.5	182,010	8.5	2,131,046
Victoria	1,525,026	94.7	85,611	5.3	1,610,637
Queensland	748,612	89.2	90,587	10.8	830,199
South Australia	473,440	86.3	75,383	13.7	548,823
Western Australia	319,823	81.0	75,282	19.0	395,105
Tasmania	167,176	90.2	18,134	9.8	185,310
Australia	5,183,113	90.8	527,007	9.2	5,710,120

The official titles for the above were:

(1) “Constitution Alteration (Parliament) 1967”

(2) “Constitution Alteration (Aboriginals) 1967”

And the official description was as follows:

“The first of these proposals sought to alter the Constitution so that the number of Members of the House of Representatives could be increased without necessarily increasing the number of Senators. This proposal was rejected. The second proposal sought to remove any ground for the belief that the Constitution discriminated against people of the Aboriginal race, and, at the same time, to make it possible for the Commonwealth Parliament to enact special laws for these people. This proposal was carried.”

Second Appendix to Chapter 5: Table 1: Number of Members per State and Territory in the House of Representatives

Election	NSW	Victoria	Queensland	WA	SA	Tasmania	ACT	NT	Total
1980/83	43	33	19	11	11	5	2	1	125 <sup>(a)</sup>
1984/87	51	39	24	13	13	5	2	1	148 <sup>(b)</sup>
1990	51	38	24	14	13	5	2	1	148
1993	50	38	25	14	12	5	2	1	147 <sup>(c)</sup>
1996	50	37	26	14	12	5	3	1	148 <sup>(d)</sup>
1998	50	37	27	14	12	5	2	1	148
2001	50	37	27	15	12	5	2	2	150 <sup>(e)</sup>
2004	50	37	28	15	11	5	2	2	150
2007	49	37	29	15	11	5	2	2	150
2010/13	48	37	30	15	11	5	2	2	150
2016	47	37	30	16	11	5	2	2	150
2019	47	38	30	16	10	5	3	2	151
2021/22	47	39	30	15	10	5	3	2	151

(a) Last election with 10 senators per state.

(b) First election with 12 senators per state.

(c) First election at which a formula applied to distribute numbers of members for the eight jurisdictions. The determination was made in March 1991.

(d) First election at which the ACT was entitled to three seats following application of the formula.

(e) First election at which the NT was entitled to two seats following application of the formula.

Note that the entry for 2021/22 reflects the passage, in December 2020, of the *Electoral Amendment (Territory Representation) Act 2020*. It set aside the July 2020 determination by ensuring that the Northern Territory would retain two seats. The new “harmonic mean” will lower the rounding up mark used to go from one seat to two seats and from two seats to three seats.

Second Appendix to Chapter 5: Table 2: Elector Numbers 1949 and 2019

1. General Election 10 December 1949

State/Territory	Electors	Seats	Average electors per seat
New South Wales	1,916,746	47	40,782
Victoria	1,369,821	33	41,510
Queensland	697,029	18	38,724
Western Australia	315,771	8	39,471
South Australia	434,320	10	43,432
Tasmania	161,540	5	32,308
Australian Capital Territory*	11,841	1	11,841
Northern Territory*	6,586	1	6,586
Australia	4,913,654	123	39,948

\* Note that ACT and NT members did not enjoy full voting rights.

2. General Election 18 May 2019

State/Territory	Electors	Seats	Increase on 1949	Average electors per seat
New South Wales*	5,294,468	47	-	112,648
Victoria	4,184,076	38	5	110,107
Queensland	3,262,898	30	12	108,763
Western Australia	1,646,262	16	8	102,891
South Australia*	1,210,817	10	-	121,082
Tasmania*	385,816	5	-	77,163
Australian Capital Territory	295,847	3	2	98,616
Northern Territory	139,359	2	1	69,680
Australia	16,419,543	151	28	108,739

\* Note the interesting fact that New South Wales, South Australia and Tasmania elected the same number of members of the House of Representatives in 2019 as they had elected in 1949.

Second Appendix to Chapter 5: Table 3: Entitlements with 14 Senators per State for 2019 Election

Jurisdiction	Population 31 August 2017	Divided by Quota	Result of Division	Number of Members
New South Wales	7,797,791	141,247.39	55.20662	55
Victoria	6,244,227	141,247.39	44.20773	44
Queensland	4,883,739	141,247.39	34.57578	35
Western Australia	2,567,788	141,247.39	18.17936	18
South Australia	1,716,966	141,247.39	12.15574	12
Tasmania	519,050	141,247.39	3.67476	5
Australian Capital Territory	408,562	141,247.39	2.89253	3
Northern Territory	247,512	141,247.39	1.75233	2
Australia	24,385,635			174

Second Appendix to Chapter 5: Table 4: Entitlements with 14 Senators per State for 2021/22 Election

Jurisdiction	Population 3 July 2020	Divided by Quota	Result of Division	Number of Members
New South Wales	8,128,984	147,888.87	54.96684	55
Victoria	6,651,074	147,888.87	44.97346 <sup>(a)</sup>	45
Queensland	5,129,996	147,888.87	34.68818 <sup>(a)</sup>	35
Western Australia	2,639,080	147,888.87	17.84502	18
South Australia	1,759,184	147,888.87	11.89531	12
Tasmania	537,012	147,888.87	3.63119	5
Australian Capital Territory	429,559	147,888.87	2.90461 <sup>(a)</sup>	3
Northern Territory	247,280	147,888.87	1.67207	2
Australia	25,522,169			175

- (a) Note that, over the period from August 2017 to July 2020 the population of Victoria, Queensland and the ACT grew more rapidly than for Australia as a whole. For the Northern Territory the population declined slightly. For the states of New South Wales, Western Australia, South Australia and Tasmania the population grew more slowly than for Australia as a whole.

### Third Appendix to Chapter 5: Relevant British Comparisons

General elections for the United Kingdom House of Commons were held on 6 May 2010, 7 May 2015, 8 June 2017 and 12 December 2019. Table 1 shows electorate information. Note that the British use of term “electorate” where we say “electoral enrolment”. The reason I show these British figures in to indicate that they permit disparities of the kind we would not permit, given our devotion to “one vote, one value”.

Taking the redistributions into order set out in Table 2 the quota of 64,786 electors for the Northern Territory (report of February 2017) meant that the Division of Lingiari had 64,552 electors while the Division of Solomon had 65,019. The area of Solomon is 191 square kilometres while that of Lingiari is 1,348,158 square kilometres. Second on the Table is Tasmania with a quota of 75,014 (report of November 2017) with the range being from 73,304 in Franklin to 77,739 in Braddon. Consequently, it can be said that only the members of the House of Representatives from Tasmania and the Northern Territory represent the average numbers of the 650 members of the British House of Commons. Note that the British electoral boundaries were the same for all of the 2010, 2015, 2017 and 2019 elections.

Table 1: British Electorate Information

2010

Electorate:	46,017,235
Average per MP:	70,796
Isle of Wight:	109,966
Na h-Eileanan an Iar: (Western Isles)	22,266

2015

Electorate:	46,425,476
Average per MP:	71,424
Isle of Wight:	108,804
Na h-Eileanan an Iar: (Western Isles)	21,744

2017

Electorate:	46,826,481
Average per MP:	72,041
Isle of Wight:	110,697
Na h-Eileanan an Iar: (Western Isles)	21,301

2019

Electorate:	47,563,988
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Average per MP:	73,175
Isle of Wight:	113,021
Na h-Eileanan an Iar: (Western Isles)	21,106

Table 2: Relevant Australian Comparisons – House of Representatives

This table gives the number of Australian electors enrolled (what the British would call “electorate”) at each most recent federal redistribution. The implementation of these redistributions range from early 2017 to late 2018. The Victorian and Western Australian redistributions are expected to be implemented in August 2021.

State/Territory	Number of Members	Electoral Enrolment	Quota	Date Redistribution Began
Northern Territory	2	129,571	64,786	15 October 2015
Tasmania	5	375,072	75,014	1 September 2016
Australian Capital Territory	3	288,346	96,115	4 September 2017
Queensland	30	3,096,104	103,203	6 January 2017
New South Wales	47	4,863,593	103,481	1 December 2014
South Australia	10	1,195,031	119,503	4 September 2017
Victoria	39	4,251,806	109,021	15 July 2020
Western Australia	15	1,682,574	112,172	15 July 2020
Total/Average	151	15,882,097	105,179	

Table 3: Relevant Australian Federal Comparisons – All Parliamentarians

State/Territory	Number of Members and Senators	Enrolment	Average
Advantaged States <sup>(a)</sup>	66	3,252,677	49,283
Rest of Australia <sup>(b)</sup>	161	12,629,420	78,444
Total/Average	227	15,882,097	69,965

(a) Western Australia, South Australia and Tasmania

(b) Three most populous states plus two Territories

