

Electoral (Amendment) Bill 2023

Bill No. 77 of 2023

Charlotte Cousins Senior Researcher (Parliamentary Affairs)

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Abstract

This Bill provides for the number of members of Dáil Éireann, the revision of Dáil constituency boundaries and for the number of members to be elected to each constituency.



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Overview

The [Electoral \(Amendment\) Bill 2023](#) was published on 8 November 2023.

The Joint Committee on Housing, Local Government and Heritage waived pre-legislative scrutiny on the General Scheme of the Bill.

The Bill provides for the implementation of the recommendations of the Electoral Commission regarding the number of members to be elected to Dáil Éireann, the revision of constituency boundaries and the number of TDs to be elected to each constituency. The recommendations are set out in the Electoral Commission's [Constituency Review Report](#), which was laid before both Houses of the Oireachtas on 30 August 2023.

If enacted, the changes proposed by this Bill will come into effect after the dissolution of the current Dáil, and the next election will be organised with the new constituencies returning 174 members of Dáil Éireann. The next election must be held by mid-March 2025.

The Bill also repeals the [Electoral \(Amendment\) \(Dáil Constituencies\) Act 2017](#) on the dissolution of Dáil Éireann.

Key changes to Dáil membership and constituencies

- 174 members of Dáil Éireann (+14)
- 43 Constituencies (+4)
- 15 5-seat constituencies (+2)
- 15 4-seat constituencies (+2)
- 13 3-seat constituencies (+4)
- Each TD would represent an average of 29,593 people.
- A new inter-county constituency Wicklow-Wexford.
- 7 constituencies are unchanged (Clare, Cork South-West, Donegal, Dublin Central, Kerry, Limerick County and Waterford).

Map 1 illustrates the proposed constituencies. See [Maps of the recommended constituencies - Electoral Commission](#) for large scale maps of the 43 constituencies.

The [Constituency Review Report](#) sets out the details for each of the constituencies including the number of seats, population size, any transfer of Electoral Divisions (EDs) or any county boundary breach, as well as the variance from the national average number of people that each TD in a constituency represents (pages 40-118).

Map 1. Proposed constituencies

An Coimisiún Toghcháin -
Constituency Review 2023

Ireland



Source: Electoral Commission 2023

Glossary and abbreviations

Electoral Divisions (EDs) are the basic unit used to allocate populations to constituencies. There are 3,440 EDs in the country containing populations ranging from less than 100 to more than 40,000. EDs are the smallest legally-defined administrative areas in the State. Previously known as District Electoral Divisions (DEDs), EDs began as subdivisions of poor law unions, grouping one or more townlands together to elect members to a Board of Guardians. The DED boundaries were drawn by a Poor Law Boundary Commission, the intention being to produce areas of roughly equal "rateable value" as well as population. EDs are mostly contiguous but may bear little relation to natural community boundaries.

A **breach of a county boundary** arises when the variance in one constituency, that is entirely or partially contained within a county boundary, requires the transfer of one or more Eds across a county boundary to a neighbouring constituency.

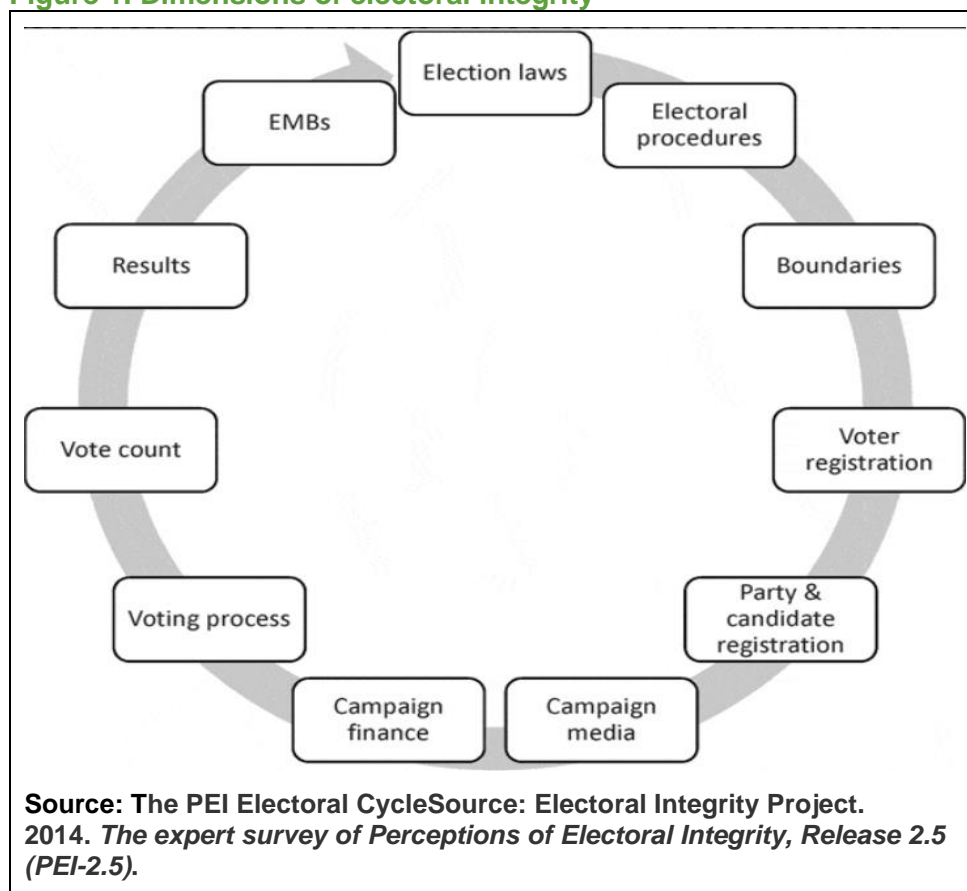
District magnitude is the number of members to be elected in each constituency.

Variance: This is the difference between the national average and the actual number of people that each TD in a constituency represents. There is no set rule about the acceptable level of variance, although previous Constituency Reviews opted for a 5% variance.

Introduction

In the most recent *Electoral Integrity Worldwide Report 2019*¹ Ireland received a 'very high' rate of electoral integrity and was ranked 27th of 167 countries. There were four reforms identified to improve that rating: voter registration process, lack of a permanent Electoral Commission, a lack of postal voting and a lack of civic information.² The [Electoral Reform Act 2022](#) has since addressed most of these issues.

"Fair and impartially-drawn constituency boundaries" is one of 11 dimensions defined by Norris and Coma as being central to electoral integrity and measured for the Electoral Integrity Project (see Figure 1).

Figure 1. Dimensions of electoral integrity

The Policy background section below sets out the framework for the drawing of constituency boundaries in Ireland and explains how it has been gradually de-politicised since 1979. It looks at the process of constituency revision, including constitutional requirements, the Electoral Acts, and the role of the Electoral Commission.

The **Principal Provisions** section of the Digest considers the provisions of the Bill by theme as follows:

1. Number of members of Dáil Éireann
2. Revised constituencies and equality of representation
 - a. Variance from average population to TD ratio
 - b. Breaching county boundaries
 - c. Size of constituency – district magnitude

The final section of the Digest, **Implications**, is based primarily on the Regulatory Impact Analysis for the Bill and it sets out the costs of an additional 14 TDs.

Appendix 1 Fixed boundaries – an alternative approach to constituency revision, sets out an alternative approach to constituency revision based on fixed constituencies and the re-allocation of seats after each census to respond to population changes. It was devised by political scientist John Coakley.

Policy background: Dáil constituencies, the Constitution and law

Under the Constitution ([Article 16](#)), the Oireachtas is required to revise Dáil constituencies at least once every twelve years. The courts have interpreted that the Oireachtas has an “obligation...to act with all due expedition to ensure that amending constituencies, necessitated by a new census, are put in place at the earliest possible time”.³ In [Murphy v Minister for Environment](#), the Court

suggested obiter (a statement that is not binding) that the Oireachtas should consider amendments on the publication of “preliminary” census results.⁴

The Constitution also sets out the ratio of TDs to population, the requirement for equality of representation throughout the country and a minimum size of three seats for each constituency, see Box 1.

Box 1: Constitution of Ireland, Article 16 - THE NATIONAL PARLIAMENT

- 16. 2. 1°** Dáil Éireann shall be composed of members who represent constituencies determined by law.
- 2°** The number of members shall from time to time be fixed by law, but the total number of members of Dáil Éireann shall not be fixed at less than one member for each thirty thousand of the population, or at more than one member for each twenty thousand of the population.
- 3°** The ratio between the number of members to be elected at any time for each constituency and the population of each constituency, as ascertained at the last preceding census, shall, so far as it is practicable, be the same throughout the country.
- 4°** The Oireachtas shall revise the constituencies at least once in every twelve years, with due regard to changes in distribution of the population, but any alterations in the constituencies shall not take effect during the life of Dáil Éireann sitting when such revision is made.
- 5°** The members shall be elected on the system of proportional representation by means of the single transferable vote.
- 6°** No law shall be enacted whereby the number of members to be returned for any constituency shall be less than three.

Until 1979 governments introduced legislation to revise constituencies, and this gave rise to allegations of gerrymandering.⁵ In 1979 the first ad-hoc constituency boundary commission was set up to advise on constituency boundaries for the first direct elections to the European Parliament. From 1980-1995 five more ad hoc commissions were established to advise on revisions of Dáil constituency boundaries. Apart from the 1988 report, all were enacted into law without modification.⁶ The boundary revision process was put on a statutory basis with the provisions for an independent Constituency Commission set out in Part II of the *Electoral Act 1997* – political scientist John Coakley has described this as the ‘the final stage in the depoliticization of constituency boundary revision’.⁷ The recommendations of the Constituency Commissions have since their inception been implemented in legislation without amendment.

The [Electoral Reform Act 2022](#) established the Electoral Commission and made it responsible for reviewing Dáil constituencies on the publication of the preliminary results of the census (section 55). The *Electoral Reform Act 2022* also repealed Part II of the Electoral Act 1997 ending the role of the ad-hoc constituency commissions. The Electoral Commission is required to publish its constituency review within three months of the publication of the final result of the census (per section 58).

When conducting a review of Dáil constituencies, the Electoral Commission is required to observe the constitutional provisions set out in Box 1 and to have regard to the terms of reference set out in

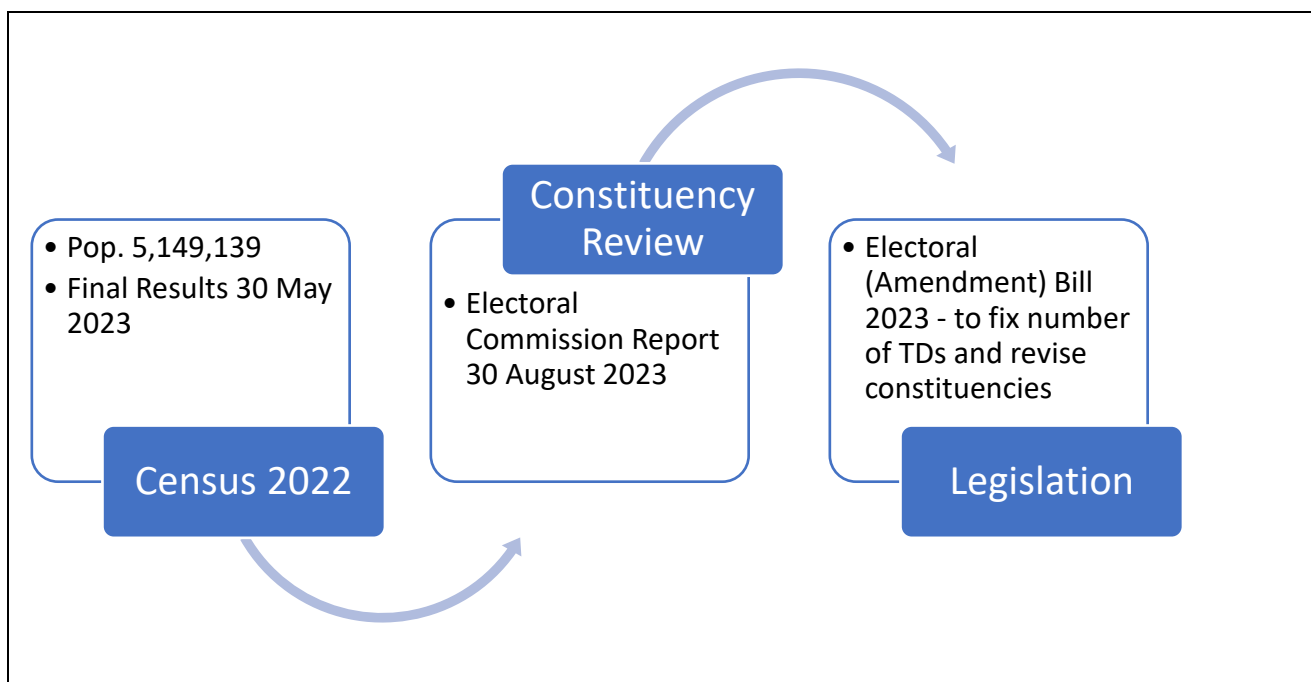
section 57(2) of the *Electoral Reform Act 2022*, see Box 2. There is also a body of case law the Commission must consider.⁸

Box.2 Terms of reference for constituency review

- a) the total number of members of Dáil Éireann, subject to Article 16.2.2 of the Constitution, shall be not less than 171 and not more than 181;
- b) each constituency shall return 3, 4 or 5 members;
- c) the breaching of county boundaries shall be avoided as far as practicable (shall be deemed not to include a reference to the boundary of a city or any boundary between any two of the counties of Dún Laoghaire-Rathdown, Fingal and South Dublin);
- d) each constituency shall be composed of contiguous areas;
- e) there shall be regard to geographic considerations including significant physical features and the extent of and the density of population in each constituency;
- f) subject to this section, the Commission shall endeavour to maintain continuity in relation to the arrangement of constituencies.

The [Electoral Commission](#) was established on 9 February 2023, and commenced its work on reviewing Dáil constituencies immediately. Its role is advisory and the final determination of Dáil constituencies is a matter for the Oireachtas to prescribe in legislation. However, it is established practice that the Government and the Oireachtas accept the recommendations and legislation accordingly. Figure 2 illustrates the process for revising Dáil constituencies.

Figure 2. Process for Dáil constituency revision



Source: Oireachtas library & Research Service

As noted in the [L&RS Bill Digest for the Electoral Reform Bill 2022](#), the regular and unpredictable revision of constituencies remains controversial for sitting and potential TDs and it can also be

confusing and alienating for voters. It is also a costly and time-consuming process. An alternative approach to determining constituency boundaries has been put forward by political scientists. They recommend a system of permanent constituencies, with the number of seats reallocated between constituencies after each census of population using a seat allocation formula to overcome the regular and significant boundary changes under the current system.⁹ This is the approach used in several European countries with Proportional Representation electoral systems and multi-member constituencies, for example Switzerland, Spain, Belgium, Luxembourg, Portugal and Finland.¹⁰ See Appendix 1 Fixed boundaries – an alternative approach to constituency revision, for an explanation of how this could have been applied in Ireland from 1923.

Another issue highlighted by political scientists is that the low district magnitude – that constituencies must have between three and five seats - tends to disadvantage smaller parties whose support is spread thinly across the country and benefit the larger parties.¹¹ This is also discussed in the Principal Provisions section below.

The Electoral Commission intends to undertake and publish research on the issue of representation and how the number of TDs is determined and also the matter of constituency magnitude (size), and it will make recommendations for the consideration of the Houses of the Oireachtas. The Electoral Commission has a specific research and advisory function ([Electoral Reform Act 2022, section 64](#)).

Principal provisions of the Bill

This section of the Bill Digest examines the principal provisions of the Bill, which is 18 pages long and contains 6 Sections and one Schedule.

Section 5 of the Bill provides for the repeal of the [Electoral \(Amendment\) \(Dáil Constituencies\) Act 2017](#) on the dissolution of the Dáil following the enactment of this Bill. The 2017 Act provides for the number of TDs (160) currently in the Dáil and the 39 constituencies from which they are elected.

The principal provisions are set out by theme as follows:

1. Number of members of Dáil Éireann
2. Revised constituencies and equality of representation
 - a. Variance from average population to TD ratio
 - b. Breaching county boundaries
 - c. Size of constituency – district magnitude

Table 1 shows the total Dáil membership, the number of constituencies and the size of constituencies at every revision since 1923. There have never been 6-seat constituencies.

Table 1. Number of TDs, Constituencies and No. of TDs per constituency 1923-2023									
Year of revision	Number of TDs	No. of constituencies	No. of TDs in constituency						
			3	4	5	7	8	9	
1923	147 (excludes 6 University members)	28	6	4	5	5	3	1	
1935	138	34	15	8	8	3			
1947	147	40	22	9	9				
1959	144	39	21	9	9				
1961	144	38	17	12	9				
1969	144	42	26	14	2				
1974	148	42	26	10	6				
1980	166	41	13	13	15				
1983	166	41	13	13	15				
1990	166	41	12	15	14				
1995	166	41	12	15	14				
1998	166	42	16	12	14				
2005	166	43	18	13	12				
2009	166	43	17	15	11				
2013	158	40	13	16	1				
2017	160	39	9	17	13				
2023 proposed	174 proposed	43	13	15	15				

Source: Electoral Commission 2023

Theme 1: number of members of Dáil Éireann

Section 2 of the Bill provides that Dáil Éireann will have 174 members after the dissolution that follows the passing of this legislation.

The number of members was fixed at 160 by the [Electoral \(Amendment\) \(Dáil Constituencies\) Act 2017 \(section 2\)](#). However, as the Census 2022 has reported an increase in the population there are now 160 TDs representing an average of 32,182 people which exceeds the maximum of 30,000 permitted by Article 16.2.2 of Constitution. This brings urgency to the provisions of this Bill; to be in line with the Constitution, the number of members to be returned to Dáil Éireann must be increased before the next election.

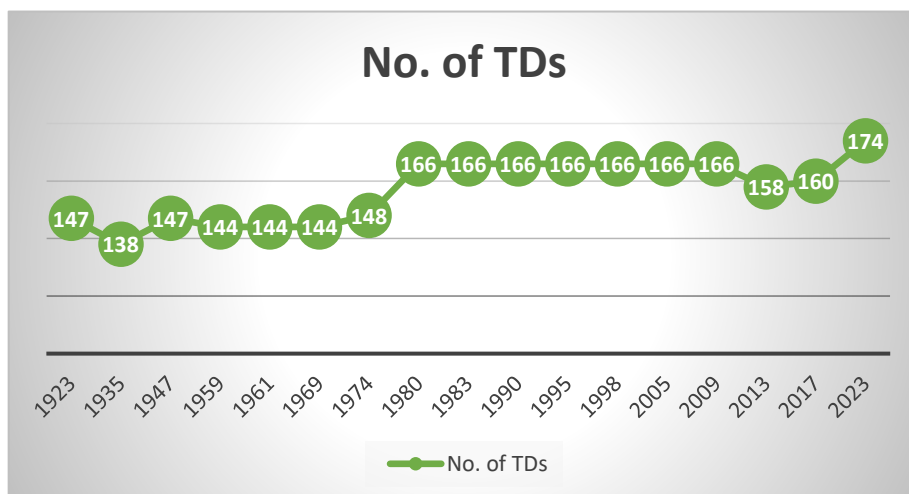
The [Electoral Reform Act 2022](#) (section 57 (2)(a)) provides that the number of members should be between 171 and 181. At the time the *Electoral Reform Bill* was going through the Oireachtas the preliminary census estimated a population of 5,123,536 which meant that the Oireachtas could have legislated for between 171 (1 TD per 29,962 people) and 256 (1 TD per 20,014 people) members. The final census, published on 30 May 2022, reported a population of 5,149,139, which exceeded the preliminary figure by more than 25,603. Consequently, the Commission could not have recommended a Dáil membership of 171 because this would have meant a ratio of 1 TD per 30,112 people, this exceeding the constitutional maximum. Similarly, the terms of reference for the 2012 Constituency Commission were based on the preliminary census (2011), which had underestimated the size of the population, and this precluded the Commission from recommending the lower number of the range in its terms of reference. This demonstrates why the final constituency recommendations and legislation must be based on the final census results rather than the preliminary results.¹²

With 174 members in Dáil Éireann each TD will represent an average of 29,593 people. This is close the constitutional maximum of 30,000. The Commission, which under its terms of reference could have recommended up to 181 TDs, explained its considerations in arriving at this number as follows:

- An even number of TDs is consistent with previous reviews. Given that one member is elected as Ceann Comhairle (Dáil Standing Orders) with a casting vote, an uneven number of TDs could result in tied votes.
- The Commission considered choosing a higher number of TDs to provide options and flexibility. However, it said that this approach would have resulted in more breaches of county boundaries and would have resulted in changes to nearly every constituency, with fewer 5-seat constituencies and more 3-seat constituencies. Some commentators see the creation of more seats in Dáil Éireann as future proofing, i.e., minimising the changes required at the next review. However, as future proofing is not within the terms of reference of the Commission, this approach was not taken. (Electoral Commission, p21)

The increase of 14 members proposed in this Bill is a significant change to the size of Dáil Éireann. Until 1980, total Dáil membership was less than 150. Dáil membership has seen three significant changes in size in the past 50 years, in 1980, 2012 and 2023 – see Figure 3. It was increased by 18 members, to 166, in 1980 (first ad hoc constituency commission). It remained at 166 until 2012 when it was reduced to by 8 to 158 members as part of the then Government's political reform commitments.¹³ Dáil membership was increased to 160 in 2017 to ensure that it provided the level of representation set out in Article 16.2.2 of the Constitution.¹⁴

Figure 3. Number of TDs 1923- 2023 (proposed)



Source: Library & Research Service

It is anticipated that the size of the Dáil will increase again following the next census given that the number of Dáil seats proposed in this Bill results in a ratio close to the constitutional limit of 1 TD for 30,000 people. On the one hand, it might be argued that the number of TDs should have been increased to more than 174. On the other hand, 174 is in line with what political scientists consider the optimal number. Political scientists use the '**cube-root law of parliament size**' to determine the appropriate size of parliamentary assemblies.¹⁵ Developed by the Estonian political scientist Rein Taagepera, it says that the cube root of a nation's population is a guideline of the most effective size for a country's lower house of parliament. The population of Ireland at Census 2022 is 5,149,139, giving a cube root of 172.68 which would give 173 seats in Dáil Éireann. This is close to the figure recommended by the Electoral Commission.

$$\sqrt[3]{5149139} = 172.68 \text{ (173)}$$

Theme 2: revised constituencies and equality of representation:

Section 3 of the Bill provides that after the dissolution of the Dáil following the enactment of this legislation the members of Dáil Éireann will represent 43 constituencies. Section 4 provides that the **43 constituencies will be as set out in Schedule 3**. Table 2, copied from the Constituency Review Report, outlines the name of each constituency, the number of TDs, the population at Census 2022, the population per TD and the % variance from the national average population per TD.

The key changes proposed to constituencies since 2017 are:

- 15 5-seat constituencies (+2)
- 15 4-seat constituencies (+2)
- 13 3-seat constituencies (+4)
- A new inter-county constituency Wicklow-Wexford.
- 7 constituencies are unchanged (Clare, Cork South-West, Donegal, Dublin Central, Kerry, Limerick County and Waterford).
- 7 breaches of county boundaries have been removed (Laois, Mayo, Meath, Offaly, Roscommon, Tipperary and Westmeath).
- 3 breaches of county boundaries are retained (Donegal, Galway and Meath)
- 3 new breaches of county boundaries have been introduced (Kilkenny, Wicklow and Wexford).

Table 2. Key statistics relating to proposed Dáil constituencies

STATISTICS RELATING TO RECOMMENDED DÁIL CONSTITUENCIES

Recommended Constituency	Number of TDs	Population 2022	Population per TD	% variance from National Average Population per TD
Carlow-Kilkenny	5	159,697	31,939	7.93
Cavan-Monaghan	5	146,992	29,398	-0.66
Clare	4	127,938	31,985	8.08
Cork East	4	111,458	27,865	-5.84
Cork North-Central	5	142,378	28,476	-3.78
Cork North-West	3	84,312	28,104	-5.03
Cork South-Central	5	153,441	30,688	3.70
Cork South-West	3	92,567	30,856	4.27
Donegal	5	157,700	31,540	6.58
Dublin Bay North	5	149,062	29,812	0.74
Dublin Bay South	4	124,257	31,064	4.97
Dublin Central	4	127,302	31,826	7.54
Dublin Fingal East	3	92,366	30,789	4.04
Dublin Fingal West	3	88,167	29,389	-0.69
Dublin Mid-West	5	142,140	28,428	-3.94
Dublin North-West	3	85,322	28,441	-3.89
Dublin Rathdown	4	113,625	28,406	-4.01
Dublin South-Central	4	119,383	29,846	0.85
Dublin South-West	5	158,935	31,787	7.41
Dublin West	5	137,360	27,472	-7.17
Dún Laoghaire	4	120,235	30,059	1.57
Galway East	4	113,254	28,314	-4.32
Galway West	5	150,015	30,003	1.39
Kerry	5	156,458	31,292	5.74
Kildare North	5	139,031	27,806	-6.04
Kildare South	4	108,743	27,186	-8.13
Laois	3	91,877	30,626	3.49
Limerick City	4	119,041	29,760	0.57
Limerick County	3	90,495	30,165	1.93
Longford-Westmeath	5	142,972	28,594	-3.37
Louth	5	156,106	31,221	5.50
Mayo	5	137,970	27,594	-6.75
Meath East	4	114,631	28,658	-3.16
Meath West	3	89,792	29,931	1.14
Offaly	3	83,150	27,717	-6.34
Roscommon-Galway	3	84,727	28,242	-4.56
Sligo-Leitrim	4	114,781	28,695	-3.03
Tipperary North	3	87,799	29,266	-1.10
Tipperary South	3	86,527	28,842	-2.54
Waterford	4	127,363	31,841	7.60
Wexford	4	114,176	28,544	-3.54
Wicklow	4	120,143	30,036	1.50
Wicklow-Wexford	3	85,451	28,484	-3.75
Total	174	5,149,139	29,593	

Source: Electoral Commission 2023 Appendix 2

Variance from average population to TD ratio and breaching county boundaries

The Constitution requires that the ratio between the number of members to be elected at any time for each constituency, and the population of each constituency (as ascertained at the last census), shall, so far as it is practicable, be the same throughout the country (Article 16.2. 3°).

With 174 members in Dáil Éireann, each TD would represent an average of 29,593 people per TD. It is not possible for every TD to represent the same number of people, and the Constitution does not require mathematical parity in the ratio of TDs to population across the constituencies. The deviation from the national average of TDs to constituents is known as the '**variance**'; and some constituencies have higher or lower ratios of TDs to constituents than the average, i.e., a plus or minus variance. The approach to variances has a direct impact on the breaches to county boundaries, as fixing a variance can mean moving people (EDs) from one constituency to another.

The constituencies in this Bill have a total range of variance of 16.21 (+8.08 and -8.13) which is the highest variance for any constituency review. A variance of -8.13% has been accepted in Kildare South, and +8.08 in Clare. The reason is to avoid breaching county boundaries (which is also in the terms of reference).

Previously, constituency revisions have attempted to maintain a maximum variance of $\pm 5\%$, although the Commission notes that higher levels of variance have also been accepted, -7.89 in 1982.¹⁶ While the Courts have considered the issue of variance, no specific variance has been recommended.¹⁷ See the [L&RS Bill Digest Electoral \(Amendment\) Dáil Constituencies Bill 2017](#) for a fuller explanation.

The Electoral Commission notes that greater variances are accepted internationally and that the Venice Commission, the Council of Europe's advisory body on constitutional matters, recommends limiting the variance to 10%, or 15% in special circumstances.¹⁸

Breaching county boundaries

The terms of reference require the Electoral Commission to avoid breaching county boundaries as far as practicable and to maintain continuity in relation to the arrangement of constituencies.

A breach in a county boundary occurs when the variance in one constituency, that is entirely or partly contained within a county boundary, requires the transfer of one or more electoral district (EDs) across a county boundary to a neighbouring constituency. The Commission notes that since 1980 the number of counties whose boundaries have been breached has gradually increased from 3 to 10. The Commission states that population increases, and the limit of five seats in any constituency, create the need for breaches in county boundaries.

The Electoral Commission highlights that the need to avoid breaching county boundaries was the most significant issue raised in submissions. Almost 300 of the 541 submissions received were concerned with how the breaching of county boundaries impacts on 'effective representation'. The Commission summarised the four key concerns about county boundary breaches as follows:

1. Breaching county boundaries negatively impacts how people view their level of representation – they feel their voices are not as heard as others in the constituency.
2. Breaches of county boundaries result in people dealing with TDs who may be in a constituency based in an adjacent county.
3. Any breach impacts on people's sense of local community and belonging.

4. If breaches of county boundaries have to happen, they should be sizeable, so elected representatives consider that area's needs. (Electoral Commission pp25-26)

The provisions set out in the current Bill see a reduction to 6 in the number of county boundaries that are breached, with 3 breaches retained, 7 removed and 3 new breaches created.

Size of constituency – district magnitude

The terms of reference for the Commission, as set out in the 2022 Act, state that each constituency should have 3, 4, or 5 members. This has been the range of constituency size permitted by law in Ireland since 1947. While the Constitution is silent on the maximum size for constituencies it stipulates that 3-seats is the minimum size (Article 16.2. 6°). The Commission took the view that there should be a reasonably even distribution between 3, 4 and 5 seat constituencies, and recommended the following:

- Thirteen 3-seat constituencies (+4)
- Fifteen 4-seat constituencies (-2)
- Fifteen 5-seat constituencies (+2)

The size (district magnitude) of constituencies has a significant impact on the proportionality of the results at elections. In smaller constituencies candidates are required to win a greater proportion of the votes to get elected than in larger constituencies. In a 3-seater the threshold for winning a seat is 25% + 1 of the votes cast. To continue with the current constituencies, 20%+1 is required in a 4-seater and 17% +1 in a 5-seater. In contrast, in a nine-seat constituency the threshold for winning a seat is 10% + 1. Bigger constituencies, with greater proportionality, would be expected to have a positive impact on the electoral chances of women candidates, candidates from smaller parties and those from minority groups.¹⁹

There is some agreement among academics that a mix of constituencies in the range of 4- to 7-seats would give an average district magnitude of 5, and that this would deliver the most proportional outcomes for voters.²⁰

An amendment to the *Electoral Reform Act 2022* would be required to change the size of constituencies that the Electoral Commission could recommend in the future.

In its report the Commission notes that it intends to carry out research on the constituency magnitude (size). It also notes that submissions demonstrated a preference for more 5-seat constituencies and fewer 3-seat constituencies.

Implications of the Bill

The Department of Housing, Local Government and Heritage published a Regulatory Impact Analysis (RIA) for the Bill which estimates that the additional costs associated with an increase of 14 TDs at between €2.54 million to €3.65 million per annum. The additional costs include salaries, travel and accommodation allowance, public representation allowance plus costs associated with engaging a full-time secretarial assistant and a full-time parliamentary assistant.

This does not include additional costs to the Houses of the Oireachtas Service and OPW for provision of office accommodation and physical seats in the Dáil Chamber.²¹

This increase is unlikely to be a one off; it is likely that there will be further increases in the number of TDs over the next few decades in line with population growth. A referendum is required to amend the Constitution to change Article 16.2.2 to break or alter the link between the number of TDs and the population.

The next census of population is expected in 2027 and this will prompt another review of the number of TDs and constituencies according to the procedure set out in the *Electoral Reform Act 2022*.

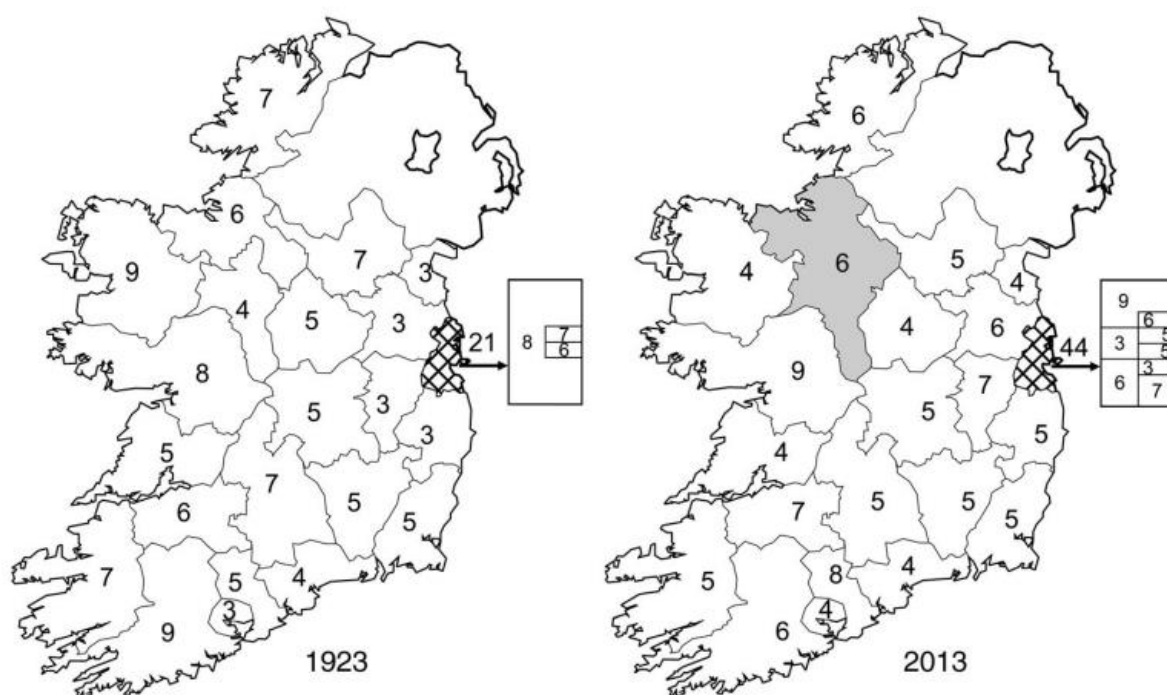
The RIA states that amending the recommendations of the Electoral Commission would effectively require a new and separate review of constituencies with no guarantee of improvement in levels of parity or representation across the country. Further, it states that “it has been established practice, since the first independent Constituency Commissions first reported in 1980, that the Government and the Oireachtas accept the recommendations and legislate accordingly in order to support the independence of the review process.”

Appendix 1. Fixed boundaries – an alternative approach to constituency revision

Political scientists have suggested an alternative approach to constituency revision based around permanent, or fixed constituencies comprising counties with periodic re-adjustment of seats in line with population changes.²² Such an approach would satisfy the recommendation of the Venice Commission that, “(w)ith multi-member constituencies, seats should preferably be redistributed without redefining constituency boundaries, which should, where possible, coincide with administrative boundaries.”²³

This section briefly describes the fixed boundary constituencies set out in detail by political scientist John Coakley in 2015.²⁴ Figure 2, copied from Coakley (2015), illustrates the constituencies and seat allocation between 1923 and 2013. It demonstrates that the constituencies would have been very stable over the period.

Figure 2. Illustration of possible seat allocation to fixed-boundary constituencies, 1923 and 2013.



Notes: Boundaries are those of counties or groups of counties, except in the case of Dublin and Cork. Seat allocation is based on the Sainte-Lague highest average formula, using census data of 1911 and 2011 respectively. Assumed number of seats is 140 (1923) and 158 (2013). One new constituency is shaded. Dublin constituencies, all of which would have changed, over this period, are indicated schematically only.

Source: Coakley (2015)

Coakleys model is based on the following parameters:²⁵

- **Number of members.** There were 3,139,688 people in Ireland according to the 1911 Census of population. Both the 1922 and the 1937 Constitutions require one TD for every 20,000 to 30,000 people. This would have given a range of between 105-156 members for the Dáil. If a Dáil of 140 members had been created in 1923, it could have remained at this level for several decades without breaching the constitutional limits. In the model the number of members was reduced to 158 in 2013.
- **Constituency size was set at between 3 and 9.** A minimum constituency size of 3 members is prescribed by the 1922 and 1937 Constitutions. Neither Constitution set a maximum size for constituencies and there was a 9-seat constituency in Galway until 1936.
- The **twenty-five constituencies** are based around the 31 administrative counties from the early twentieth century, with certain exceptions.
 - The administrative counties of Clare, Donegal, Galway, Kerry, Kildare, Louth, Mayo, Meath, Roscommon, Wexford, Wicklow form individual constituencies; (11)
 - Certain counties are merged to form constituencies: Carlow-Kilkenny, Laois-Offaly, Longford-Westmeath, Sligo-Leitrim, and Cavan-Monaghan. (5)
 - The county boroughs (cities) of Limerick and Waterford are included in the counties with which they share their names to form constituencies; (2)
 - The two ridings of Tipperary together constitute a single constituency; (1)
 - The county of Cork is divided into two constituencies, 'East' and 'West'; (2)
 - Cork county borough (city) is a separate constituency; (1)
 - Dublin county borough (city) is divided into two constituencies, 'North' and 'South'; (2)
 - Dublin county is a separate constituency.(1)

Some of the benefits of this approach have been outlined by Coakley as:

- Recognisable constituencies,
- Predictable boundaries,
- More efficient, fairer and speedier process of revision.

One consequence of this approach is that 9-seater constituencies would result in longer and more complex counts given the PR STV electoral system.

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- ¹¹ See Gallagher (2023) cited above p.109.
- ¹² The provisional figures for Census 2016 only under-estimated the national population figure by 3,889 people – these estimates were only out by 0.08%.
- ¹³ Government for National Recovery 2011-2016
- ¹⁴ [Constituency Commission Report 2017.pdf \(constituency-commission.ie\)](#)
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Contact:

Houses of the Oireachtas
Leinster House
Kildare Street
Dublin 2
D02 XR20

www.oireachtas.ie

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