

**Step 3:**

The Electoral Commission then divides the total party votes for each eligible party by a sequence of odd numbers starting with 1 (1, 3, 5, 7, 9, 11, 13, 15, etc), until enough quotients had been found to allocate all 120 seats. In the table on the following page the bold numbers beside the highest 120 quotients indicate their order from highest to lowest.

**Step 4:**

The Electoral Commission then counts the number of quotients each party has in the highest 120.

**Step 5:**

The Electoral Commission then determines how many electorate seats each party has won, and allocates enough Party List seats to each party to bring the total number of seats up to the number to which it is entitled.

**Step 6:**

The Electoral Commission then examines the list of candidates each party submitted on its Party List before the election, and deletes the names of any candidate who has won an electorate seat. The Electoral Commission then allocates each Party's list seats to its list candidates, starting at the top of the list and working down until it has allocated all the list seats to which that party is entitled. The Electoral Commission then declares these candidates elected to Parliament and advises the Clerk of the House of Representatives of their names.

**Notes:**

There are five further points to note about the process:

- 1 If a party that appears on the party vote side of the ballot paper wins more electorate seats than it is entitled to based on its share of the party vote, then it does not receive any list seats. It keeps the extra seats, and the size of Parliament is increased by that number of seats until the next general election. The increase in the size of Parliament is known as an overhang. The number of seats won by other parties is not affected.
- 2 If a party has not nominated enough list candidates to fill all the seats to which it is entitled on the basis of its share of the party vote, the seats remain unfilled and the size of Parliament is reduced by that number of seats until the next general election. The number of seats won by other parties is not affected.
- 3 If an electorate seat is won by a candidate not representing a party contesting the party vote, the Electoral Commission subtracts that number of seats from 120 and works out the allocation of seats between registered parties based on that lower number.
- 4 The list nominated by a party at a general election is used to replace a list MP from that party in the event of their seat being vacated (Electoral Act 1993, Section 137). The Electoral Commission asks the remaining candidates on the list in turn if they are willing to become an MP until a replacement candidate is found. If no such candidate can be found from the list, the seat remains unfilled until the next general election.
- 5 Parliament may, by resolution supported by 75% of all MPs, avoid filling a vacant list seat if the vacancy occurs within six months of the date Parliament is due to expire or if the Prime Minister has announced that a general election is to be held within six months of the date the vacancy occurred (Electoral Act 1993, Section 136).

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