



To the Special Minister of State

## Notification of Determination

### Section 49 Certificate – *Commonwealth Electoral Act 1918 – 2023*

I, Tom Rogers, Electoral Commissioner, hereby certify that:

Pursuant to section 46 of the *Commonwealth Electoral Act 1918* (the Electoral Act), I have on Thursday 27 July 2023 ascertained the number of the people of the Commonwealth, States and Territories, and those numbers are as follows:

<b>The Commonwealth</b>	25,552,408
<b>The States</b>	
New South Wales	8,238,801
Victoria	6,704,281
Queensland	5,378,277
Western Australia	2,825,178
South Australia	1,834,275
Tasmania	571,596
<b>The Territories</b>	
Australian Capital Territory	463,375
Northern Territory	252,576
Norfolk Island	2,211
The Territory of Cocos (Keeling) Islands	622
The Territory of Christmas Island	1,805
Australian Antarctic Territory	176
Territory of Heard Island and McDonald Islands	0
Coral Sea Islands Territory	4
Territory of Ashmore and Cartier Islands	0

Note: 1) The number of people of the Australian Capital Territory includes the population of the Australian Capital Territory, the Jervis Bay Territory and Norfolk Island.

2) The number of people of the Northern Territory includes the population of the Northern Territory, the Territory of Christmas Island, and the Territory of Cocos (Keeling) Islands.

Pursuant to section 48 of the Electoral Act, I have on Thursday 27 July 2023 determined the number of members of the House of Representatives to be chosen in the States and Territories at a general election to be as follows:

<b>State/Territory</b>	<b>Number of members of the House of Representatives to be chosen in the State or Territory</b>
<b>The States</b>	
New South Wales	46
Victoria	38
Queensland	30
Western Australia	16
South Australia	10
Tasmania	5
<b>The Territories</b>	
Australian Capital Territory	3
Northern Territory	2
Norfolk Island	0
The Territory of Cocos (Keeling) Islands	0
The Territory of Christmas Island	0
Australian Antarctic Territory	0
Territory of Heard Island and McDonald Islands	0
Coral Sea Islands Territory	0
Territory of Ashmore and Cartier Islands	0
<b>TOTAL</b>	<b>150</b>

As required by section 49 of the Electoral Act, the following tables provide details of the statistical information supplied by the Australian Statistician, the adjustments made to the statistical information supplied by the Australian Statistician, calculations involved in arriving at those adjusted numbers, and the calculations involved in the making of the determination of the number of members of the House of Representatives to be chosen in the States and Territories at a general election.

## **1. Reference date**

The 2022 federal election was held on Saturday 21 May 2022.

In the 47th Parliament, the first meeting of the House of Representatives was held on Tuesday 26 July 2022.

The reference day is Thursday 27 July 2023.

## 2. Number of the people of the States and Territories as ascertained by the Electoral Commissioner

This ascertainment has been made using statistics supplied to the Electoral Commissioner by the Australian Statistician on 15 June 2023 in accordance with section 47 of the Electoral Act and published in National, state and territory population, December Quarter 2022 on 15 June 2023. These supplied statistics have been reproduced in Table 12.

**Table 1: Number of the people of the States and Territories as ascertained by the Electoral Commissioner**

State/Territory	Population supplied by the Australian Statistician	Adjustment	Population as ascertained by the Electoral Commissioner
New South Wales	8,238,801	0	8,238,801
Victoria	6,704,281	0	6,704,281
Queensland	5,378,277	0	5,378,277
Western Australia	2,825,178	0	2,825,178
South Australia	1,834,275	0	1,834,275
Tasmania	571,596	0	571,596
Australian Capital Territory	460,855	309	461,164
Northern Territory	250,149	0	250,149
Norfolk Island	2,211	0	2,211
Jervis Bay Territory	309	0	309
The Territory of Cocos (Keeling) Islands	622	0	622
The Territory of Christmas Island	1,805	0	1,805
Australian Antarctic Territory	176	0	176
Territory of Heard Island and McDonald Islands	0	0	0
Coral Sea Islands Territory	4	0	4
Territory of Ashmore and Cartier Islands	0	0	0

Note: 1) Pursuant to section 38A of the Electoral Act, the Australian Capital Territory includes the Jervis Bay Territory.

### 3. The population quota

To determine the number of members of the House of Representatives each state and territory is entitled to, the Electoral Commissioner is required to calculate the population quota using the following formula:

$$\text{Population quota} = \frac{\text{Number of the people of the Commonwealth as ascertained by the Electoral Commissioner}}{\text{Twice the number of senators for the States}}$$

**Table 2: Number of the people of the Commonwealth as ascertained by the Electoral Commissioner**

State	Population as ascertained by the Electoral Commissioner
New South Wales	8,238,801
Victoria	6,704,281
Queensland	5,378,277
Western Australia	2,825,178
South Australia	1,834,275
Tasmania	571,596
<b>The Commonwealth</b>	<b>25,552,408</b>

Note: 1) Populations of the States, as ascertained by the Electoral Commissioner, is in Table 1.

2) Pursuant to section 45 of the Electoral Act, the number of the people of the Commonwealth does not include the people of the Territories.

**Table 3: Population quota**

Number of the people of the Commonwealth as ascertained by the Electoral Commissioner	25,552,408
Twice the number of senators for the States  (2 x (12 x 6))	144
Population quota	177,447.277778

Note: 1) The formula for the population quota is set out in paragraph 48(2)(a) of the Electoral Act.

2) Number of the people of the Commonwealth, as ascertained by the Electoral Commissioner, is in Table 2.

#### 4. Number of members for the states

To calculate the number of members of the House of Representatives for a state, the ascertained number of people of the state is divided by the population quota, and the result rounded to the nearest whole number.

$$\text{Number of members for a state} = \frac{\text{Ascertained population of individual state}}{\text{Population quota}}$$

**Table 4: Calculation of the number of members of the House of Representatives to which each State is entitled to**

State/Territory	Number of people of the State ascertained by the Electoral Commissioner	Population quota	Number of members of the House of Representatives	Number of members of the House of Representatives – application of rounding rule
New South Wales	8,238,801	177,447.277778	46.42957110	46
Victoria	6,704,281	177,447.277778	37.78181939	38
Queensland	5,378,277	177,447.277778	30.30915474	30
Western Australia	2,825,178	177,447.277778	15.92122480	16
South Australia	1,834,275	177,447.277778	10.33701403	10
Tasmania	571,596	177,447.277778	3.221215942	5

Note: 1) Populations of the States, as ascertained by the Electoral Commissioner, are in Table 1.

2) The population quota is calculated in Table 3.

3) The formula to calculate the number of members for a State is set out in paragraph 48(2)(b) of the Electoral Act.

4) Pursuant to paragraph 48(2)(b) of the Electoral Act, where there is a remainder greater than one-half of the quota, one more member shall be chosen.

5) Section 24 of the Commonwealth of Australia Constitution Act specifies the requirements for the composition of the House of Representatives, requiring that ‘... five members at least shall be chosen in each Original State’. Original States are defined in section 6 as meaning ‘... such States are parts of the Commonwealth at its establishment’. As Tasmania is an Original State, it is guaranteed a minimum of five members of the House of Representatives.

## 5. Number of members for the territories

To calculate the number of members of the House of Representatives for a territory, the ascertained number of people of the territory is divided by the population quota, and the result rounded to the nearest whole number.

$$\text{Number of members for a territory} = \frac{\text{Ascertained population of individual territory}}{\text{Population quota}}$$

**Table 5: Calculation of the number of members of the House of Representatives to which each Territory is entitled to**

State/Territory	Number of people of the Territory ascertained by the Electoral Commissioner	Population quota	Number of members of the House of Representatives	Number of members of the House of Representatives – application of rounding rule
Australian Capital Territory	461,164	177,447.277778	2.598878978	3
Northern Territory	250,149	177,447.277778	1.409708862	2
Norfolk Island	2,211	177,447.277778	0.012460039	0
The Territory of Cocos (Keeling) Islands	622	177,447.277778	0.003505267	0
The Territory of Christmas Island	1,805	177,447.277778	0.010172035	0
Australian Antarctic Territory	176	177,447.277778	0.000991844	0
Territory of Heard Island and McDonald Islands	0	177,447.277778	0	0
Coral Sea Islands Territory	4	177,447.277778	0.000022542	0
Territory of Ashmore and Cartier Islands	0	177,447.277778	0	0

Note: 1) Populations of the Territories, as ascertained by the Electoral Commissioner, are in Table 1.  
 2) The population quota is calculated in Table 3.  
 3) The formula to calculate the number of members for a Territory is set out in sub-section 48(2A) of the Electoral Act.

4) Pursuant to paragraph 48(2A)(a) of the Electoral Act, where there is a remainder less than or equal to 0.5, no member of the House of Representatives is to be chosen for that Territory.

5) Pursuant to paragraph 48(2A)(b) of the Electoral Act, where there is a remainder greater than 0.5 and less than one, one member of the House of Representatives is to be chosen for that Territory.

6) Pursuant to paragraph 48(2A)(ba) of the Electoral Act, where the result of the division is one or more and less than three, the number of members to be chosen is the result of the division, rounded using the harmonic mean in accordance with sub-section 48(2AA) of the Electoral Act. Calculations for the harmonic mean are shown in Tables 10 and 11.

7) Pursuant to paragraph 48(2A)(c) of the Electoral Act, in all other cases where there is a remainder greater than one-half of the quota, one more member shall be chosen.

8) Pursuant to sub-section 48(2B) of the Electoral Act, at least one member of the House of Representatives shall be chosen by each of the Australian Capital Territory and Northern Territory.

9) Pursuant to sub-section 48(2BA) of the Electoral Act, as Norfolk Island is not entitled to a member of the House of Representatives, the population is added to the population of the Australian Capital Territory and the number of members of the House of Representatives to which the Australian Capital Territory is entitled is recalculated. See Tables 6 and 7.

10) Pursuant to sub-section 48(2C) of the Electoral Act, as the Territory of Cocos (Keeling) Islands and the Territory of Christmas Island are not entitled to a member of the House of Representatives, the populations of both are added to the population of the Northern Territory and the number of members of the House of Representatives to which the Northern Territory is entitled is recalculated. See Tables 8 and 9.



## 6. Adjustments for the Australian Capital Territory to incorporate Norfolk Island

Pursuant to sub-section 48(2BA) of the Electoral Act, as Norfolk Island is not entitled to a member of the House of Representatives:

- the ascertainment of the Australian Capital Territory's and Norfolk Island's population and determination of the number of members for these Territories are taken to have never been made,
- Norfolk Island is taken to be part of the Australian Capital Territory,
- the number of the people of the Australian Capital Territory is re-ascertained, by adding the number of the people of Norfolk Island to the number of people for the Australian Capital Territory, and
- the Electoral Commissioner uses the newly ascertained number of people of the Australian Capital Territory to determine the number of members of the House of Representatives to be chosen in the Australian Capital Territory at a general election.

**Table 6: Adjustments to the population of the Australian Capital Territory**

Number of the people of the Australian Capital Territory as ascertained by the Electoral Commissioner	461,164
Number of the people of Norfolk Island as ascertained by the Electoral Commissioner	2,211
Adjusted population of the Australian Capital Territory as ascertained by the Electoral Commissioner	463,375

Note: 1) Number of people of the Australian Capital Territory and Norfolk Island, as ascertained by the Electoral Commissioner, is in Table 1.

To calculate the number of members of the House of Representatives for the Australian Capital Territory, the adjusted ascertained number of people of the Australian Capital Territory is divided by the population quota, and the result rounded to the nearest whole number.

$$\text{Number of members for the Australian Capital Territory} = \frac{\text{Adjusted ascertained population of the Australian Capital Territory}}{\text{Population quota}}$$

**Table 7: Calculation of the number of members of the House of Representatives to which the Australian Capital Territory is entitled to**

Adjusted population of the Australian Capital Territory as ascertained by the Electoral Commissioner	463,375
Population quota	177,447.277778
Number of members of the House of Representatives for the Australian Capital Territory	2.611339017
Number of members of the House of Representatives for the Australian Capital Territory – application of rounding rule	3

Note: 1) The adjusted population of the Australian Capital Territory as ascertained by the Electoral Commissioner is in Table 6.

2) The population quota is calculated in Table 3.

3) Pursuant to paragraph 48(2A)(a) of the Electoral Act, where there is a remainder less than or equal to 0.5, no member of the House of Representatives is to be chosen for that Territory.

4) Pursuant to paragraph 48(2A)(b) of the Electoral Act, where there is a remainder greater than 0.5 and less than one, one member of the House of Representatives is to be chosen for that Territory.

5) Pursuant to paragraph 48(2A)(ba) of the Electoral Act, where the result of the division is one or more and less than three, the number of members to be chosen is the result of the division, rounded using the harmonic mean in accordance with sub-section 48(2AA) of the Electoral Act. Calculations for the harmonic mean are shown in Tables 10 and 11.

6) Pursuant to paragraph 48(2A)(c) of the Electoral Act, in all other cases where there is a remainder greater than one-half of the quota, one more member shall be chosen.

7) Pursuant to sub-section 48(2B) of the Electoral Act, at least one member of the House of Representatives shall be chosen by the Australian Capital Territory.

## 7. Adjustments for the Northern Territory to incorporate Christmas Island and Cocos (Keeling) Islands

Pursuant to sub-section 48(2C) of the Electoral Act, where the Territory of Cocos (Keeling) Islands and/or the Territory of Christmas Island is not entitled to a member of the House of Representatives provides:

- the ascertainment of the Northern Territory's and either or both of the Territory of Cocos (Keeling) Islands and the Territory of Christmas Island's populations and determination of the number of members for these Territories are taken to have never been made,
- either or both of the Territory of Cocos (Keeling) Islands and the Territory of Christmas Island are taken to be part of the Northern Territory,
- the number of the people of the Northern Territory is re-ascertained, with the number of people of the Territory of Cocos (Keeling) Islands and/or the Territory of Christmas Island being added to that of the Northern Territory, and
- the Electoral Commissioner uses the newly ascertained number of people of the Northern Territory to determine the number of members of the House of Representatives to be chosen in the Northern Territory at a general election.

**Table 8: Adjustments to the population of the Northern Territory**

Number of the people of the Northern Territory as ascertained by the Electoral Commissioner	250,149
Number of the people of the Territory of Cocos (Keeling) Islands as ascertained by the Electoral Commissioner	622
Number of the people of the Territory of Christmas Island as ascertained by the Electoral Commissioner	1,805
Adjusted population of the Northern Territory as ascertained by the Electoral Commissioner	252,576

Note: 1) The number of people of the Northern Territory, the Territory of Cocos (Keeling) Islands and the Territory of Christmas Island, as ascertained by the Electoral Commissioner, is in Table 1.

To calculate the number of members of the House of Representatives for the Northern Territory, the adjusted ascertained number of people of the Northern Territory is divided by the population quota, and the result rounded to the nearest whole number.

$$\text{Number of members for the Northern Territory} = \frac{\text{Adjusted ascertained population of the Northern Territory}}{\text{Population quota}}$$

**Table 9: Calculation of the number of members of the House of Representatives to which the Northern Territory is entitled to**

Adjusted population of the Northern Territory as ascertained by the Electoral Commissioner	252,576
Population quota	177,447.277778
Number of members of the House of Representatives for the Northern Territory	1.423386164
Number of members of the House of Representatives for the Northern Territory – application of rounding rule	2

Note: 1) The adjusted population of the Northern Territory as ascertained by the Electoral Commissioner is in Table 8.

2) The population quota is calculated in Table 3.

3) Pursuant to paragraph 48(2A)(a) of the Electoral Act, where there is a remainder less than or equal to 0.5, no member of the House of Representatives is to be chosen for that Territory.

4) Pursuant to paragraph 48(2A)(b) of the Electoral Act, where there is a remainder greater than 0.5 and less than one, one member of the House of Representatives is to be chosen for that Territory.

5) Pursuant to paragraph 48(2A)(ba) of the Electoral Act, where the result of the division is one or more and less than three, the number of members of members to be chosen is the result of the division, rounded using the harmonic mean in accordance with sub-section 48(2AA) of the Electoral Act. Calculations for the harmonic mean are shown in Tables 10 and 11.

6) Pursuant to paragraph 48(2A)(c) of the Electoral Act, in all other cases where there is a remainder greater than one-half of the quota, one more member shall be chosen.

7) Pursuant to sub-section 48(2B) of the Electoral Act, at least one member of the House of Representatives shall be chosen by the Northern Territory.

## 8. Calculation of harmonic mean

Pursuant to sub-section 48(2AA) of the Electoral Act, where the result of dividing the ascertained Territory population by the population quota is equal to or greater than the harmonic mean, one more member shall be chosen.

Sub-section 48(2AA) of the Electoral Act sets out calculation of the harmonic mean using the formula:

$$\frac{(2 \times \text{Minimum number of members} \times \text{Minimum number plus 1})}{(\text{Minimum number of members} + \text{Minimum number plus 1})}$$

where:

- Minimum number of members is the minimum number of members worked out for the Territory when dividing the ascertained population by the population quota.
- Minimum number plus 1 is the result of adding 1 to the minimum number of members worked out for the Territory when dividing the ascertained population by the population quota.

**Table 10: Harmonic mean where the division results in between one and two members**

Minimum number of members	1
Minimum number plus 1	2
2 x Minimum number of members x Minimum number plus 1	4
Minimum number of members + Minimum number plus 1	3
$\frac{(2 \times \text{Minimum number of members} \times \text{Minimum number plus 1})}{(\text{Minimum number of members} + \text{Minimum number plus 1})}$	1.333

Note: The harmonic mean is 1.333 recurring.

**Table 11: Harmonic mean where the division results in between two and three members**

Minimum number of members	2
Minimum number plus 1	3
2 x Minimum number of members x Minimum number plus 1	12
Minimum number of members + Minimum number plus 1	5
$\frac{(2 \times \text{Minimum number of members} \times \text{Minimum number plus 1})}{(\text{Minimum number of members} + \text{Minimum number plus 1})}$	2.4

## 9. Information supplied by the Australian Statistician

**Table 12: Populations supplied by the Australian Statistician in accordance with section 47 of the Electoral Act**

<b>The States</b>	
New South Wales	8,238,801
Victoria	6,704,281
Queensland	5,378,277
Western Australia	2,825,178
South Australia	1,834,275
Tasmania	571,596
<b>The Territories</b>	
Australian Capital Territory (excluding Jervis Bay Territory)	460,855
Northern Territory	250,149
Norfolk Island	2,211
The Jervis Bay Territory	309
The Territory of Cocos (Keeling) Islands	622
The Territory of Christmas Island	1,805
Australian Antarctic Territory	176
Territory of Heard Island and McDonald Islands	0
Coral Sea Islands Territory	4
Territory of Ashmore and Cartier Islands	0

Tom Rogers  
Electoral Commissioner

27 July 2023