

# **Joint Standing Committee on Electoral Matters**

**Submission by Mr C M Friel**

**of Alawa, Northern Territory**

**to the Inquiry into**

## **Representation of the Territories in the House of Representatives**

First, it is clear that under section 122 of the Australian constitution the Australian government can set such representation for the Northern Territory as it so desires, subject to the constitution itself.

It would be inappropriate for it to set representation that disadvantaged the representation of the states, in other words, manifestly unfair or disproportionate.

Second, the electoral commissioner has not correctly interpreted the number of senators *for the states* to be used in ascertaining the quota to be used for determining the number of representatives for the states under section **48** (2) (a) of the Commonwealth Electoral Act 1918.

Under section **6** of the Commonwealth of Australia Constitution Act the definition of "The States" includes the Northern Territory of South Australia and I argue that the numbers of senators should include those for the Northern Territory, bringing the number to seventy four (74).

Under section **24** (i) of the Australian constitution the divisor is given as "twice the number of senators." There is no stipulation that senators for territories should be excluded. This would bring the number to seventy six (76) and the divisor to one hundred and fifty two (152).

The most important prerequisite for determining the representation for the Northern Territory in the House of representatives is to ensure that it does not disadvantage any other state or territory. That is, a sense of equity should be maintained.

It is not true that a minor reduction of some 250 in the Territory's population has brought about the loss of a seat. The loss has occurred because of the increase in the total population of Australia, hence an increase in the size of the quota by 5169.

A major factor in that population increase is the immigration program and it is not particularly honest of those vociferously complaining about the loss of a seat not to mention that fact. They cannot have it both ways.

All that is required to correct this matter is an amendment to section **48** (2) (a) of the Commonwealth Electoral Act 1918 by deleting the words "**of the states**".

Being in very poor health at the moment I do not wish to go on. My point has been made.

Col Friel, 12 August 2003.