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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

AUSTRALIAN CAPITAL TERRITORY (ELECTORAL) BILL 1988

SECOND READING SPEECH

By

the Hon Clyde Holding MP

Minister for the Arts and Territories

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I move -

That this Bill be now read a second time.

This Bill provides for a system to elect the Legislative Assembly for the Australian Capital Territory. This, Madam Speaker, is the Government's third attempt at introducing an electoral system for the Territory.

In 1986 this Government first moved to introduce self-government for the Territory. The proposal then, as now, allowed for a government comprising a single House of Legislature - a People's House. The electoral system proposed - single member electorates - was the same as that used to elect members to every People's House in all English speaking democracies - including, of course, Australia. To propose that this Territory also elect its representatives from single electorates in the same way as other mainland Australians was therefore not novel or controversial, yet this proposition was not supported.

The Government, committed then as now to self government for the Territory, compromised. It proposed an amalgam of Australian electoral systems - around half of the members to be elected from single member electorates using House of Representative rules, with the balance elected at large using Senate rules. This, of course, represented a significant shift from the principle that the people of the Territory should be treated just like other Australians when it comes to electing their representatives. However, this proposal too was not acceptable.

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The Australian Capital Territory (Self-Government) Bill 1988 is already before the House. In proposing self government for the Territory, the Government has once again demonstrated its commitment to democracy for all.

Facing the rejection of existing Australian electoral systems, the Government has turned to an electoral system used commonly throughout the non-English speaking Western democracies to elect People's Houses. This system, known as the d'Hondt system, provides for direct proportional representation. The hallmark of this system is also a concern for both democracy and stable government. It is once again a compromise, but it is a compromise we are prepared to make in an effort to give the people of the Territory the same democratic rights as their fellow Australians. It will be unique to Australia, but this Territory - a City/State - is also unique in Australia.

The objective of any electoral system for a People's House is twofold - to accurately reflect the electoral wishes of the people in the composition of their government and, of great importance, to provide for stable government.

Some with vested interests have advocated that the Hare Clark system of proportional representation be used to elect the Assembly. This Government makes no apology for rejecting a system that is specifically designed for a House of Review. Under its rules, seats may be literally decided by chance on the preferences of voters who may well have had no idea - or wish - that their vote would elect particular candidates.

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For example, to decide some seats in the last A.C.T. House of Assembly elections using these rules, votes had to be distributed more than 20 times. In the last Senate elections, a candidate with less than 1.5% of the primary vote was elected. Yet others with more than double this primary vote were not.

This may be acceptable in a House of Review, but it could create instability in a People's House where such members may hold the balance of power.

The d'Hondt system, is a People's House system. It is very familiar to and respected by the democracies of Europe. It has been used for many years in countries such as Austria, Belgium, Finland, West Germany and the Netherlands, all of which enjoy the reputation of being democratic, stable and prosperous states.

Under this system, all contestants are elected as accurately as possible in accordance with the proportion of votes received. The system is completely neutral between contestants and satisfies the stability side of the equation by ensuring that the party or parties with a majority of votes will command a majority of the seats.

There is nothing mystical or complex about this system. A very simple mathematical calculation ensures the direct and accurate reflection of the voters' intention in the composition of the House. It does no more or less than make sure that, as closely as mathematically possible, each and every member in the House is

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supported by the same number of voters. It is immune from gerrymander. Every vote has equal value and in fact it is the most direct system of proportional representation that one can get.

In terms of the financial impact on the Commonwealth, the Bill will not involve additional Commonwealth expenditure other than that already provided for the first Assembly election, the estimated cost of which is \$620,000.

I will now turn my attention to a brief description of the main features of the Bill.

The cornerstone of the Bill is the application of the Commonwealth Electoral Act 1918, suitably modified, to Assembly elections. The Bill divides the Commonwealth Electoral Act into three categories:

- . the first category consists of those provisions which are modified by Schedule 1 to the Bill and provide the detailed nuts and bolts for the conduct of Assembly elections;
- . the second category consists of those provisions which provide the overall framework for Assembly elections and are applied generally; and
- . the third category consists of disappplied provisions which have no relevance to Assembly elections.

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Most of the modifications to the Commonwealth Electoral Act arise because of the introduction of the d'Hondt electoral system. The d'Hondt system enables electors to vote for an independent candidate, a pre-determined list of party candidates or indicate the order in which they wish candidates of the party of their choice to be elected. Once seats have been distributed among parties and independents using the d'Hondt mathematical calculation, seats won by a party are allocated to its candidates by distributing votes in the same way as in Senate elections.

I seek leave to incorporate a table which illustrates how the d'Hondt distribution works.

Other important features of the Bill include:

- . the provision that there will be no minimum membership requirement for a party in order for it to be registered on the A.C.T. Register of Political Parties;
- . a clear prescription of acceptable ways voters can mark the ballot paper under the d'Hondt system to minimise informal voting;
- . the election of the Assembly for a 4 year fixed term; and
- . the conduct of elections for the Assembly without election writs.

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This is a Government committed to the principle of fair and democratic elections.

Indeed, this Parliament has a constitutional responsibility to ensure the good and stable government of this, the nation's capital.

This Bill achieves this. It will extend to the people of the Territory the same rights as their fellow Australians to look after their own affairs in an orderly, democratic way.

I present the explanatory memorandum to this Bill and commend the Bill to the House.

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## AUSTRALIAN CAPITAL TERRITORY (ELECTORAL) BILL 1988

### DISTRIBUTION OF SEATS UNDER D'HOND'T

Number of seats to be distributed: 17

No. of votes cast for each Party	Party X	Party Y	Party Z
	12000	8000	3000
No of votes div by 1	12000 1st	8000 2nd	3000 6th
div by 2	6000 3rd	4000 4th	1500 14th
div by 3	4000 5th	2666 8th	1000
div by 4	3000 7th	2000 10th	750
div by 5	2400 9th	1600 13th	600
div by 6	2000 11th	1333 16th	500
div by 7	1714 12th	1142	428
div by 8	1500 15th	1000	375
div by 9	1333 17th	888	333
	=9 seats	=6 seats	=2 seats