



# Victoria's Upper House electoral system

An inquiry by the  
Electoral Matters Committee

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Discussion paper  
October 2024

# We want your views

The Victorian Parliament has asked us (the Electoral Matters Committee) to recommend changes to the electoral system for Victoria's Upper House.

We are calling for community input. This will help us understand how Victorians can best be represented in their Upper House.

## Why is this inquiry being conducted?

### A new way of voting

In July 2024, we recommended a new way to elect Victoria's Upper House. We recommended:

- eliminating group voting tickets, which determine where 'above-the-line' votes are transferred in the current system
- allowing people to vote:
  - 'above the line' by giving preferences to **multiple** parties or groups (currently voters are only allowed to indicate one preference above the line in Victoria) or
  - 'below the line' by giving preferences to multiple individual candidates.

You can read more about this recommendation in our report, available at [www.parliament.vic.gov.au/2022electioninquiry](http://www.parliament.vic.gov.au/2022electioninquiry).

The Parliament has not yet decided whether it will implement the recommended changes.

### A new electoral structure

The recommended new way of voting would make it easier for people to understand how their votes are counted.

However, it may also result in:

- major parties being over-represented in the Upper House
- it being harder for smaller parties and independents to be elected.

Changes to the electoral structure could reduce these effects. Different structures can affect who is elected, what communities members of parliament represent and how many candidates are on the ballot papers.

This inquiry is considering what electoral structure would be best for Victoria.



To help people understand the types of changes that are possible, we've released six example structures. These are described later in this document. You can comment on these or suggest other structures if you think there's a better option.

# Have your say

There are two ways to tell us your views:

- comment on the example structures
- make a written submission.

## Comment on the example structures

You can provide feedback on our example structures. The example structures are set out later in this document, along with a discussion of their features.



### Provide feedback

Tell us your preferred option and why. Or suggest a different structure.

**The boundaries in the example structures are for illustrative purposes only.** If one of these structures is chosen, the independent Electoral Boundaries Commission would determine the actual boundaries through a separate process.

There's no need to give your opinion on where the boundaries should be at this stage.

You can provide comments on the example structures at:  
[www.parliament.vic.gov.au/electoralsystemcomments](http://www.parliament.vic.gov.au/electoralsystemcomments).

## Make a written submission

You can provide a written submission telling us what you think Victoria's electoral structure should be.



### Tell us what you think

We're seeking answers to the following questions:

1. Should Victoria be divided into regions to elect members of the Upper House, or should all members be elected by the state as a whole?
2. If there should be regions, how many regions should there be and how many members should each region elect?
3. How many members of the Upper House should there be in total?
4. Are there other changes to the way that members are elected to the Upper House that should be considered?

To make a written submission, visit:  
[www.parliament.vic.gov.au/electoralsystemsubmissions](http://www.parliament.vic.gov.au/electoralsystemsubmissions).

We're **not** seeking views on:

- how people should fill out ballot papers
- group voting tickets
- how votes should be counted.

We received a lot of submissions about these topics in previous inquiries. We will consider the ideas and information in those submissions where appropriate.

However, if these matters directly relate to a model you're proposing, you're welcome to address them in your submission and your arguments will be considered.

This inquiry will not look at changes to the electoral system for Victoria's Lower House.

## Deadline for contributions



Written submissions and comments on the example structures are due by **3 February 2025**.

## More information

For more information, visit [www.parliament.vic.gov.au/electoralsysteminquiry](http://www.parliament.vic.gov.au/electoralsysteminquiry).

# Background information

## Victoria's current electoral structure

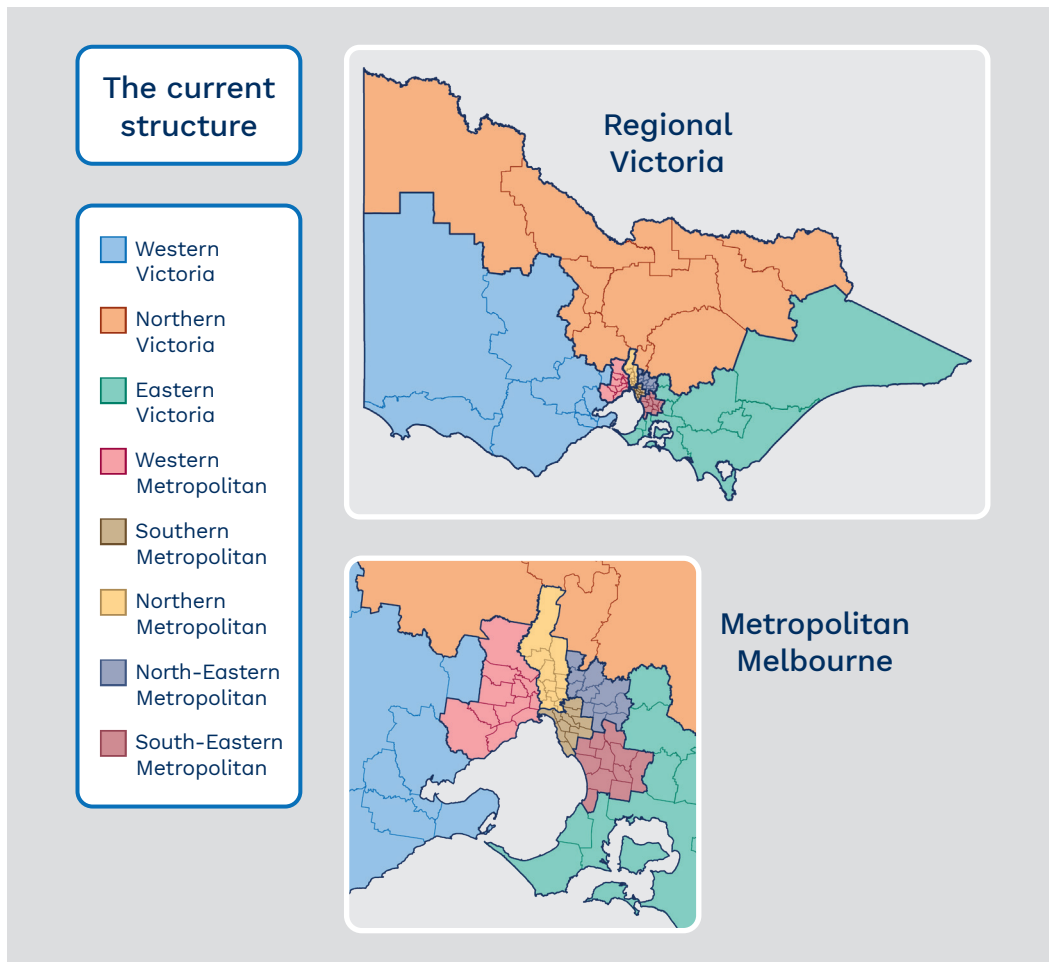
There are currently 40 members in Victoria's Upper House. They are elected from eight regions. Each region elects five members. All members are elected for four years.

This structure has been used since 2006.

Five of Victoria's regions cover Melbourne's metropolitan area and three cover the rest of Victoria. This ensures that different areas are represented in the Upper House.

The boundaries for each region correspond to the boundaries of Lower House districts. Each region includes 11 entire Lower House districts.

Members of the Upper House are elected using proportional representation. To be elected in the current structure, a candidate must receive 16.7% of the vote, either through first-preference votes or through the flow of preferences. This is called the 'quota'. The lower a quota is, the fewer votes a candidate needs to be elected.



## Other structures with proportional representation

Most other parliaments in Australia use proportional representation for one of the houses of parliament.

In New South Wales, South Australia and Western Australia, the whole state votes for all members of the Upper House. There are no regions for Upper House voting. New South Wales and South Australia only elect half of their members at each election. This reduces the size of ballot papers but means that members serve longer terms.

For the Australian Senate, the Tasmanian Lower House and the ACT's Legislative Assembly, voters are divided into electorates to elect members.

Jurisdiction	Number of members (total)	Number of members usually elected at each election	Electoral structure	Quota for election
Australian Capital Territory Legislative Assembly	25	25	5 x 5-member electorates	16.7%
Australian Senate	76	40	6 x 12-member electorates (states)	14.3% (states)
			2 x 2-member electorates (territories)	33.3% (territories)
New South Wales Upper House	42	21	whole state is one electorate	4.5%
South Australian Upper House	22	11	whole state is one electorate	8.3%
Tasmanian Lower House	35	35	5 x 7-member electorates	12.5%
Western Australian Upper House <sup>a</sup>	37	37	whole state is one electorate	2.6%
Victorian Upper House	40	40	8 x 5-member electorates	16.7%

a. Structure will apply from the 2025 election (currently 6 x 6-member electorates).

# Example structures

We have released six example structures for the Upper House to help people understand the types of changes that are possible. In this section, we discuss the features of the structures and provide maps.

The boundaries in these example structures are for illustrative purposes only. There's no need to give your opinion on where the boundaries should be at this stage, as the independent Electoral Boundaries Commission would determine the actual boundaries through a separate process.

We want to hear your feedback on our example structures. Tell us your preferred option or suggest a different structure. Share your reasons why.

## Example structure 1: 40 members, elected from the state as a whole, with all members elected at every election

No regions. All Victorians vote for all members.

**Quota for election (the proportion of votes needed): 2.4% of the state**

### Features

- would provide a low quota, so it would be easier for parties or independents with smaller levels of support to be elected
- would maximise the diversity of views represented in the Upper House
- would be easier for single-issue parties or candidates to be elected
- may result in large numbers of candidates on ballot papers
- preference flows would play a smaller role in determining who would be elected
- would provide the closest relationship between the proportion of first-preference votes a party receives and the number of members elected from that party
- does not guarantee geographic representation, so some areas of the state may be under-represented
- would provide a wide variety of elected members that people could approach about issues
- it may be difficult for voters to hold individual members of parliament accountable for their performance.

### What this would look like

**Example structure 1:**  
Entire state is one region





## Example structure 2: 40 members, elected from the state as a whole, with 20 members elected at each election

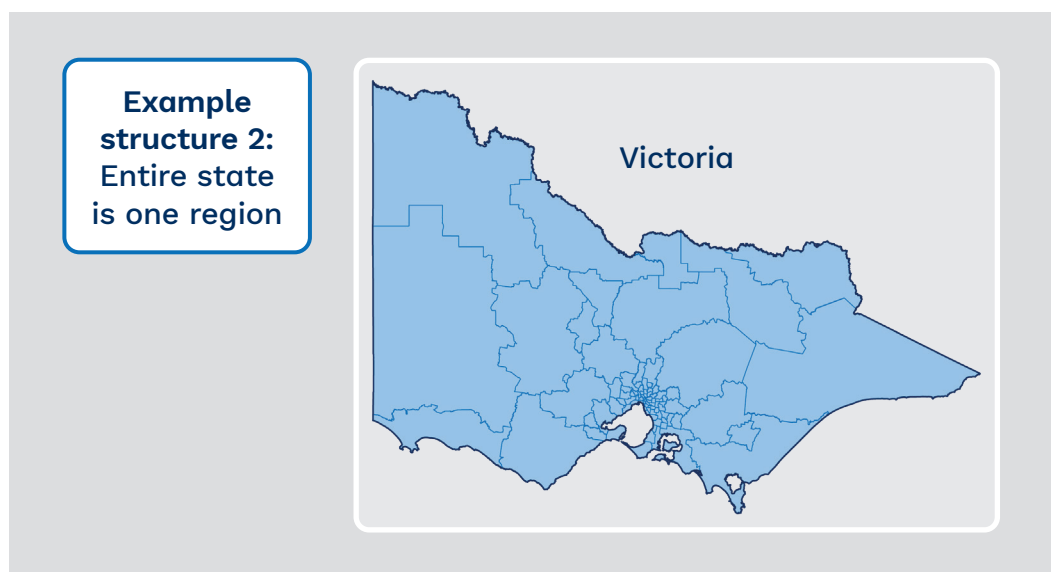
No regions. All Victorians vote for all members. Members would be elected for eight years. Only half the members of the Upper House would stand for election at each election.

**Quota for election (the proportion of votes needed): 4.8% of the state**

### Features

- would provide a low quota, so it would be easier for parties or independents with smaller levels of support to be elected
- would be easier for single-issue parties or candidates to be elected
- may result in large numbers of candidates on ballot papers (but not as large as if all members were elected at every election)
- preference flows would play a smaller role in determining who would be elected
- does not guarantee geographic representation, so some areas of the state may be under-represented
- would provide a wide variety of elected members that people could approach about issues
- it may be difficult for voters to hold individual members of parliament accountable for their performance
- members would be elected for eight years (instead of the current four).

### What this would look like



## Example structure 3: 40 members, elected from four 10-member regions

Victoria would be divided but into larger regions than the current structure. The quota needed for election would be lower.

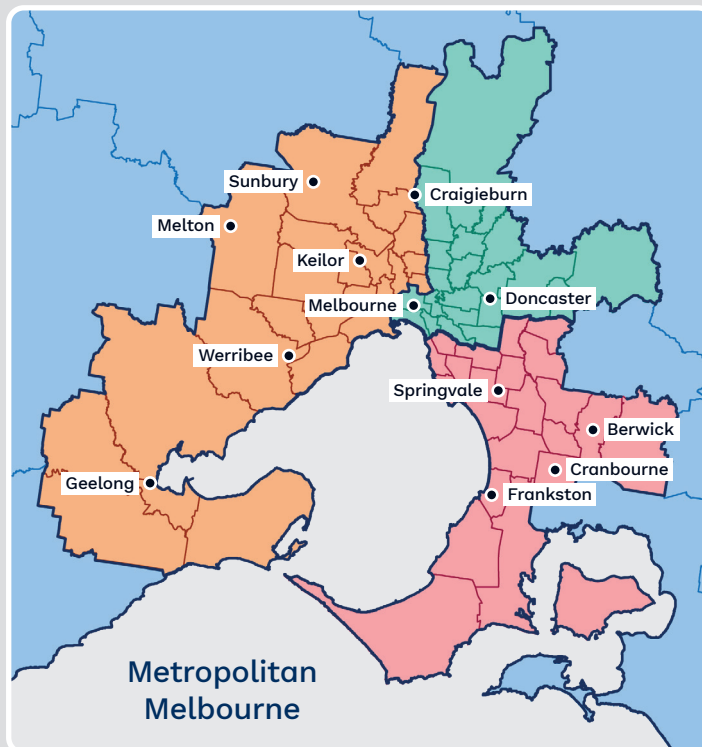
**Quota for election (the proportion of votes needed): 9.1% of a region**

### Features

- provides a lower quota than the current electoral structure, making it easier for parties or independents with smaller levels of support to be elected
- the boundaries of each region could be lined up with Lower House districts, with each region covering 22 districts
- having an even number of members elected from each region could lead to a deadlocked Upper House if voting patterns change in the future
- regions would be large and may not reflect communities of interest
- metropolitan Melbourne and non-metropolitan areas may need to be combined in some regions.

## What this might look like

### Example structure 3: Four 10-member regions



- Region 1
- Region 2
- Region 3
- Region 4

Note: **The boundaries in these maps are only examples.** The Electoral Boundaries Commission would independently determine the actual boundaries.

## Example structure 4: 49 members, elected from seven 7-member regions

The total number of members of the Upper House would be increased to 49 (from the current 40). It would not be possible to divide the 88 Lower House districts evenly into seven regions. It would be necessary to either:

- have some regions with 12 districts and some with 13 districts or
- make the boundaries of Upper House regions and Lower House districts different.

In the example map, non-metropolitan regions have been given 12 districts each, while metropolitan regions have 13 regions each.

It is possible to have some regions with 12 districts and some with 13 districts without breaking the current rule that the number of voters in all regions should be within 10% of the average. However, there would be substantial differences in the number of voters in different regions.

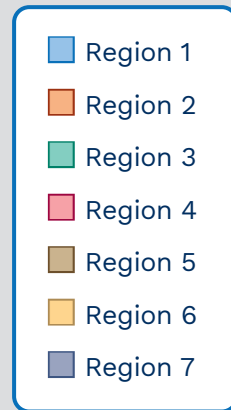
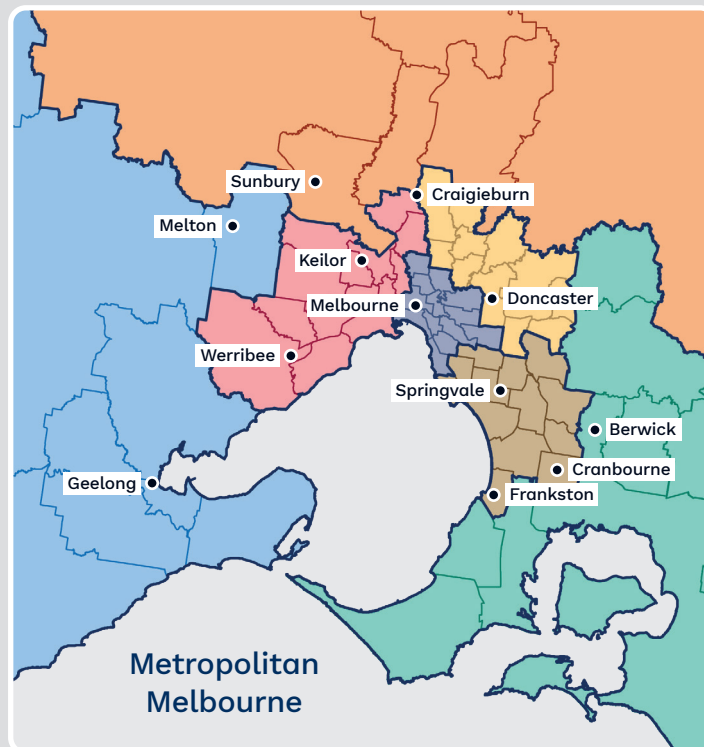
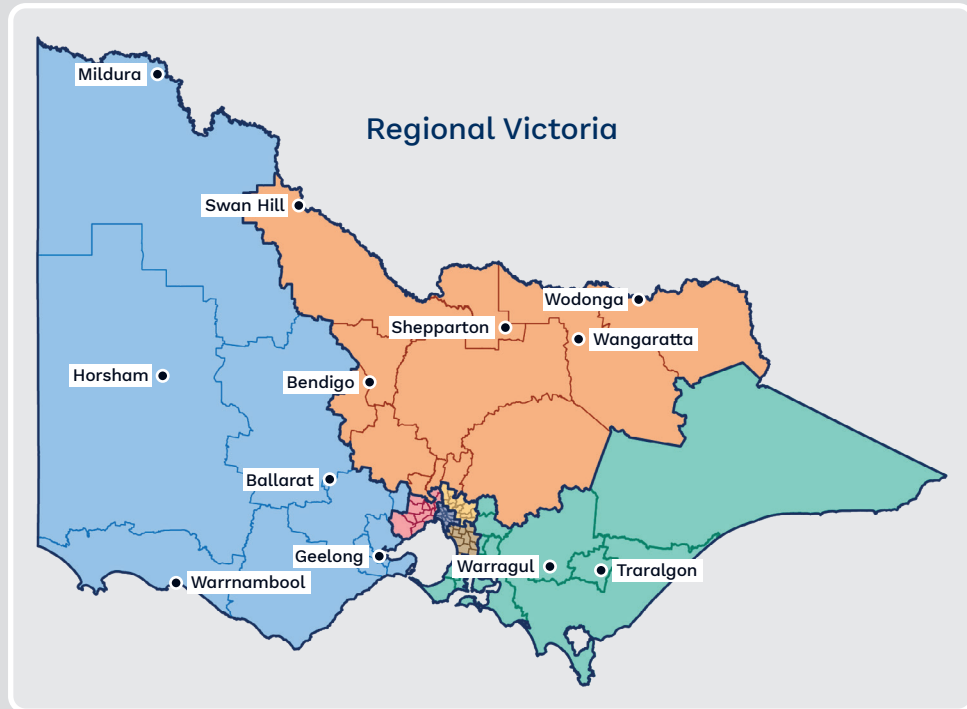
**Quota for election (the proportion of votes needed): 12.5% of a region**

### Features

- provides a lower quota than the current electoral structure, but higher than other options
- increases the total number of members in the Upper House, enabling it to do more work as the Parliament's 'house of review'
- if the number of districts differs from one region to another, fewer votes would be needed to be elected in some regions than others
- if the boundaries of the regions are different to the districts, voting administration would be harder
- regions would be relatively large and may not reflect communities of interest
- metropolitan Melbourne and non-metropolitan areas may need to be combined in some regions.

## What this might look like

### Example structure 4: Seven 7-member regions



Note: **The boundaries in these maps are only examples.** The Electoral Boundaries Commission would independently determine the actual boundaries.

## Example structure 5: 40 members elected from eight 5-member regions, plus top-up members

With this option, the current electoral structure is maintained. However, if more than 4% of the voters across the state give their first preferences to a party, the party would be guaranteed one seat in Parliament for every 2.5% of the vote received.

If fewer members are elected than the guarantee, the party would be entitled to nominate 'top-up' members. The total number of members of the Upper House could vary from one election to another.

For example, if a party received 9% of the first-preference votes across the state but only one member was elected, the party would be entitled to nominate two additional people to become members of parliament. The Upper House would then have 42 members until the next election.

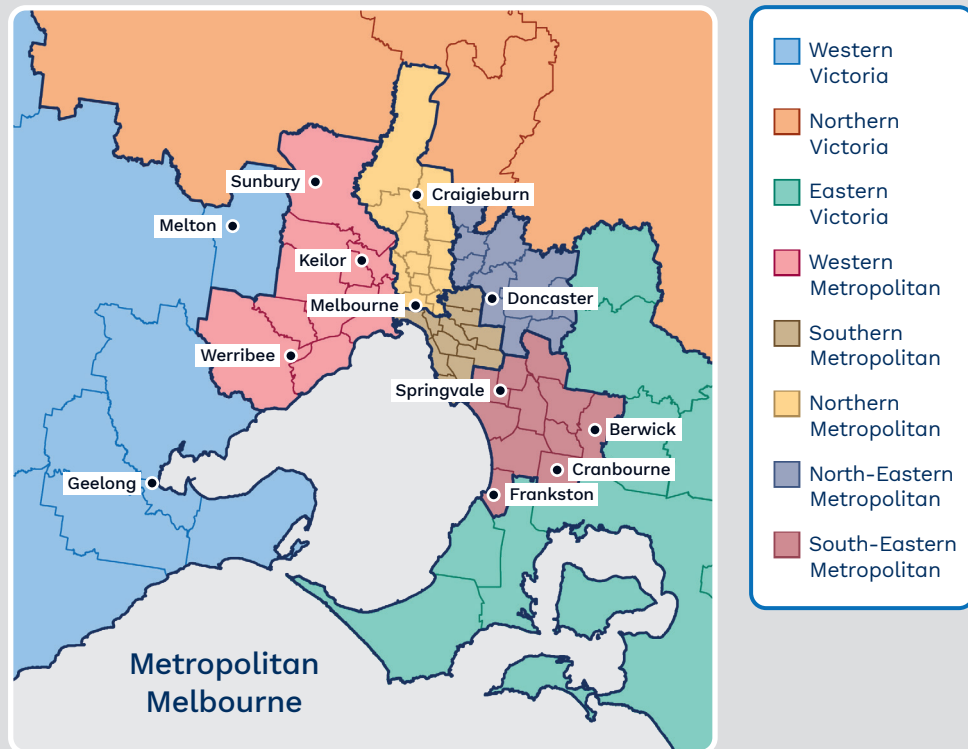
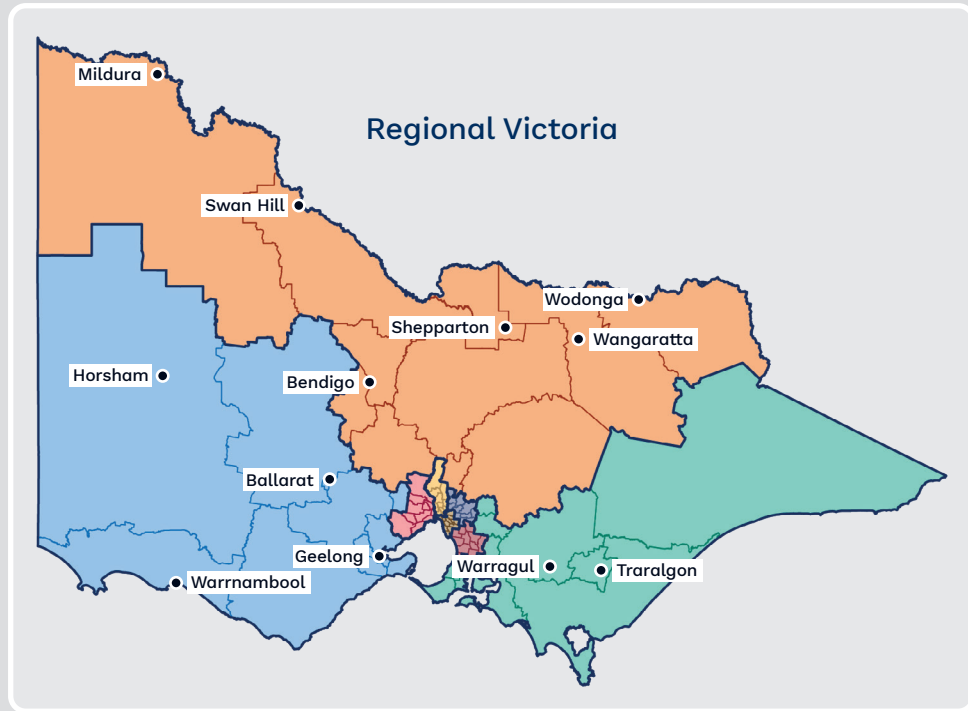
**Quota for election (the proportion of votes needed): 16.7% of a region (excluding top-up members)**

### Features

- this would maintain relatively small regions while ensuring that parties with significant support are represented
- voters would not have a say in which members were elected as top-up members
- there would be continuity with the existing electoral structure
- regions would be relatively large and may not reflect communities of interest
- metropolitan Melbourne and non-metropolitan areas may need to be combined in some regions.

## What this would look like

### Example structure 5: Current structure



Note: Boundaries can change as part of regular reviews conducted by the Electoral Boundaries Commission.

## Example structure 6: 40 members, elected from one 25-member metropolitan region and three 5-member non-metropolitan regions

This structure would combine the area of metropolitan Melbourne into one region, but maintain the current three non-metropolitan regions to ensure that different parts of Victoria are represented.

**Quota for election (the proportion of votes needed):**  
**3.8% of the metropolitan region / 16.7% of a non-metropolitan region**

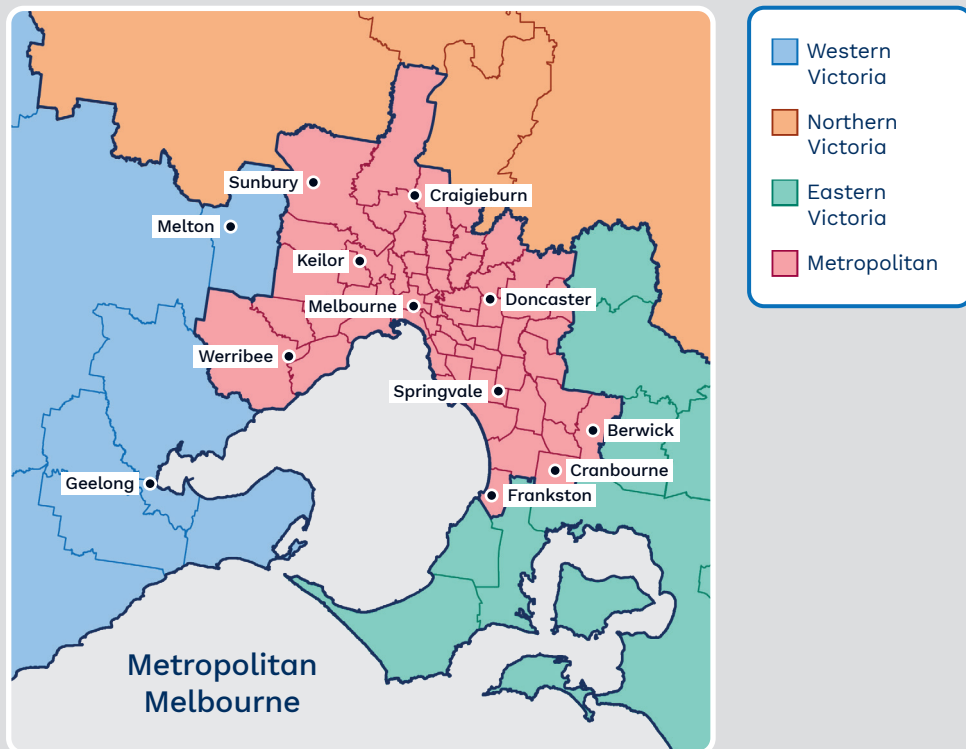
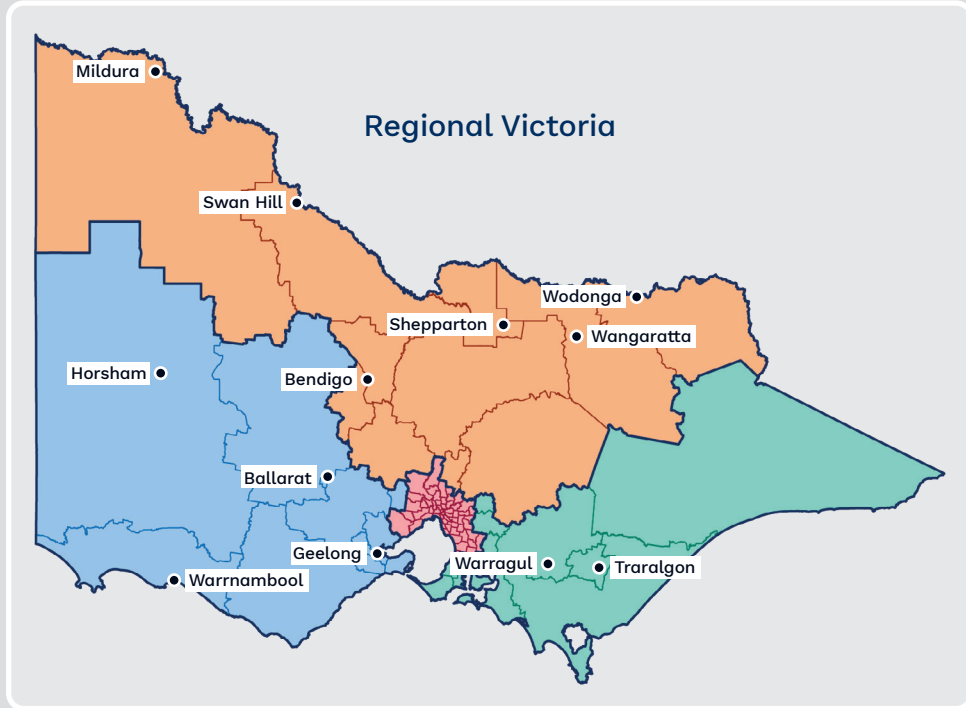
### Features

- representation from the non-metropolitan parts of Victoria would be guaranteed
- it may not be possible to include all the metropolitan area in one region and maintain the 'one vote, one value' principle; this may become harder over time if Melbourne continues to grow at a faster rate than regional Victoria
- there would be continuity with the existing structure for non-metropolitan areas
- members would be elected on different quotas depending on whether they come from the metropolitan region or non-metropolitan regions
- the large number of members in the metropolitan region may make it difficult for voters to hold individual members accountable.



## What this might look like

### Example structure 6: One 25-member region and three 5-member regions



Note: **The boundaries in these maps are only examples.** The Electoral Boundaries Commission would independently determine the actual boundaries.

# What happens next?

Submissions and comments are due by 3 February 2025.

We'll then consider the submissions and comments provided by the public. We'll also do further research and analysis of possible options.

Once we've collected enough information, we'll make recommendations to the Victorian Parliament. These recommendations may be for one of the example models or may be for something different. These recommendations are due by 8 December 2025.

The Parliament will have to agree with any recommended changes before they can be implemented.

Most proposed changes to the electoral structure of the Upper House would also have to be voted on in a referendum.

## About us

The Electoral Matters Committee is conducting this inquiry. The Committee consists of nine members of Victoria's Parliament. We come from five different parties and from both the Lower House and Upper House. The Committee is not part of the Government.

We undertake inquiries into the conduct of elections and electoral law in Victoria.

We make recommendations to the Victorian Parliament, which can then decide whether to implement the recommendations. For more information about us, visit [www.parliament.vic.gov.au/emc](http://www.parliament.vic.gov.au/emc) or contact [emc@parliament.vic.gov.au](mailto:emc@parliament.vic.gov.au).