



Member for Brennan

Denis Burke, MLA

LEADER OF THE OPPOSITION



P O Box 3700 Darwin NT 0801

Telephone: 08 8901 4188

Facsimile: 08 8901 4192

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The Secretary
Joint Standing Committee
On Electoral Matters
Parliament House
Canberra ACT 2600

Joint Standing Committee on Electoral Matters	
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e-mail JSCEM@aph.gov.au

re INQUIRY INTO REPRESENTATION OF THE NORTHERN TERRITORY AND THE ACT IN THE HOUSE OF REPRESENTATIVES

The CLP Parliamentary Wing strongly supports the Private Member's Bill of our colleague David Tollner MP that would guarantee the Northern Territory and the ACT a minimum presence in the House of Representatives of two seats each.

Under the Constitution (Section 24), the States are guaranteed a minimum representation of five seats which (with the exception of Tasmania) has increased substantially because of their growing population and the increase in Senate numbers.

State numbers in any future House of Representatives will not be affected by allowing the two Territories adequate representation. The quota to ascertain how many members each state will have is worked out by dividing the total population of the Commonwealth, **excluding the Territories** by double the number of senators **excluding the senators from the two Territories**.

In other words no increase in guaranteed representation for the Territories will impact on how many seats are allocated to the States in any determination by the Electoral Commissioner.

Similarly, the re-granting of two seats for the Northern Territory will not increase the House of Representatives total numbers from the numbers presently sitting. The February 2003 Determination of the Electoral Commissioner means the number of House of Representative seats decreases by one from the 40th House of Representatives to the 41st.

According to the February Determination, the Northern Territory lost its second seat because of a missing 294 people, or 0.0022 of a quota. The ABS would never claim that its statistics and estimations are accurate to 0.147 per cent, yet this is what 294 represents as a percentage of the Territory population.



While the Electoral Commissioner is locked into a strict formula by his Act, it seems ridiculous that such a small statistical glitch should mean that 200,000 Australians have only one representative in the House of Representatives. This is even more obvious if the quota was worked out on the reality of modern Australia rather than some historical situation. If the real population of the Commonwealth (i.e. including the territories) was used, and this was divided by double the number of actual senators (152 rather than 144), then the quota for the Northern Territory on the figures used by the Electoral Commissioner in his Determination of February 2003 would be 1.539 and for the ACT 2.48.

[Using such a system would provide 51 seats for NSW, up one on the present House, Victoria up one, Queensland up two (i.e. a further additional seat to the one already determined), Western Australia 15, no change, South Australia 12, no change, Tasmania, still guaranteed five, ACT two and Northern Territory two. This would give a House of Representatives of 154 members, still meeting the restriction of the Constitution that the House should be "as nearly as practicable, twice the number of the senators".]

As the Member for Solomon pointed out in his second reading speech on 16 June, population projections show that by 2005, the Northern Territory will again have the numbers to qualify for two seats. The Australian Bureau of Statistics *Population, Projections Australia* middle population projection series suggests that in 2005 the Northern Territory will have 1.5509 of a quota and this will continue to rise over 2008, 2011 and 2014 when it is expected to be 1.6375. The ACT quota over the same period is projected to fall from 2.3849 in 2005 to 2.3374 in 2014.

Notwithstanding the likelihood of again meeting the quota, the Constitution at Section 122 already gives the Federal Parliament the power to decide "*the representation of such territory in either House of the Parliament to the extent and on the terms which it thinks fit*", so it is well within power to exclude the territories from the quota system just as the working out of the quota excludes both the population of the territories and their representation in the Senate.

It does seem ludicrous that while the two territories have a guaranteed two-member representation in the Senate they are denied this in the supposedly more democratically selected House of Representatives.

While two electorates in the Northern Territory may be at the lower level of numbers across Australia, the joining together of those electorates produces one of the largest – if not the largest – electorates in the country.

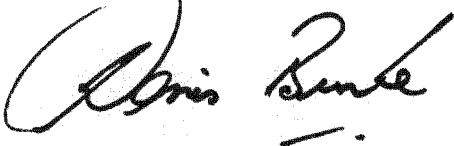
It should also be noted in this context that unlike the rest of Australia, the Northern Territory has a large proportion of young people who will swell the ranks of voters as they move through the age groups. According to ABS figures (ABS Regional Statistics NT 2003, 1362.7) "*at 30 June 2001 the NT had the highest [proportion of people aged 14 years and younger of any other state or territory (25.9% compared with 20.5% nationally)]*".

The same ABS bulletin shows that the NT fertility rate at 2.3 is much higher than the national rate of 1.7 and the death rate and infant mortality rate is falling.

In summary then:

- The Northern Territory and the ACT should be entitled to a minimum of two seats each.
- The Constitution (Section 122) gives the parliament the power to decide the representation of the Territories notwithstanding any quota system.
- All population predictions suggest the two Territories will be entitled under the quota system for two seats from 2005 on and are unlikely to exceed the two seat requirement for many years after that.
- It is undemocratic for the Northern Territory in particular to have its representation halved for the sake of a few hundred votes and to face a change again for the election after next because of a statistical glitch in 2002.

Yours sincerely

A handwritten signature in black ink, appearing to read "Denis Burke". The signature is written in a cursive style with a large initial "D".

Denis Burke
Leader, Parliamentary Wing CLP.
Leader of the Opposition, NT.