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## **REVIEW INTO THE SIZE OF THE ACT LEGISLATIVE ASSEMBLY A DISCUSSION PAPER**

**By the Expert Reference Group**

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*This Discussion Paper invites citizens of the ACT to participate in a discussion about the appropriate size of the Legislative Assembly of the ACT.*

*Public submissions to this inquiry are now invited.*

*The closing date for submissions is 1 March 2013.*

Mr Phillip Green, ACT Electoral Commissioner (chair)  
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Members of the Expert Reference Group

17 January 2013

## 1 Introduction

The ACT Chief Minister, Ms Katy Gallagher MLA, has appointed an Expert Reference Group to conduct a review into the size of the ACT Legislative Assembly.<sup>1</sup> The Expert Reference Group has been asked to consult with the community regarding options for changing the size of the Assembly.

This Discussion Paper has been prepared to assist members of the public interested in making a written submission to the review of the size of the ACT Legislative Assembly. It provides background and information on issues relevant to options for increasing the number of members of the Legislative Assembly.

The Legislative Assembly commenced with 17 Members when the ACT was granted self-government in 1989 and has remained that size. The ACT's population has increased from around 275,000 in 1989 to 375,000<sup>2</sup> in 2012.

At the first two elections held in 1989 and 1992, all 17 Members were elected "at large" from one electorate, using the modified d'Hondt electoral system. From the 1995 election onwards, the Hare-Clark electoral system has been used to elect Members representing two 5-Member electorates (Brindabella and Ginninderra) and one 7-Member electorate (Molonglo).

The ACT's Legislative Assembly Members have responsibility for both state and local government issues. Unlike the Northern Territory or any other jurisdiction in Australia, the ACT does not have a local government body at the city council level. It also (unlike New South Wales, Victoria, Western Australia, South Australia, Tasmania and the Commonwealth) has no upper house.

The formal mechanism to increase the number of Members elected to the Assembly requires action by both the ACT Legislative Assembly and the Commonwealth Parliament.

The Commonwealth *Australian Capital Territory (Self-Government) Act 1988* (Self-Government Act) currently sets the size of the Assembly at 17 Members. To change this number, the relevant Commonwealth Minister may make regulations altering the size of the Assembly, but only in accordance with a resolution passed by the Assembly.

Another way to change the size of the Assembly would be for the Commonwealth Parliament to amend the Self-Government Act to give the power to set the size of the Assembly to the Assembly itself.

If the Assembly is given the power to set its own size, any change to the Assembly size must be passed by a 2/3 majority of Assembly Members, or by a simple majority of Assembly Members and by a majority of electors at a referendum, in accordance with the *Proportional Representation (Hare-Clark) Entrenchment Act 1994* (Entrenchment Act).

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<sup>1</sup> The Terms of Reference for the Expert Reference Group are reproduced below at page 15.

<sup>2</sup> Australian Bureau of Statistics (2012), Australian Demographic Statistics, June 2012, 3101.0

The Prime Minister indicated in October 2012 that it is the Federal Government's intention to amend the Self-Government Act to allow the ACT Legislative Assembly to determine its own size. Such an amendment would require passage of a bill by both Houses of federal Parliament.

Several reviews have considered the size of the Legislative Assembly since the ACT was granted self-government in 1989 (see **Previous inquiries regarding the size of the ACT Legislative Assembly** below). Each review has generally supported increasing the size of the Assembly although there has been no agreement on what that size should be.

## 2 Review Process

The ACT Chief Minister has asked the Expert Reference Group to conduct a review of the size of the Assembly. In conducting the review, the Expert Reference Group will:

- undertake community consultation and provide an opportunity for making submissions;
- examine past reviews into the size of the Assembly;
- consider factors relevant to increasing the size of the Assembly;
- consider any limitations placed on changes to the size of the Assembly by the Entrenchment Act; and
- recommend options for increasing the size of the Assembly, including the number of electorates and the number of members for each electorate.

The Expert Reference Group will provide the Chief Minister with its report by 31 March 2013.

The Terms of Reference for this inquiry do not extend to considering proposals to alter the fundamental nature of the ACT's electoral arrangements. Key principles of the ACT's Hare-Clark electoral system have been entrenched by the Entrenchment Act. This Paper does not suggest that the principles entrenched in this Act should be altered. Consequently, the Expert Reference Group assumes that:

- there will be no change to the role or establishment of the ACT Legislative Assembly or to the nature of the ACT's self-government model;
- there will continue to be at least 5 Members elected in each electorate;
- an odd number of members of the Legislative Assembly shall be elected from each electorate; and
- the Hare-Clark proportional representation electoral system will be retained.

Those interested in responding to this Discussion Paper may also wish to know that in the ordinary course, a redistribution of the current electorates would be due to commence in late 2014.

### **3 Previous inquiries regarding the size of the ACT Legislative Assembly**

There have been reports from several previous inquiries relevant to the size of the ACT Legislative Assembly. These reports are listed under **References/further reading** at page 16.

These previous reviews and inquiries into the number of Members of the Assembly have generally drawn arguments in favour of an increase in the number of Members. However, to date there has been no consensus on what size the Assembly should be, and no action has been taken to increase the size of the Assembly.

The two options most often discussed have been increasing the Assembly to:

- 21 Members, consisting of 3 electorates each returning 7 Members; or
- 25 Members, consisting of 5 electorates each returning 5 Members.

#### 4 Role of the Assembly

The Assembly has two distinct and unique roles, unlike other Australian parliaments: it is responsible for the usual State-Territory activities such as health, education, law and order, and industrial relations. It also has responsibility for local government activities such as rates, roads and collection of rubbish.

When the Assembly was established, the driving principles behind its size were that it should<sup>3</sup>:

- be large enough to provide for adequate and fair representation of the ACT community;
- function as a workable legislature; and
- have the capacity for adequate scrutiny of the executive government.

The formal powers of the Assembly include<sup>4</sup>:

- making laws for the peace, order and good government of the Territory;
- investigating and debating matters of public importance;
- reviewing the actions of government; and
- overseeing the financial matters of government.

A parliamentary body such as the ACT Legislative Assembly performs a variety of functions. Its Members represent its constituents both in respect of making laws for the peace, order and good government of the Territory and in respect of dealing with individual matters raised with them by constituents.

One Member is appointed Speaker of the Assembly, responsible for keeping order in the chamber and for overseeing the operation of the Assembly and its secretariat. The ACT's Chief Minister and other Ministers are appointed from the ranks of the Members.

Members from the largest non-government party take on the roles of Opposition Leader and opposition shadow ministers. Members on the cross-benches typically need to keep abreast of issues across all portfolios.

Backbench members also serve on Assembly committees. The current Assembly has 6 standing committees<sup>5</sup>; the previous Assembly had 8 standing committees and 10 select committees.

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<sup>3</sup> as quoted in Hawke, Allan (2011), *Canberra : A Capital Place, Report of the Independent Review of the National Capital Authority*, p 17. .

<sup>4</sup> ACT Legislative Assembly Website: <http://www.parliament.act.gov.au/education/role-of-the-assembly.asp>

<sup>5</sup> A list of the current committees can be found at Table 7 on page 22.

## 5 Factors relevant to increasing the number of Members of the ACT Legislative Assembly

Previous inquiries have highlighted the difficulties the current 17 Member Legislative Assembly has in providing for adequate representation of ACT citizens, in functioning as a working legislature and executive and in having the capacity to adequately scrutinise the executive government.

In 2011, Dr Allan Hawke considered that “there is an overwhelmingly sound case for increasing the size of the Assembly.”<sup>6</sup>

### **The ability of the Assembly to provide for adequate and fair representation of the ACT community**

As the ACT’s population has continued to steadily increase in the past two decades, there has been no increase in the number of Members serving the ACT. Increases in population size can be expected to increase the workload of elected representatives. The ACT’s population has increased from around 275,000 in 1989 to 375,000<sup>7</sup> in 2012 with no increase in the size of the Assembly. By 2031, it is estimated that the population of the ACT will reach 438,000.<sup>8</sup>

In addition, the ACT is also responsible for providing services to residents in the wider national capital region surrounding the ACT, such as health and education services. This adds around 150,000 people living in New South Wales who have an interest in good government in the ACT.

Further to the unique role of the ACT Assembly in undertaking State/Territory type functions as well as local government functions, it also has responsibilities through its Chief Minister as a member of the Council of Australian Governments (COAG). All Ministers attend ministerial council meetings to represent the ACT’s position on issues of national concern.

COAG is the peak intergovernmental forum in Australia, made up of the Prime Minister, State and Territory Premiers and Chief Ministers and the President of the Australian Local Government Association. This is supported by a number of standing councils, select councils and ministerial, legislative and governance forums.

COAG and its support committees lead major reforms in traditionally state-based responsibilities such as school education, health, skills and workforce development, business regulation and most recently in the delivery of disability services. There has been an increased demand for State and Territory Ministers to take a very active role in intergovernmental relations in order to achieve the best results for their jurisdiction, and the nation as a whole.

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<sup>6</sup> Hawke, Allan (2011), *One ACT Government – One ACT Public Service*, p. 33.

<sup>7</sup> Australian Bureau of Statistics (2012), *Australian Demographic Statistics*, June 2012, 3101.0

<sup>8</sup> Hawke, Allan, *Canberra : A Capital Place, Report of the Independent Review of the National Capital Authority* (2011), p. 25.

Despite the ACT Assembly's unique range of legislative and executive functions, when compared with other Australian jurisdictions the ACT has fewer elected members per enrolled elector and per 100,000 population than any other State or Territory. (See the following section **Comparing the ACT Legislative Assembly with other Australian parliaments** on page 9.)

Dr Hawke has commented that "the ACT community [was] ... the most under-represented in Australia and that the ACT was almost completely unrepresented at the state and local level. ... ACT citizens remain significantly under-represented today in comparison to the rest of Australia."<sup>9</sup>

### **The ability of the Assembly to fulfil legislative and executive functions**

Regardless of population size, any parliamentary body needs a sufficient number of Members to adequately perform the legislative and executive tasks required. The various inquiries into the size of the Assembly have highlighted the heavy workload carried by the 17 Members of the Assembly. Currently, 5 Members comprise the ministry and each Minister has a load of between 4 and 6 ministries.<sup>10</sup> All shadow ministers have a similar load with between 2 and 7 shadow portfolios.<sup>11</sup>

While the Assembly is sometimes described as being more akin to a city council, it carries a wider variety of responsibilities than any Australian city council. Responsibilities shared in a State such as New South Wales between the lower house, the upper house and the various councils are all vested in the ACT's 17 Members.

In 2002 the Assembly's Standing Committee on Legal Affairs considered "that the present size of the Legislative Assembly makes it difficult for the Assembly to perform its function as a legislative body."<sup>12</sup>

In 2011 Professor John Halligan stated "The Legislative Assembly needs to have its numbers substantially increased as soon as possible. ... A Ministry of only 5 confounds the basic tenets of effective cabinet government, and raises questions about whether the ACT should continue to operate this type of system without an increase in its size. Given the complexities of running both a city and a state government the span of Ministers' portfolio responsibilities is immense."<sup>13</sup>

Professor Halligan also stated "The number of ACT government Ministers is fixed at five ... . As a consequence each ACT Minister is responsible for a number of portfolios plus having COAG roles. The evidence from previous reviews and from the reactions of those working within ACT governance is that this number is grossly inadequate for the complexities of state and local government in the 21st century. Ministers are stretched beyond their capacity to cover the span of responsibilities of an Australian state

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<sup>9</sup> Ibid, pp. 17-18.

<sup>10</sup> A list of current Ministerial responsibilities can be found at Table 5 on page 20.

<sup>11</sup> A list of current Opposition shadow responsibilities can be found at Table 6 on page 21.

<sup>12</sup> ACT Legislative Assembly Standing Committee on Legal Affairs (2002), *Report on the appropriateness of the size of the Legislative Assembly*, p. 31.

<sup>13</sup> Halligan, John, *An Assessment of the Performance of the Three Branches of Government in ACT Against Latimer House Principles* (2011), p. 4.



government, one of the most substantial intermediate systems in the world, plus local government. There are also potential conflicts between the different portfolio responsibilities of Ministers ... and constraints on proper debate where a Minister has both whole-of-government and line responsibilities."<sup>14</sup>

In 2011, Dr Hawke considered that "A key challenge facing the ACT, which is ultimately hindering performance and capacity, is the breadth and volume of ministerial responsibilities in a Cabinet of four or five spanning the uniquely broad range of functions with which the Government is charged"<sup>15</sup>.

Increasing the size of the Assembly would enable the appointment of more Ministers and shadow ministers to spread the portfolio workload.

The Expert Reference Group is keen to receive submissions from the community in relation to these issues. The Group would also value submissions from Members of the Assembly and their staff in relation to their work-load. Submissions are particularly encouraged from those who deal with the Assembly and with ACT Ministers who would have insights into the current capacity of the Assembly and the ACT Ministers to perform their functions. The Expert Reference Group will offer to meet with Members and their staff in the course of this inquiry.

An important role of the Assembly is its scrutiny of the executive. This role can be exercised on the floor of the Assembly and, particularly, in Assembly committees. The current Assembly has 6 standing committees<sup>16</sup>; the previous Assembly had 8 standing committees and 10 select committees. It can be expected that the current Assembly will establish further committees as the current term of the Assembly matures.

In 2011 Professor Halligan noted "The Standing Committee on Public Accounts (SCPA) has a central place in parliamentary oversight ... There are questions therefore about the breadth and timeliness of SCPA's oversight. This derives from two issues, one the number of MLA's on the committee and second, the level of resources made available. Both require attention: the first will presumably be resolved if the overall size of the Assembly is attended to; the second, requires acceptance of the need for greater resources to address the backlog."<sup>17</sup>

Increasing the size of the Assembly would spread the committee workload across a greater number of backbench Members.

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<sup>14</sup> Ibid, p. 22.

<sup>15</sup> Hawke, Allan (2011), *One ACT Government – One ACT Public Service*, p. 18.

<sup>16</sup> A list of the current committees can be found at Table 7 on page 22.

<sup>17</sup> Halligan, John, *An Assessment of the Performance of the Three Branches of Government in ACT Against Latimer House Principles* (2011), p. 22.

## 6 Comparing the ACT Legislative Assembly with other Australian parliaments

Table 1 (on page 17) shows the number of elected members in each State and Territory at the three levels of government in Australia. The table shows that the ACT is the only jurisdiction that does not have elected local government representatives. For each State and Territory, the number of elected representatives is divided into the total number of electors on the Commonwealth electoral roll as at 30 September 2012 to calculate a ratio of elected representatives to enrolled electors.

Table 1 shows that the ratio of elected representatives at all levels of government to the number of enrolled electors in the ACT is 1 member to 12,247 electors, a ratio much higher than any other jurisdiction. The next highest ratio of representatives to electors is Victoria, where the ratio is 1 representative to 4,480 electors.

Table 1 also shows that, in absolute terms, the ACT has by far the smallest number of elected representatives of any Australian jurisdiction.

Table 2 (on page 17) shows the comparison of the number of elected representatives in each State and Territory at the State/Territory and local levels of government.

As the ACT Assembly undertakes responsibilities at both the State/Territory level and local government level, the information in Table 2 compares more closely the level of representation across the jurisdictions. Table 2 shows that the ACT has a significantly higher ratio of electors to elected representatives than any other jurisdiction.

At the time of the first Assembly election in 1989 when there were approximately 169,500 enrolled electors, the ratio of Members of the Assembly to electors was roughly 1 per 10,000 electors. There are currently about 257,190 electors on the ACT electoral roll, giving a ratio of Members to electors of approximately 1 per 15,130 electors. A 21 Member Assembly would result in a Member to elector ratio of approximately 1 per 12,250 electors, a 23 Member Assembly would result in a ratio of 1 Member per 11,180 electors, a 25 Member Assembly would result in a ratio of 1 Member per 10,290 electors, and a 27 Member Assembly would result in a ratio of 1 Member per 9,530 electors.

Another way in which to examine the level of representation of the ACT is to compare numbers of elected representatives with population numbers. Table 3 (on page 18) and Graph 1 (on page 19) show the number of elected representatives per 100,000 population for each State and Territory, and nationally. Table 3 shows that the ACT has 5.6 elected representatives for every 100,000 people. The next smallest jurisdiction is Queensland, with 14.4 representatives for every 100,000 people. The jurisdiction with the highest ratio is the Northern Territory, with 75.4 representatives for every 100,000 people. The national average is 26.0.

Table 4 (on page 18) shows the number of elected representatives per 100,000 population in the event of a change of the number of ACT MLAs from 17 to 21, 23, 25 and 27 Members. Even with 27 Members, the ACT would have only 8.3 representatives per 100,000 people, still considerably fewer than any other Australian jurisdiction.

## 7 How many electorates should there be, and how many Members should be elected from each?

The weight of evidence makes a strong case for increasing the size of the ACT Legislative Assembly. The question then arises: what size should the Assembly be increased to?

There are a number of constraints that limit the range of alternatives for the size of the Assembly. For example, the Entrenchment Act entrenches the principles that an odd number of Members of the Legislative Assembly is to be elected from each electorate and that there are to be at least 5 Members elected in each electorate.

The principle that an odd number of Members of the Legislative Assembly is to be elected from each electorate seeks to ensure (so far as practicable) that a party that wins more than 50% of the votes will win at least half the seats in the electorate. If an even number of members is to be elected in an electorate, it is possible that a party may win more than half the votes but only win the same number of seats as another party with fewer than half the votes.

Underpinning the principle of having at least 5 Members elected in each electorate is the notion that each election outcome should be realistically proportional to the voters' intentions. The principle requiring an odd number of Members in each electorate effectively dictates that the only option for a multi-Member electorate smaller than a 5 Member electorate would be a 3 Member electorate. However, as a 3 Member electorate may not result in a realistically proportional outcome, the Entrenchment Act provides that a 5 Member electorate is the smallest electorate that should be considered as viable.

Another factor to consider is that it is desirable in a parliament for there to be an odd total number of members. This will ensure that votes on the floor of the parliament could not be deadlocked with the same numbers of Members on each side of a vote, as could occur if the total number of Members was an even number.

Given the above considerations, the ACT Electoral Commission identified a number of factors to consider in determining the appropriate configuration of the number of electorates and Members per electorate in its [submission](#)<sup>18</sup> to the 2002 inquiry of the Assembly Standing Committee on Legal Affairs, and included the following guiding principles:

- each electorate should have at least 5 Members;
- each electorate should have an odd number of Members;
- electorates should each return the same number of Members; and
- the total number of members should be an odd number – accordingly there should be an odd number of electorates.

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<sup>18</sup> ACT Electoral Commission (2002), *Submission to the Standing Committee on Legal Affairs in relation to its Inquiry into the appropriateness of the size of the Legislative Assembly for the ACT and options for changing the number of members, electorates and any other related matter*, [http://www.elections.act.gov.au/\\_data/assets/pdf\\_file/0015/2076/sizeofassemblysubmission.pdf](http://www.elections.act.gov.au/_data/assets/pdf_file/0015/2076/sizeofassemblysubmission.pdf)

Options that would meet these principles include increasing the Assembly to:

- 21 Members, consisting of 3 electorates each returning 7 Members;
- 25 Members, consisting of 5 electorates each returning 5 Members;
- 27 Members, consisting of 3 electorates each returning 9 Members;
- 33 Members, consisting of 3 electorates each returning 11 Members;
- 35 Members, consisting of 7 electorates each returning 5 Members; or
- 35 Members, consisting of 5 electorates each returning 7 Members.

If the principle of requiring each electorate to return the same number of Members is not followed, as in the present 17 Member Assembly, then further options would become available, consisting of a range of combinations of 5, 7 and/or 9 Member electorates.

Whether or not to prefer 5, 7 or 9 Member (or even larger) electorates is also an issue for consideration. The ACT Electoral Commission's [submission](#)<sup>19</sup> to the 2002 inquiry of the Assembly Standing Committee on Legal Affairs examines this issue in detail.

A further very important consideration is to make a judgement about the number of Members that would be sufficient to provide for adequate and fair representation of the ACT community and for a workable legislature, capable of adequate scrutiny of the executive. The Expert Reference Group is particularly keen to receive public submissions addressing this consideration.

The Expert Reference Group has been tasked with making a recommendation in its report to the Chief Minister regarding options for increasing the size of the Assembly. One option to consider – rather than simply selecting a particular number of Members for the Assembly – might be to link the size of the Assembly to population growth. Such an approach could see the Assembly automatically increase in size as the population of the ACT reaches set milestones.

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<sup>19</sup> *Ibid.*

## 8 Financial impact

At the 2002 inquiry, the Speaker and the Government made submissions outlining the expected financial implications of increasing the size of the Assembly and the size of the Ministry. In particular, the then Speaker noted that he considered that the existing Assembly building could be refurbished to include 4 additional Members within the building, whereas he considered that an additional 8 Members could not be accommodated within the existing building. He suggested that an option to accommodate an Assembly of 25 Members could be to relocate the executive Members in another building, such as the North Building.

An increase in the number of Members could incur the following increased expenses:

- salaries and entitlements of the additional Members and their staff;
- modifying the Assembly chamber to accommodate additional Members if necessary;
- accommodation and fit-out costs for additional Members and their staff;
- costs associated with re-locating Ministers and their staff to another ACT government building if necessary to incorporate offices for additional Members and their staff; and
- administrative expenses associated with an increase in Members and their staff, such as office equipment and other overheads.

The Assembly Secretariat, in consultation with the Chief Minister and Treasury Directorate, has provided cost estimates for increasing the size of the Assembly to the Expert Reference Group. It is estimated that:

- the annual recurrent cost of an additional Member of the Assembly would be approximately \$0.410 million;
- the annual recurrent cost of an additional Minister, over and above the portion that would be attributable to the Minister being a Member of the Assembly, would be approximately \$0.652 million; and
- for each additional Member and Minister, a one-off cost of approximately \$15,000 per Member and \$50,000 per Minister would be required to cover acquisition of office furniture and related office items.

In addition, depending on the size to which the Assembly is increased, office fitout costs would be incurred for office space in the Assembly building. These one-off costs could be in the order of \$0.3 million to \$0.4 million.

The Assembly chamber may need modification to include more Members at a cost of around \$50,000.

The Assembly Secretariat estimated that the annual recurrent cost of accommodating the executive outside the Assembly building could range from approximately \$0.9 million for 6 Ministers to \$1.1 million for 8 Ministers. One-off fitout costs for Ministers' offices and for converting existing Ministers' offices to Members' offices could range from \$4.1 million to \$6.4 million.

## **9 You are invited to make a submission to this inquiry**

The Expert Reference Group is keen to receive submissions from any person or organisation with a view on the issues raised in this Discussion Paper.

The following questions may help you to make a submission to the Expert Reference Group.

1. Is increasing the number of Members of the ACT Legislative Assembly justified? Why or why not?
2. If there is to be an increase in the number of Members:
  - what should that number be; and
  - what number of electorates should there be and how many members elected from each?

Submissions to the inquiry should be in writing and include the name and address of the author. Where a submission is made on behalf of an organisation, the submission should also specify the name and address of the organisation.

The Expert Reference Group intends to make submissions to this inquiry publicly available. If you do not want your submission to be made public, please specify this in your submission or in a covering letter.

Submissions must be received by 1 March 2013.

## **10 How to make a submission**

Interested parties are invited to lodge written submissions via email, post or fax.

Where possible, submissions in electronic format are preferred. These can be sent to the email address below. It is envisaged that submissions will be published on the internet in due course. A website dedicated to this inquiry will be linked to the <http://www.elections.act.gov.au/> website.

### **Email Address:**

[elections@act.gov.au](mailto:elections@act.gov.au)

### **Postal Address**

Expert Reference Group on the Size of the Assembly  
C/- Elections ACT  
PO Box 272  
CIVIC SQUARE ACT 2608

### **Facsimile Number:**

(02) 6205 0382

### **More information**

For more information you can contact the Expert Reference Group by email at [elections@act.gov.au](mailto:elections@act.gov.au) or contact Renate Moore on (02) 6205 0113.

## 11 Terms of Reference

The Chief Minister, Katy Gallagher MLA, has specified the following terms of reference for this review into the size of the ACT Legislative Assembly:

The Chief Minister is establishing a review of the size of the ACT Legislative Assembly. This review will include the number of electorates and the number of members for each electorate.

A five member Expert Reference Group has been established to consider and report on these Terms of Reference.

In conducting the Review, the Expert Reference Group will:

1. examine past reviews into the size of the Assembly;
2. consider factors relevant to increasing the size of the Assembly;
3. consider any limitations placed on changes to the size of the Assembly by the Proportional Representation (Hare-Clark) Entrenchment Act 1994; and
4. recommend options for increasing the size of the Assembly, including the number of electorates and the number of members for each electorate.

In conducting the Review, the Expert Reference Group will undertake community consultation and provide an opportunity for making submissions.

Secretariat support for the review will be provided by Chief Minister and Treasury Directorate.

The Expert Reference Group is to report back to the Chief Minister by 31 March 2013.



## 12 References/further reading

The following resources may assist people wishing to make submissions to the inquiry into the size of the ACT Legislative Assembly.

- ACT Electoral Commission, *Submission to ACT Legislative Assembly Standing Committee on Legal Affairs, in relation to its inquiry into the appropriateness of the size of the Legislative Assembly for the ACT and options for changing the number of members, electorates and any related matter* (2002)  
[http://www.elections.act.gov.au/\\_data/assets/pdf\\_file/0015/2076/sizeofassemblysubmission.pdf](http://www.elections.act.gov.au/_data/assets/pdf_file/0015/2076/sizeofassemblysubmission.pdf)
- ACT Legislative Assembly Select Committee on Self-Government, *Report of the Select Committee on Self-Government* (1990)  
<http://www.parliament.act.gov.au/downloads/reports/Self-Govt.pdf>
- ACT Legislative Assembly Select Committee on the Report of the Review of Governance, *Report of the Select Committee on the Report of the Review of Governance* (1999)  
<http://www.parliament.act.gov.au/downloads/reports/governance.pdf>
- ACT Legislative Assembly Standing Committee on Administration and Procedure, Report No 5, *Review of the Australian Capital Territory (Self-Government) Act 1988 (Cwlth)* (2012)  
[http://www.legassembly.act.gov.au/downloads/reports/Report%205%20Review%20of%20Self-Government%20Act%20\(Cwlth\).pdf](http://www.legassembly.act.gov.au/downloads/reports/Report%205%20Review%20of%20Self-Government%20Act%20(Cwlth).pdf)  
Submissions to this inquiry can be found at  
<http://www.legassembly.act.gov.au/committees/index1.asp?committee=118&inquiry=1043&category=19>
- ACT Legislative Assembly Standing Committee on Legal Affairs, Report No 4, *The appropriateness of the size of the Legislative Assembly for the ACT and options for changing the number of members, electorates and any related matter* (2002)  
<http://www.parliament.act.gov.au/downloads/reports/la04sizeoflegass.pdf>  
(note this report includes a summary of the findings of earlier reviews and reports)
- *Administrative Arrangements 2012*, made under the *Public Sector Management Act 1994*, <http://www.legislation.act.gov.au/ni/2012-593/default.asp>  
(The Administrative Arrangements list the portfolio responsibilities of Ministers and Directorates.)
- Halligan, John, *An Assessment of the Performance of the Three Branches of Government in ACT Against Latimer House Principles* (2011)  
<http://www.parliament.act.gov.au/downloads/reports/Three%20Branches%20of%20Government%20in%20the%20ACT.pdf>
- Hawke, Allan, *Canberra : A Capital Place, Report of the Independent Review of the National Capital Authority* (2011)  
[http://www.regional.gov.au/territories/actnt/files/Canberra\\_A\\_Capital\\_Place.pdf](http://www.regional.gov.au/territories/actnt/files/Canberra_A_Capital_Place.pdf)
- Hawke, Allan, *Governing the City State: One ACT Government—One ACT Public Service* (2011)  
[http://www.cmd.act.gov.au/\\_data/assets/pdf\\_file/0011/224975/Governing\\_the\\_City\\_State.pdf](http://www.cmd.act.gov.au/_data/assets/pdf_file/0011/224975/Governing_the_City_State.pdf)

## Appendices<sup>20</sup>

**Table 1: Ratio of Commonwealth/State/Territory/Local Govt representatives compared to electoral enrolment**

	Commonwealth		State/Territory		Local Govt	Total Reprs	Enrolment @ 30/9/2012	Ratio of representatives to enrolment
	House of Reprs	Senate	Lower House	Upper House				
<b>NSW</b>	48	12	93	42	1,518	1,714	4,648,429	1:2712
<b>VIC</b>	37	12	88	40	631	808	3,619,729	1:4480
<b>QLD</b>	30	12	89	0	553	683	2,779,556	1:4070
<b>WA</b>	15	12	59	36	1,232	1,354	1,387,350	1:1025
<b>SA</b>	11	12	47	22	714	806	1,103,973	1:1370
<b>TAS</b>	5	12	25	15	281	338	359,145	1:1063
<b>ACT</b>	2	2	17	0	0	21	257,190	1:12247
<b>NT</b>	2	2	25	0	148	177	126,762	1:716
<b>TOTAL</b>	150	76	443	155	5,675	5,901	14,282,134	

**Table 2: Ratio of State/Territory/Local Govt representatives compared to electoral enrolment**

	State/Territory		Local Govt	Total Reprs	Enrolment @ 30/9/2012	Ratio of representatives to enrolment
	Lower House	Upper House				
<b>NSW</b>	93	42	1,518	1,653	4,648,429	1:2812
<b>VIC</b>	88	40	631	759	3,619,729	1:4769
<b>QLD</b>	89	0	553	642	2,779,556	1:4330
<b>WA</b>	59	36	1,232	1,327	1,387,350	1:1045
<b>SA</b>	47	22	714	783	1,103,973	1:1410
<b>TAS</b>	25	15	281	321	359,145	1:1119
<b>ACT</b>	17	0	0	17	257,190	1:15129
<b>NT</b>	25	0	148	173	126,762	1:733
<b>TOTAL</b>	443	155	5,077	5,675	14,282,134	

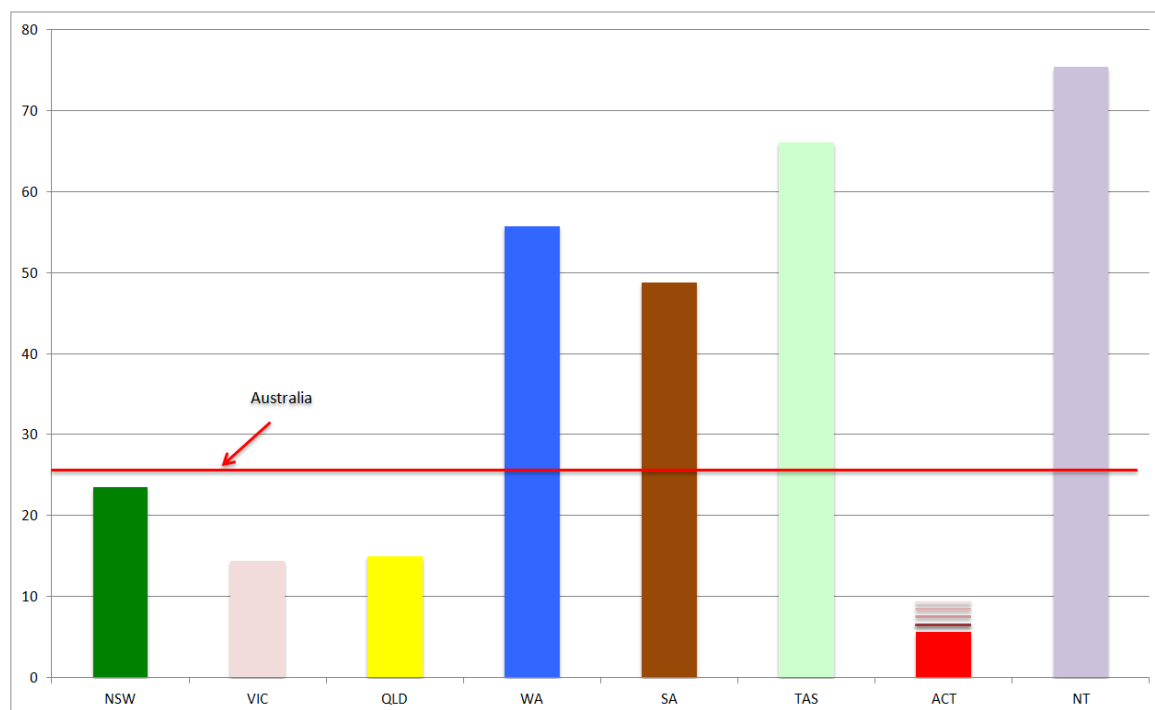
<sup>20</sup> Numbers of State and local government representatives were compiled in January 2013 from data supplied by the relevant Electoral Commission. Enrolment shown is Commonwealth enrolment. State/Territory enrolment may differ. Population data was obtained from the ABS website: [www.abs.gov.au/ausstats/abs@.nsf/mf/3101.0](http://www.abs.gov.au/ausstats/abs@.nsf/mf/3101.0) and excludes Jervis Bay Territory, Christmas Island and the Cocos (Keeling) Islands.

**Table 3: Ratio of Commonwealth/State/Territory/Local Govt representatives per 100,000 population**

	Commonwealth		State/Territory		Local Govt	Total Reps	Population @ 30/6/2012	Ratio of representatives per 100,000 population
	House of Reps	Senate	Lower House	Upper House				
<b>NSW</b>	48	12	93	42	1,518	1,714	7,290,300	23.5
<b>VIC</b>	37	12	88	40	631	808	5,623,500	14.4
<b>QLD</b>	30	12	89	0	553	683	4,560,100	15.0
<b>WA</b>	15	12	59	36	1,232	1,354	2,430,300	55.7
<b>SA</b>	11	12	47	22	714	806	1,654,800	48.7
<b>TAS</b>	5	12	25	15	281	338	512,000	66.0
<b>ACT</b>	2	2	17	0	0	21	374,700	5.6
<b>NT</b>	2	2	25	0	148	177	234,800	75.4
<b>TOTAL</b>	150	76	443	155	5,077	5,901	22,680,500	26.0

**Table 4: Possible scenarios for increasing the ACT Legislative Assembly: Ratio of Commonwealth/State/Territory/Local Govt representatives per 100,000 population**

	Commonwealth		State/Territory		Local Govt	Total Reps	Population @ 30/6/2012	Ratio of representatives per 100,000 population
	House of Reps	Senate	Lower House	Upper House				
<b>ACT</b>	2	2	17	0	0	21	374,700	5.6
<b>ACT</b>	2	2	21	0	0	25	374,700	6.7
<b>ACT</b>	2	2	23	0	0	27	374,700	7.2
<b>ACT</b>	2	2	25	0	0	29	374,700	7.7
<b>ACT</b>	2	2	27	0	0	31	374,700	8.3

**Graph 1: Number of elected representatives per 100,000 population <sup>21</sup>**

<sup>21</sup> This graph shows the data presented in tables 3 and 4 in chart form. The ACT column shows the current 17 ACT MLAs in solid red. The additional lines in the ACT column show options for 21, 23, 25 and 27 MLAs in ascending order.

**Table 5: Ministerial responsibilities**

This table shows the ministerial responsibilities currently held by each Minister in the ACT Government.

<b>Katy Gallagher</b>	<b>Andrew Barr</b>	<b>Simon Corbell</b>	<b>Joy Burch</b>	<b>Shane Rattenbury</b>
Chief Minister	Deputy Chief Minister	Attorney General	Minister for Education and Training	Minister for Territory and Municipal Services
Health	Treasurer	Environment and Sustainable Development	Disability, Children and Young People	Corrections
Regional Development	Economic Development	Police and Emergency Services	Arts	Housing
Higher education	Community Services	Workplace Safety and Industrial Relations	Women	Aboriginal and Torres Strait Islander Affairs
	Sport and Recreation		Multicultural Affairs	Ageing
	Tourism and Events		Racing and Gaming	

**Table 6: Opposition shadow responsibilities**

This table shows the shadow portfolio responsibilities currently held by each Liberal Party Member in the ACT Assembly.

<b>Zed Seselja</b>	<b>Brendan Smyth</b>	<b>Jeremy Hanson</b>	<b>Alistair Coe</b>	<b>Steve Doszpot</b>	<b>Giulia Jones</b>	<b>Andrew Wall</b>
Leader of the Opposition	Deputy Leader		Opposition Whip			
Cost of Living	Treasury	Health	Territory & Municipal Services	Education & Training	Women	Youth
Utilities	Business, Tourism & Arts	Veterans Affairs	Planning & Infrastructure	Information & Communication Technology	Multicultural Affairs	Indigenous Affairs
Attorney General	Economic Diversification	Family & Community Services	Transport	Sport & Recreation		
Police	Environment	Housing	Heritage	Ageing		
Corrections	Gambling & Racing	Disability Services				
Emergency Services						
Industrial Relations						

**Table 7: Current ACT Legislative Assembly Committees**

This table shows the current committee structure and membership in the ACT Legislative Assembly.

**Standing Committee on Education, Training and Youth Affairs**

Members: Mary Porter (Chair)  
Steve Doszpot (Deputy Chair)  
Giulia Jones (Member)  
Yvette Berry (Member)

**Standing Committee on Health, Ageing, Community and Social Services**

Members: Chris Bourke (Chair)  
Jeremy Hanson (Deputy Chair)  
Andrew Wall (Member)  
Yvette Berry (Member)

**Standing Committee on Justice and Community Safety**

Members: Jeremy Hanson (Chair)  
Mick Gentleman (Deputy Chair)  
Giulia Jones (Member)  
Yvette Berry (Member)

**Standing Committee on Justice and Community Safety  
(Legislative Scrutiny Role)**

Members: Jeremy Hanson (Chair)  
Mick Gentleman (Deputy Chair)  
Giulia Jones (Member)  
Yvette Berry (Member)

**Standing Committee on Planning, Environment and Territory and Municipal Services**

Members: Mick Gentleman (Chair)  
Alistair Coe (Deputy Chair)  
Andrew Wall (Member)  
Chris Bourke (Member)

**Standing Committee on Public Accounts**

Members: Zed Seselja (Chair)  
Mary Porter (Deputy Chair)  
Brendan Smyth (Member)  
Chris Bourke (Member)