



Factsheet No. 1 – Electing the Parliament

Voting is an essential part of democracy and representative government. This factsheet gives a brief overview of who can vote in New South Wales, the framework of NSW General Elections, the State's electoral districts and the key events and dates for General Elections.

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► Who can vote in NSW?

Voting is compulsory in Australia and all eligible persons are required to enrol to vote in Federal, State and Local Council elections.

An 'eligible person' is defined as all Australian citizens aged 18 years or more.

► NSW General Elections

The term of a Parliament in NSW is 4 years. The [Constitution Act 1902](#) specifies that, if the previous Parliament has expired, a General Election will take place on the fourth Saturday in March following the expiration.

► Electing the Legislative Assembly

The NSW Legislative Assembly comprises of 93 Members, each elected at a general election to serve four year terms.

Each Member represents a single electoral district (or electorate) in NSW. State electoral district boundaries are determined by a distribution process which provides for an approximately equal number of electors in each electoral district. Each electorate has on average 53,000 voters.

In each election, electors can only vote for candidates seeking election for their electoral district. The party or parties that win the majority of seats of the Legislative Assembly forms the Government.

► Electing the Legislative Council

The NSW Legislative Council has 42 Members who represent the whole of the State. At General Elections, 21 of the 42 Members are elected to serve two terms of Parliament (eight years).

Members of the Legislative Council are not elected to electoral districts like Members of the Legislative Assembly. Instead, Legislative Council Members are elected on a proportional basis across the whole State.

Members are elected through a system where the percentage of votes is reflected in the number of seats held. For instance, a party winning 10% of the votes at consecutive elections can expect to have 10% of seats in the Council.

► When does Parliament meet?

After the election of a new Parliament, the Governor issues a proclamation calling the Parliament together to meet no later than 7 days after the return of the writs for the General Election. Writs for an election are formal orders issued by the Governor requiring a General Election to be held. In practice, the time and place for the meeting of a new Parliament is set on the advice of the Premier.

► Key Events/Dates For NSW General Elections

Event	Occurs when
► Expiry of Parliament	Friday before the first Saturday in March, four years after the previous Assembly was elected. Writs are issued within four days after the publication in the <i>NSW Government Gazette</i> that the Parliament has expired.
► Polling Day	On the fourth Saturday in March after the expiration of the previous Parliament.
► Declaration of the Poll	An announcement is made by the Electoral Commissioner after the votes have been counted.
► Meeting of the new Parliament	Within seven days after the return of the writs for a General Election.

► By-elections

When a vacancy occurs in the Legislative Assembly because of death, resignation, absence without leave, expulsion, disqualification or ineligibility of a Member, a writ may be issued by the Speaker for the election of a new Member.

The Speaker, in consultation with NSW Electoral Commission determines the date of the election, called a by-election, to fill the vacancy. Polling must take place on a Saturday. The guiding principle of arranging a date for a by-election is to hold the election as soon as possible so the constituency is not left without representation any longer than necessary.

What will you read next?



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Legislative Assembly
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