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COMMONWEALTH ELECTORAL (REDISTRIBUTION) BILL 1977

Date Introduced: 3 November 1977
House: House of Representatives
Presented by: The Honourable A.A. Street,
Minister representing the Minister for Administrative Services

Short Digest of Bill

Purpose

To validate the redistributions of all States into electoral divisions as recently approved by Parliament.

Background

Section 18 of the *Commonwealth Electoral Act* 1918 requires the Distribution Commissioners to fix a quota for each State by dividing the total number of electors for the State “as nearly as can be ascertained” by the number of members to be chosen in the State. The quota is the basis for the distribution, subject to the criteria set out in the Act, with an allowable variation of up to ten per cent (sub-section 19(1)); there is also the requirement introduced early in 1977 that no proposed division of 5,000 square kilometres or more shall have more electors than the smallest (in terms of electors) proposed division of less than 5,000 square kilometres (sub-section 19(2)).

The Report of the Distribution Commissioners for New South Wales on the recent redistribution shows that a quota of 71,149 was calculated on the basis of 3,059,402 electors enrolled on 24 June, 1977 (including 76,122 electors in the division of Berowra). The Report shows that in the proposed redistribution the division of Berowra was estimated to have 71,044 electors; 5,193 electors were transferred from the division, 1,949 to the proposed new division of Dundas and 3,244 to the proposed division of Bennelong; and 115 electors were transferred from the division of Robertson to the proposed division of Berowra.

The proposed redistributions for all States were approved by both Houses of Parliament (11 October, 1977 for Tasmania and 27 October, 1977 for the other States). Proclamations under section 24(1) of the Act proclaiming the new divisions in New South Wales, Queensland, South Australia and Tasmania were published in the Gazette on 1 November, 1977. Proclamations for Victoria and Western Australia have not yet been made.

It now appears that the figure of 76,122 electors in the division of Berowra on 24 June, 1977, used by the Distribution Commissioners as part of the basis for the quota, was overstated by about 4,000. Accordingly, the quota on which New South Wales divisions were calculated was inaccurate. In addition, the estimated enrolment in the

Commonwealth Electoral (Redistribution) Bill 1977 (Bills Digest 134, 1977)

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division of Berowra in the redistribution should not have been 71,044, as stated, but about 67,000; the effect is that Berowra was, in fact, the division of less than 5,000 square kilometres containing the least number of electors and should not, by virtue of sub-section 19(2), have contained fewer electors than any “large” division of 5,000 square kilometres or more; but there were several “large” divisions with more than 67,000 electors including Calare (69,519 electors), Cowper (68,114 electors) and Eden-Monaro (68,307 electors).

Provisions

Clause 3 defines “proposed redistribution” to mean the redistributions approved by both Houses of Parliament on 11 October, 1977 for Tasmania and on 27 October, 1977 for the other States.

Clause 4 provides that the divisions in each State in the proposed redistribution are to be the divisions for that State from the date of the Proclamation for that State under sub-section 24(1) of the Act until they are altered in accordance with the Act. The effect is that any departures from the existing requirements for redistributions in the Act will not be treated as invalidating the redistributions on this occasion; this includes the use of an inaccurate quota for New South Wales and any failure to comply with sub-section 19(2) in relation to the division of Berowra.

4 November 1977

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