



# Electoral (Reduction in Number of Members of Parliament) Amendment Bill

23-1

Report of the Justice and Electoral Committee

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# Electoral (Reduction in Number of Members of Parliament) Amendment Bill

## Recommendation

The Justice and Electoral Committee has examined the Electoral (Reduction in Number of Members of Parliament) Amendment Bill and recommends that it not be passed.

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## Introduction

This is a member's bill in the name of Barbara Stewart. The bill amends section 191(7) and section 191(8) of the Electoral Act 1993 by reducing the number of members of Parliament from 120 to 100. Prior to the introduction of the Mixed Member Proportional system (MMP) in 1996, there were 99 members of Parliament, and the intention of this bill is to reduce Parliament to a similar number of members.

## Submissions

Of the 43 submissions received 29 supported the bill, 12 opposed the bill, and two did not express an opinion.

## Support for the bill

One of the themes raised by submissions supporting the bill was abandoning the MMP system in favour of a return to the First-Past-the-Post system. Some criticised the MMP system and in particular the existence of list members. While the intention of this bill is to reduce the number of members of Parliament to pre-MMP numbers, it does not intend to rescind the MMP system itself.

Another main point raised in support of the bill was that the current number of members of Parliament over-represents New Zealand voters. Several submitters believed that the member-to-voter ratio in Parliament was too high, and noted that it is generally lower in other jurisdictions (see Appendix B).

A number of submitters believed that the current number of members of Parliament placed an unnecessary burden on taxpayers and was superfluous to the requirements of an effectively functioning Parliament. Some commented on the performance of members in the House as proof of this. Others argued that a reduction in the number of members of Parliament would make more funding available for meeting social need. In addition, some questioned the current ability of defeated electorate candidates to enter Parliament as list members, on occasion becoming ministers.

A number of submitters proposed reducing the number of members of Parliament from the current 120 members to between 63 and 100 members, believing that the effectiveness and proportionality of Parliament would remain unaffected. Some suggested that list members only should be removed. Others argued in varying degrees for the removal of the

MMP system and a return to the First-Past-the-Post system in New Zealand. Some referred to the 1999 citizens initiated referendum, which had a turnout of 74.8 percent of eligible adult voters, 81.5 percent of whom voted favouring a reduction of the size of Parliament.

### **Opposition to the bill**

Opponents of the bill believe that if the number of members of Parliament were reduced, then various functions of parliament would suffer as a result. Concerns were raised that a Parliament with fewer members would be less representative of New Zealand voters. If the number of members were reduced, existing members would be forced to represent more voters. Members would therefore have to accept greater workloads, and this could result in reduced public access to members.

A further objection raised by submitters was that with fewer members Parliament would lose its proportionality, which is a cornerstone of the MMP system. There was also concern that fewer members of Parliament would result in a loss of diversity among members themselves, and that Parliament would consequently represent the diversity of the electorate and the interests of minorities less effectively. The diversity of members under the MMP system is considerably greater than during the period of the First-Past-the-Post system (for comparative statistics see Appendix C). In addition, some believed that smaller parties would struggle to enter Parliament. This might result in a return to the bipartisan politics that tended to dominate under the First-Past-the-Post system, and greater power in the hands of the Government.

A number of submitters commented that a reduction in members' numbers would affect several functions of Parliament adversely and reduce its effectiveness. Some argued that any reduction in members would create unnecessary overhang seats in Parliament. Others argued that the current electorates would increase in size. Others believed that with fewer members select committee participation would be reduced, and select committees would function less effectively. They emphasised the importance of the select committee process in a unicameral system in providing a check on the power of the executive, which is a central constitutional role.

Some of those opposing the bill advocated increasing the number of members of Parliament. This echoed the findings of the Royal Commission on the Electoral System, which recommended that the number of members increase to 140. They used evidence from other jurisdictions (see Appendix B for comparative statistics) which ranks the size of the New Zealand Parliament in proportion to population as relatively low. In addition, some submitters reminded us that even during the First-Past-the-Post system, the number of members of Parliament was steadily increasing to cope with the growing New Zealand population. They believed that the number of members that existed prior to the 1996 introduction of MMP would have increased to keep up with the growth in population. They estimated that even if the First-Past-the-Post system still existed in New Zealand there would now be about 110 members of Parliament.

Some submitters who opposed the bill, like some who supported the bill, drew on the citizens initiated referenda of 1992, which led to the introduction of MMP, and that of 1999, which called for a reduction in the size of Parliament. Those who oppose the bill commented that the earlier referendum (with a turnout of 55 percent of eligible adult voters) was held in conjunction with a wide public awareness campaign. The 1999

referendum was not. These submitters suggested that the 1992 referendum was a better indication of public choice, as it provided a more informed choice than the 1999 referendum. For statistics on public perceptions of the role of citizens initiated referenda see Appendix D.

Some submitters commented on the perceived financial benefit of maintaining fewer members of Parliament. They believed that any savings would be relatively minor as the direct cost of employing members is only a small portion of the total running costs of Parliament, and would not justify the potentially adverse effects on Parliament.

### **Report of the MMP Review Committee in 2000**

The MMP Review Committee was established in 2000 to conduct a review of MMP. As part of this review the committee considered the appropriate number of members of Parliament, taking into account the results of the 1999 citizen's initiated referendum on this issue. The House directed the committee to reach conclusions on the basis of unanimity or near-unanimity.

In its report the committee noted that 147 submissions addressed the issue directly, with approximately half supporting the retention of 120 members of Parliament. The arguments both for and against keeping the number of members at 120 were of a similar nature to those received by this committee in relation to the bill. The MMP Review Committee could not reach a unanimous decision on the question of the appropriate number of members of Parliament.

### **Conclusion**

The committee recommends that this bill not proceed. We consider that any benefits gained by reducing the number of members of Parliament from 120 to 100 would be outweighed by adverse effects on Parliament. The current number of 120 members ensures proportionality and diversity in Parliament and thus contributes to its effectiveness; and we consider it essential that these benefits are not compromised. We do not consider that New Zealand is over-represented compared with other countries, especially given that it is a unicameral system. In addition, with the growth in the population, 100 members of Parliament would be inadequate in either an MMP or First-Past-the-Post system, and the number of members would have increased regardless of any change to the electoral system. We note some apparent public misunderstanding about the role of list members and the MMP system in general. This is reflected in the survey of public perceptions in Appendix D. The MMP system is still relatively new, having been introduced in 1996, and is still settling. The roles of list members are still evolving, and we consider that it will take some time yet for them to develop fully and for public understanding to mature. We can only encourage greater amounts of public education regarding list members and the MMP system and their role in the New Zealand Parliament.

### **New Zealand National Party minority view**

On the basis of the evidence presented to the committee, National members support the report. They wish, however, to make a few brief additional comments.

National members think there is a good case for reducing the number of members of Parliament but have grave doubts about the effectiveness of the MMP electoral system

with 99 members. Our concerns about the effectiveness of a 99-member MMP Parliament were supported by evidence presented to the committee by experts on electoral law.

National members think there was a widespread belief in the public mind that there would be a further referendum to determine whether the MMP system should continue. In fact there was no such promise; the promise was that a committee of Parliament would review the workings of MMP. Such a representative group was set up and comprised the majority of the minor parties. It reported in August 2001. Unsurprisingly it concluded the system should continue. The effectiveness of the MMP system remains a matter for serious debate.

Barbara Stewart's Bill misses the point and does not address the real issue. Until that issue is resolved we do not think it would be wise to reduce the number of Members of Parliament. In reaching this conclusion we were influenced by the helpful evidence provided by several submitters.

## **Appendix A: Committee procedure and membership**

### **Committee procedure**

The Electoral (Reduction in Number of Members of Parliament) Amendment Bill was referred to the Justice and Electoral Committee on 15 March 2006. The closing date for submissions was 14 July 2006. We received and considered 43 submissions from interested groups and individuals. We heard eight submissions.

### **Committee membership**

Lynne Pillay (Chairperson)  
Christopher Finlayson (Deputy Chairperson)  
Russell Fairbrother  
Ann Hartley  
Nándor Tánczos  
Nicky Wagner  
Dr Richard Worth

## Appendix B: Parliamentary statistics from New Zealand and comparisons with other jurisdictions

### Comparative population—member statistics in other jurisdictions<sup>12</sup>

Country	Population	Lower	Upper	Total	MPs per 100,000	Population per MP	Ratio Rank
Iceland	295,000	63		63	21.36	4683	1
Malta	420,000	65		65	15.48	6462	2
Luxembourg	465,000	60		60	12.90	7750	3
Estonia	1,330,000	101		101	7.59	13168	4
Cyprus	835,000	59		59	7.07	14153	5
Ireland	4,148,000	166	60	226	5.45	18354	6
Slovenia	1,967,000	90		90	4.58	21856	7
Latvia	2,307,000	100		100	4.33	23070	8
Lithuania	3,431,000	141		141	4.11	24333	9
Sweden	9,041,000	349		349	3.86	25905	10
Hungary	10,098,000	386		386	3.82	26161	11
Finland	5,249,000	200		200	3.81	26245	12
Norway	4,620,000	169		169	3.66	27337	13
Switzerland	7,252,000	200	46	246	3.39	29480	14
Denmark	5,431,000	179		179	3.30	30341	15

<sup>1</sup> The data in this table was taken from the submission of Mr David Farrar with the exception of data for New Zealand (both 1996 and 2006), the Australian states, Wales, and Scotland. The data for these jurisdictions was obtained from their respective Government websites.

<sup>2</sup> We note that this table includes several bi-cameral legislatures in Federal systems. In Victoria for example an elector will be able to vote for by one member in the Lower House of the State, at least one Upper House member in the State, one Federal constituency member and will be able to vote for twelve Senators.

ELECTORAL (REDUCTION IN NUMBER OF MEMBERS OF PARLIAMENT) AMENDMENT BILL

Country	Population	Lower	Upper	Total	MPs per 100,000	Population per MP	Ratio Rank
Austria	8,189,000	183	62	245	2.99	33424	16
<b>New Zealand (2006)</b>	<b>4,116,900</b>	<b>120</b>		<b>120</b>	<b>2.91</b>	<b>34308</b>	<b>17</b>
Slovakia	5,401,000	150		150	2.78	36007	18
Czech Republic	10,220,000	200	81	281	2.75	36370	19
Greece	11,120,000	300		300	2.70	37067	20
<b>New Zealand (1996)</b>	<b>3,681,500</b>	<b>99</b>		<b>99</b>	<b>2.69</b>	<b>37187</b>	<b>21</b>
Victoria (Aus)	5,022,000	88	42	130	2.59	38631	22
Scotland	5,062,011	129		129	2.55	39240	23
UK	59,668,000	646	724	1370	2.30	43553	24
Queensland (Aus)	4,041,400	89		89	2.20	45409	25
Portugal	10,495,000	230		230	2.19	45630	26
Belgium	10,419,000	150	71	221	2.12	47145	27
Wales	2,903,085	60		60	2.06	48385	28
New South Wales (Aus)	6,720,000	93	42	135	2.01	49778	29
Israel	6,725,000	120		120	1.78	56042	30
Italy	58,093,000	630	315	945	1.63	61474	31
France	60,496,000	577	321	898	1.48	67367	32
Poland	38,530,000	460	100	560	1.45	68804	33
Spain	43,064,000	350	259	609	1.41	70713	34
Netherlands	16,299,000	150	75	225	1.38	72440	35
Canada	32,268,000	308	105	413	1.28	78131	36
Australia	20,155,000	150	76	226	1.12	89181	37

ELECTORAL (REDUCTION IN NUMBER OF MEMBERS OF PARLIAMENT) AMENDMENT BILL

<b>Country</b>	<b>Population</b>	<b>Lower</b>	<b>Upper</b>	<b>Total</b>	<b>MPs per 100,000</b>	<b>Population per MP</b>	<b>Ratio Rank</b>
Chile	16,295,000	120	49	169	1.04	96420	38
Germany	82,689,000	614	69	683	0.83	121067	39
Turkey	73,193,000	550		550	0.75	133078	40
South Korea	47,817,000	299		299	0.63	159923	41
Mexico	107,029,000	500	128	628	0.59	170428	42
Japan	128,085,000	480	242	722	0.56	177403	43
USA	298,213,000	435	100	535	0.18	557407	44

**Number of MPs in relation to total population 1901–1996, and 2006<sup>3</sup>**

Date	Total Pop. at 31 December (excl. 2006)	No. of MPs	Population per MP
1901	830,800	74	11,227
1911	1,075,250	80	13,441
1921	1,292,717	80	16,159
1931	1,522,700	80	19,034
1941	1,631,200	80	20,390
1951	1,970,500	80	24,631
1961	2,461,300	80	30,766
1971	2,898,500	84	34,506
1981	3,194,500	92	34,723
1991	3,449,700	97	35,564
1996	3,681,500	120	30,679
2006	4,116,900	121	34,023

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<sup>3</sup> New Zealand Official Year Book 1901, pp. 2, 3.

New Zealand Official Year Book 1991, p. 47.

New Zealand Official Year Book 1995, p. 52 chart 3.2, p. 112 chart 5.2.

July 13 2006, Statistics New Zealand estimate, <http://www.stats.govt.nz/default.htm>

## Appendix C: Women and minorities in Parliament

### Women and minorities in Parliament 1990–2005<sup>4</sup>

#### (Percentages)

	Women			Maori			Pacific Island			Asian		
	Elct	List	All	Elct	List	All	Elct	List	All	Elct	List	All
FPP												
1987	14.4		14.4	5.1		5.1	0		0	0		0
1990	16.5		16.5	5.1		5.1	0		0	0		0
1993	21.2		21.2	7.1		7.1	2.5		2.5	0		0
MMP												
1996	15.4	45.5	29.2	10.8	16.4	13.3	1.5	3.6	2.5	0	1.8	0.8
1999	23.9	39.6	30.8	13.4	13.2	13.3	3.0	1.9	2.5	0	1.9	0.8
2002	27.5	29.4	28.3	14.5	17.6	15.8	4.3	0.0	2.5	0	3.9	1.7
2005	23.2	46.2	33.1	10.0	27.5	17.3	4.3	0.0	2.5	0	3.8	1.6

<sup>4</sup> NZ Electoral Commission 2003: 178-182; <http://www.elections.org.nz/electorates/ethnicity-mps.html>

## Appendix D: Public perception of the role of referenda and politicians and the political process

### Should results of citizens' initiated referenda be legislated by Parliament?<sup>5</sup>

	Agree	Neutral	Disagree	Don't know	Total number of people
Referendums are too complicated for the average voter	19	13	60	8	4878
Citizens Initiated Referendums enable citizens to get politicians' attention	77	7	6	10	4890
Results of citizens' initiated referendums should automatically become law	30	19	38	13	4877
Parliament, not voters, should make final decisions about law and policy	47	12	32	9	4872

### Public perceptions of politicians and the political process 1993–2005<sup>6</sup>

#### (Percentages)

Years	1993	1996	1998	1999	2001	2002	2005
MPs out of Touch	61	53	76	52	56	49	44
People Like Me have No Say	63	57	-	55	-	46	48
Politicians Don't Care what People Think	66	57	-	55	-	50	44
Government Run by a Few Big Interests	60	54	-	50	-	42	39
Trust Government to do what is Right	31	30	26	36	47	44	45
Number of people surveyed	2205	4086	535	5601	729	4500	2806

<sup>5</sup> 1999 NZES

<sup>6</sup> New Zealand Election Study, 1993–2005. For questions see [www.nzes.org](http://www.nzes.org) or J. Vowles and others, *Voters' Veto*, Auckland University Press, 2004.

