REPRESENTATION BILL 1983

Date Introduced: 2 November 1983
House: House of Representatives
Presented by: Hon. K.C. Beazley, Special Minister of State

Short Digest of Bill

Purpose

To increase the size of the Parliament from the day of the first meeting of the next House of Representatives.

Background

Section 24 of the Constitution requires that the number of members of the House of Representatives shall be, as near as practicable, twice the number of Senators representing the States. Thus any attempt to effect an increase in the size of the Commonwealth Parliament, other than by way of referendum for amendment of the Constitution, must as its starting point contemplate an increase in the membership of the Senate. An attempt to break this nexus between the House of Representatives and the Senate by referendum was made in 1967 but the proposal failed to pass, only New South Wales voted in favour of the proposal and the No vote had an overall majority of more than 1,000,000. This topic is discussed more fully in the Law and Government Group's paper No.227 of 1983 entitled "Requirements for Increasing the Number of Members of the Senate and the House of Representatives".

Main Provisions

Clause 2 of the Bill provides that the Act shall come into operation on the day on which the Commonwealth Electoral Legislation Amendment Act 1983 comes into operation (a date which is to be fixed by proclamation).

By Clause 3 of the Bill the number of Senators for each State is increased from 10 to 12, this would enable the number of members of the House of Representatives elected for the States to be increased to approximately 144. On the basis of the latest calculation by the Chief Electoral Officer under Section 10 of the Representation Act 1905 the likely increase would be an extra 23 seats bringing the
number of members elected for the States to 145. The quotas for the States would be:

- N.S.W. - 52 seats
- Vic - 39 seats
- Qld - 23 seats
- S.A. - 13 seats
- W.A. - 13 seats
- Tas - 5 seats

The Representation Act 1948 and the Representation Act 1949 are repealed by Clause 4 of the Bill. The Representation Act 1948 increased the number of Senators to be chosen for the States from 6 to 10 while the Representation Act 1949 made transitional provisions for payment of allowances to certain Senators elected at the first election following the increase in the size of the Senate.

Transitional provisions relating to the first Senate election following the increase in the size of the Senate are contained in Clause 5. The effect of sub-clause 5(3) is that the first two non-sitting Senators elected shall serve a term from the day of the first meeting of Parliament after the next expiration or dissolution of the House of Representatives until 1 July 1991. However to maintain regularity in the rotation of Senators the Senator last elected will serve until 30 June 1988.

For further information, if required, contact:

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