

Understanding the NSW Voting System

The way that candidates are elected to parliaments can be confusing because there are different systems in various states and also at the federal level. We have included this section to help you understand the voting system that will be used for the NSW State Election on 23 March 2019 so you can make your vote count.

Optional Preferential Voting – how it works

New South Wales state elections use an “optional preferential” voting system. This means that after voting for the party that is your first choice, you may vote for more choices, but it is not compulsory. You control where your preferences go. It is your decision.

The Lower House

The lower house in NSW is called the Legislative Assembly and is made up of 93 members, each representing their state electorate for a four year term. Under the “optional preferential” voting system on the lower house ballot paper (the small green one) you must put “1” in the box beside your preferred candidate, but you may stop numbering any time after that. You do not need to number all the boxes. So you can vote “1” only, or you can vote “1” and “2” before stopping, or you can vote “1”, “2”, “3” etc, for as many listed candidates as you wish.

The Upper House

The upper house in NSW is called the Legislative Council and it has 42 members who each represent the whole state for an eight year term, with half the members elected at each state election. The candidates are grouped into columns under their party name, with ungrouped independent candidates usually listed in the last column. The ballot paper has a thick black line separating a row with one box for a whole group above the line, from separate boxes for each individual candidate below the line.

In the upper house, you must choose to vote either “above the line” or “below the line”. You cannot do both.

If you vote “**above the line**”, you must put a “1” in the group voting box above your first choice column. This is all you need to do, and it indicates that you vote for all the candidates in that column, in the order in which they are presented. You may vote for as many more columns as you choose, by putting “2”, “3”, etc into the group voting box for your second and third choice party or group. You can stop numbering when you want.

If you vote “**below the line**”, you can vote for individual candidates in any order, from any position and from a variety of parties but you must vote for a **minimum of 15 candidates** by putting the numbers “1” to “15” in the boxes beside your first 15 choices. You may vote for more if you wish and can stop numbering at any point after “15”.

How are your votes and preferences allocated?

In the **Lower House**, there is only one seat available in each electorate. The candidate with the lowest number of first preference votes is eliminated first and their votes are redistributed to the second preferences. If there are no second preferences on a ballot paper that vote is “exhausted” and no longer counts. The ballot papers are recounted and the next lowest candidate is removed. This process is repeated until the successful candidate remains.

A candidate can receive the highest number of first preference votes but not necessarily win the seat as the distribution of preferences may result in another candidate receiving a higher overall vote.

In the **Upper House**, with 21 seats available every four years, it is even more complicated. A “quota” is calculated by taking the number of formal votes and dividing it by the number of seats available.

A quota in the 2015 state election was a little under 200,000 votes. This meant that the Liberals with 1.8 million votes had nine quotas (getting nine upper house seats), while Labor with 1.34 million votes had 6.8 quotas, giving them six seats outright. The remaining 0.8 of a quota was applied towards their 7th seat (which they won after 2nd preferences were distributed).

After those who win outright seats are determined, the remaining candidates are looked at to see what percentage of a quota they have achieved. The lowest candidate is excluded and their preferences redistributed to those remaining. This continues until another candidate has reached a quota. This process is repeated for all the remaining seats and often the last seats are achieved without reaching a full quota. In 2015 the last four seats were achieved without a full quota and the Animal Justice Party was able to win the last remaining upper house seat with first preference votes totalling only 39% of a quota.

How To Make Your Vote Count

A true democracy has many independent members representing the people of their area, but in Australia, your local house member is more likely to belong to a major political party and will usually vote in line with party policies. In the case of laws on voluntary assisted dying, most of the major parties usually allow a “conscience vote” – so that the MP can vote as *their* conscience dictates. Unfortunately, we know that many MPs do not consider the views of their electorate when they vote and are often influenced by their religion or factional or political pressure rather than the wishes of the community and the evidence.

Candidates from the major parties usually win most of the seats in the lower house, and a majority of seats in the upper house. If you give your first vote to a major party, it is unlikely that your second preference will come into play.

If you want to change the status quo and send a message to our MPs, you should consider **voting for minor parties** before the majors. Please don't think that your vote will be wasted. It helps send a message that you are not happy and it also helps your favourite party to climb towards the 4% of first preferences required for funding.

If enough people think like you, the minor party candidate may even be elected.

If you want your vote to eventually end up with one of the major parties, then include them as your second or third preference. As the minor parties are knocked out, your vote will flow on to your next preference.

Remember, you have complete control of your preferences.