

HOUSE OF ASSEMBLY

Thursday, September 16, 1965.

The **SPEAKER** (Hon. L. G. Riches) took the Chair at 2 p.m. and read prayers.

QUESTIONS

HOUSING TRUST RENTALS.

The Hon. Sir **THOMAS PLAYFORD**: When the Government has considered, and made a decision on, the report of the Housing Trust relating to increased rentals, will the Premier make a copy of that report available to the House for the information of honourable members?

The Hon. **FRANK WALSH**: I shall meet representatives of the Housing Trust tomorrow, if I can arrange a suitable time, and as a result of that meeting I may have some information on this matter by next Tuesday.

Later:

Mrs. **STEELE**: In view of the Government's announced rejection of the Housing Trust's proposed rent adjustments, can the Premier outline the Government's policy with regard to people who have been informed that their rents will be reduced?

The Hon. **FRANK WALSH**: I gave the Leader of the Opposition a reply on this matter, and I intend to have a conference tomorrow with representatives of the Housing Trust on this and other matters.

MEAT INSPECTORS.

Mr. **JENNINGS**: Has the Minister of Agriculture reached finality with the Metropolitan and Export Abattoirs Board on the subject of accumulated sick leave in respect of meat inspectors transferred from the board's service to the Commonwealth Department of Primary Industry?

The Hon. G. A. **BYWATERS**: I have received a letter from the General Manager of the board, who states:

I am directed by the board to inform you that a compromise has been reached in this matter and acting on the advice of their legal representative the meat inspectors have agreed to accept payment of 50 per cent of the accumulated sick leave between the period July 1, 1958 (when the board first approved payment for leave undertaken up to 7½ days per annum), and June 30, 1965, the date on which the inspectors were taken over by the Commonwealth Department of Primary Industry. The total sum involved in the settlement is £3,224 12s. 2d.

RHYNIE SCHOOL.

Mr. **FREEBAIRN**: Has the Minister of Works a reply to the question I asked yesterday concerning public works to be undertaken at the Rhynie school?

The Hon. C. D. **HUTCHENS**: The Director of Public Buildings has informed me that tenders will be called this week for the erection of new toilets, the installation of a septic system, and for alterations to the school residence. Tenders will close on October 5.

STATUTORY SALARIES.

Mr. **LAWN**: On Tuesday of this week the Premier was good enough to supply me with information regarding statutory salaries. Will the Premier ascertain what are the salaries paid to comparable personnel in other States?

The Hon. **FRANK WALSH**: I shall endeavour to obtain the necessary information and inform the honourable member as soon as possible.

MILANG WATER SUPPLY.

Mr. **McANANEY**: Has the Minister of Works a reply to my question of August 31 regarding the quality of water for the Milang township?

The Hon. C. D. **HUTCHENS**: The Engineer for Water Supply reports:

Milang township was supplied for many years direct from Lake Alexandrina, water being pumped into a settling tank, chlorinated and then pumped through an elevated tank into the town mains. With the construction of the Milang-Strathalbyn scheme, water is now supplied to Milang from the Strathalbyn reservoir when water is available in this reservoir. This results in the elimination of pumping costs at Milang and costly attention to the screens at the suction from the lake. The Strathalbyn reservoir contains 31,000,000 gallons of water and is at present full and overflowing, and it is expected that the reservoir will be used until about December. When the reservoir level drops during the summer, water from Lake Alexandrina is pumped into the system and Milang will receive lake water or a mixture of lake and reservoir water. Although the Strathalbyn reservoir has a higher total salinity and hardness than the lake water, it is of good quality and compares favourably with most supplies in South Australia, and has of course been the main source of supply for many years for Strathalbyn. The lake water is frequently discoloured and weeds in the water have caused much trouble in the past. It is considered to be essential that full use is made of reservoir water when it is available, particularly as the water from the reservoir is of good quality, is chlorinated for safety, and eliminates costly pumping and maintenance costs at the Milang pumping station.

BEDFORD PARK UNIVERSITY.

Mr. BROOMHILL: Recent newspaper reports indicate considerable speculation about the form of administration of the new Bedford Park university. Can the Minister of Education say whether the new university will operate as a section of the University of Adelaide?

The Hon. R. R. LOVEDAY: The separation of the Bedford Park section of the University of Adelaide has been under discussion for some time, and the Government intends to introduce a Bill soon for the separation of the Bedford Park section in order to constitute it a university in its own right.

SCHOOL SUBSIDIES.

Mr. MILLHOUSE: I have heard reports from two sources this morning that the Education Department has completely suspended the payment of subsidies on money raised by school committees. I understand that the suspension is temporary. As this is a serious matter, can the Minister of Education say whether, in fact, subsidy payments to match moneys raised by school committees have been suspended? If they have been suspended, for how long will the suspension last?

The Hon. R. R. LOVEDAY: I have given no instruction whatever to suspend the payment of subsidies on moneys raised by school committees. The question of subsidies has been under review because in the past there has been no definite policy regarding the list of subsidized items. I have been investigating the whole matter, having in mind applications for subsidies, for example, on very large sums. Cabinet today made a decision on this matter and, if there has been any hold-up, it has been merely a departmental hold-up whilst this decision was made.

Mr. Millhouse: Can you say what is the decision of Cabinet?

The Hon. R. R. LOVEDAY: I would rather not go into that matter at the moment.

BULK HANDLING.

The Hon. G. G. PEARSON: Yesterday I asked a question of the Minister of Agriculture regarding the activities of the departmental committee that has been set up to inquire into the provision of additional deep sea port facilities around the State. Can the Minister amplify the statement he made yesterday?

The Hon. G. A. BYWATERS: The committee to investigate the deep sea port facilities associated with bulk handling of grain will be advertising soon for submissions in writing from interested people. Representations by members of Parliament will receive every con-

sideration. Mr. Sainsbury (General Manager of the Harbors Board), who is the chairman of the committee, should be contacted.

TAPEROO SEWERAGE.

Mr. HURST: Some time ago I raised with the Minister of Works the subject of the sewerage of Strathfield Terrace, Katoomba Terrace, and other streets in the Taperoo area. Has the Minister a reply?

The Hon. C. D. HUTCHENS: The streets referred to by the honourable member are connected with a more general scheme. However I am pleased to say that, subject to funds being available, a start is expected to be made on these and other streets in March, 1966.

COUNTRY RACING.

Mr. QUIRKE: Apparently the South Australian Jockey Club has complete authority on the question of country race meetings, particularly the dates on which they shall be held. For a long time Jamestown has had three race meetings a year, one being an autumn meeting, the next a mid-winter meeting, and the third a spring meeting. The latter has been the most important meeting to the racing club, because it has been held on the same day as the Invitation Stakes in another State. However, some time ago that date was arbitrarily taken from Jamestown and awarded to Strathalbyn. Upon representations being made by me and by the honourable member for Frome (Mr. Casey), the S.A.J.C. permitted Jamestown to race on the day of the Invitation Stakes but also allowed the meeting at Strathalbyn to continue. This heavily hits the Jamestown Racing Club. Perhaps this question ultimately will concern the Chief Secretary but, in the meantime, will the Premier investigate the powers that are at present held by the S.A.J.C. in relation to the making and unmaking of country race meetings and, if necessary, will he also consider depriving the S.A.J.C. of its power in respect of country race meetings?

The Hon. FRANK WALSH: Parliament has already determined how far certain of these matters should go, and we have to appreciate that the S.A.J.C. is the authority controlling racing in this State, the same as the Victorian Racing Club controls the sport in that State. However, I will consult with the appropriate authority to see whether it is possible to obtain information on the matter. There seems to be some weakness in the contention that, if more than one mid-week race meeting is held, it prevents racegoers in the metropolitan area from attending country meetings.

TEA TREE GULLY LAND.

Mrs. BYRNE: A subdivision situated at the corner of Elizabeth Street and Allchurch Road, Tea Tree Gully, was promoted by Cliff Todd & Co. This company, as from August 4, 1965, is under a deed of assignment. This land was subsequently sold on a request from the first mortgagees who were financing the subdivision. The property sold comprised 10 blocks, three of which are vacant, three with practically completed houses on them, and the remaining four in varying stages of completion. On follow-up, it was discovered that five of these blocks were originally sold as building contracts. These people thought they were purchasing the land and had a registered equity in the land. This is confirmed by the accounts they show, charging £15 for the registration and transfer fees on the various blocks, which in actual fact was used to place a useless caveat on the titles. Will the Attorney-General investigate this matter to see whether anything can be done to assist the five people involved?

The Hon. D. A. DUNSTAN: I will have the matter urgently investigated and inform the honourable member.

BROOKERS (AUSTRALIA) LIMITED.

Mr. CURREN: In 1958, fruit supplied by growers to Brookers (Australia) Limited was not paid for, and payments to the extent of only two-thirds of the total owing to growers have been made. To enable the outstanding amounts to be claimed as a bad debt and written off for taxation purposes, it is necessary to establish that debts to growers will not be paid. Has the Premier any further information on this matter?

The Hon. FRANK WALSH: My information is that it is most unlikely that any funds will be available for unsecured creditors in respect of fruit for the 1958 season from this company.

PORT PIRIE SCHOOLS.

Mr. McKEE: In view of the recent visit to Port Pirie by the Minister of Education, can he give the House any information concerning alterations and educational improvements urgently required at Port Pirie?

The Hon. R. R. LOVEDAY: I have no report with me today, but I will bring one down for the honourable member next week.

DENTAL SERVICES.

Mr. NANKIVELL: Has the Premier a reply to a question, which I believe was also asked by the member for West Torrens of the Minister of Education, relating to using dental nurses in

the Department of Public Health to assist and develop the school dental service?

The Hon. FRANK WALSH: True, the member for West Torrens asked a similar question of the Minister of Education but, in reply to the member for Albert, the Government has approved the introduction of school dental nurses into the school health services, and the necessary steps will be taken to implement the scheme.

PORT RIVER FISH.

Mr. HURST: It was reported in yesterday's *Advertiser* that thousands of dead fish were washed up on the banks of the Port River, and some suggestion was made that this could have been the result of water pollution. Will the Minister of Agriculture obtain a report on the cause of this, and can he assure honourable members (particularly the member for Port Adelaide and me) that this mysterious happening was not caused by pollution?

The Hon. G. A. BYWATERS: I shall be happy to obtain a report for the honourable member, although, having some knowledge of the condition of the Port River at times, I should not like to suggest that the death of these fish was not caused by pollution.

STOCK THEFTS.

Mr. RODDA: Although not much is heard of it, sheep stealing is still taking place in the South-East. My attention has been drawn to a recent article in the *News*, which states:

Sixteen first constables and constables from sheep-breeding areas have been attending a 10-day anti-sheep-stealing course at the detective training school here.

That is, in Melbourne. Continuing:

The policemen are being educated in: relevant laws covering transport, disposal, etc.; prevention and detection of theft; forensic science in application to investigation of sheep theft; and practical aspects of the sheep industry. A police spokesman said the course was designed to enable local country police to work more effectively with the Criminal Investigation Branch's livestock squad.

Will the Premier take this matter up with the Chief Secretary, and ascertain whether the Police Force in this State could confer with the Victorian Police Force on this matter?

The Hon. FRANK WALSH: I shall be pleased to take that matter up with my colleague and, as soon as a report is available, I will inform the honourable member.

The Hon. D. N. BROOKMAN: Prior to the last election the previous Government announced that it intended to repeal the Travelling Stock Waybills Act, and to replace it by certain administrative provisions, whereby members of the Police Department could deal adequately with stock thefts. It was considered that the

Act was burdensome to stockowners, carriers, agents and others, and it was doubtful whether it was responsible at any time for ever preventing (or for at least detecting) the theft of any stock. On inquiring last year, the Police Commissioner reported that a more effective provision could be introduced that would result in less bureaucracy affecting people within the industry. As I imagine that the present Government will not differ greatly from that view, will the Minister of Agriculture inform the House whether any action will be taken in this respect?

The Hon. G. A. BYWATERS: Yes, that action will be taken.

MURRAY RIVER SALINITY.

Mr. CURREN: As the matter of salt content in the Murray River greatly concerns most settlers in the area, and as a high salt content has been recently detected, can the Minister of Irrigation give members the latest report on this matter?

The Hon. G. A. BYWATERS: The honourable member asked me whether I could give information relating particularly to that part of the river in his own district at Barmera, and I have a report, which states:

River near the inlet to Cobdogla pumping station:

- August 2, 320 parts per million or 22.4 grains per gallon.
- August 9, 340 parts per million or 23.8 grains per gallon.
- August 16, 400 parts per million or 28.0 grains per gallon.
- August 23, 380 parts per million or 26.6 grains per gallon.
- August 30, 360 parts per million or 25.2 grains per gallon.
- September 6, 260 parts per million or 18.2 grains per gallon.
- September 13, 210 parts per million or 14.7 grains per gallon.

These readings indicate that reasonably fresh water will be available for the first general irrigation in the Cobdogla irrigation area, which has been interrupted by rain. The benefits from the rain have thus been far more than the actual amount of rainfall in that irrigation, with saline water being avoided in the main.

SUBORDINATE LEGISLATION.

The Hon. Sir THOMAS PLAYFORD: Yesterday, the Subordinate Legislation Committee tabled in this House three reports, all recommending that regulations be disallowed. The first recommendation concerned the Tea Tree Gully council, and on the Notice Paper was a notice of motion by the Chairman of the committee covering the position and affording honourable members an opportunity to debate the matter. Obviously, there could be no complaint about that. The other two recommendations concerned Kensington and Norwood council and Unley council. As both regulations were laid on the table of the House on May 13, 1965, obviously the reports could not be acted on by the House. I understand that in another place, before the recommendations were made to this House, a representative of the Subordinate Legislation Committee gave notice of a motion for disallowance. Can you say, Mr. Speaker, whether the committee should, first, report to the House within the time allowed for disallowance and, secondly, be obliged to notify both Houses of Parliament at the same time?

The SPEAKER: The Subordinate Legislation Committee has an equal responsibility in respect of both Houses, and it should see that members of this Chamber are given the same opportunities as those afforded to members in another place. However, this matter requires further investigation, and I should like an opportunity to examine it and discuss it with the Chairman of the committee. I believe that the matter can be attended to amicably.

WATER STORAGE.

Mr. McKEE: Has the Minister of Works a report on the quantity of water stored in our reservoirs?

The Hon. C. D. HUTCHENS: These figures are interesting and, in view of a question I was asked yesterday concerning other areas, I believe it would be beneficial if I gave figures for the whole State, which are as follows:

Reservoir.	Capacity. m.g.	Storage last year. m.g.	Storage present. m.g.
Beetaloo	819	296.0	150.0
Bundaleer	1,401	735.6	1,013.2
Baroota	1,371	283.7	326.8
Barossa	993	849.1	797.6
South Para	11,300	7,628.1	7,126.4
Mount Bold	10,440	10,388.0	7,042.0
Happy Valley	2,804	2,878.0	2,700.0
Clarendon Weir	72	63.0	72.0
Myponga	5,905	5,254.0	3,446.0
Millbrook	3,647	3,647.0	1,747.0
Hope Valley	765	716.0	672.0
Thorndon Park	142	135.0	134.0

It can be seen from the figures that the State's water position is not very satisfactory. As we have to face difficulties, we hope that we will have the co-operation of people using water. I trust that it is known that to pump water is costly, and it appears from the figures that it is most likely we will have to pump earlier than usual this year.

LOCAL GOVERNMENT (DISTRICT COUNCIL OF EAST TORRENS) BILL.

The Hon. R. R. LOVEDAY (Minister of Education) brought up the report of the Select Committee, together with minutes of proceedings and evidence.

Report received and read. Ordered that report be printed.

THE REPORT.

The Select Committee to which the House of Assembly referred the Local Government (District Council of East Torrens) Bill, 1965, has the honour to report:

1. In the course of its inquiry, your committee met on two occasions, and took evidence from the following witnesses:

Mr. W. A. Badenoch, Chairman of the District Council of East Torrens.

Mr. F. L. Jennings, Councillor of the District Council of East Torrens.

Mr. G. H. P. Jeffery, Auditor-General.

Dr. W. A. Wynes, Parliamentary Draftsman.

2. Advertisements were inserted in the daily press inviting persons desirous of submitting evidence on the Bill to appear before the committee. There was no response to these advertisements.

3. In evidence before the committee the representatives of the District Council of East Torrens stated that the amount of overdraft authorized by the Bill would give the council the temporary financial assistance it required. This opinion was supported by the Auditor-General.

4. Your committee reached the conclusion that the financial aid sought by the Bill is necessary.

5. A letter was received by the committee from the council's bankers (The Bank of Adelaide) confirming "that the terms and conditions relating to the proposed overdraft arrangements" were satisfactory to that bank.

6. Your committee is of the opinion that there is no objection to the Bill, and recommends that it be passed without amendment.

Bill read a third time and passed.

DISTINGUISHED VISITOR.

The SPEAKER: I notice in the gallery the Hon. Andrew Deoki, a member of the Legislative Council of Fiji, who has been attending the Constitutional Conference in London. I invite the honourable gentleman to take a seat on the floor of the House, and I ask the Attorney-General and the Leader of the Opposition to escort the honourable gentleman to a seat on the right hand of the Speaker.

The Hon. Mr. Deoki was escorted by the Hon. D. A. Dunstan and the Hon. Sir Thomas Playford to a seat on the floor of the House.

REFERENDUM (STATE LOTTERIES) BILL.

In Committee.

(Continued from September 1. Page 1428.)

Clause 2—"Interpretation."

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): I move:

In the definition of "elector", to strike out "whose name appears" and to insert "who at 5 o'clock in the afternoon of the 28th day preceding the day of the issue of the writ pursuant to section 3 is enrolled".

I notice the Premier's amendment on the file makes voting eligibility retrospective to August 30, but that is completely unjust: the roll should be as near as possible up-to-date at the time the referendum is taken. I have not had an opportunity of discussing with the electoral officer how long he would need to have the complete roll available, but I believe that 28 days would be ample time.

The Hon. D. A. DUNSTAN (Attorney-General): The amendment was placed on the file upon the strongest possible representation from the Electoral Department. As the Bill was drafted originally, the roll would close on the day on which the Act was assented to, but it was pointed out that there were a number of difficulties about this. If the referendum is to be held in the foreseeable future, arrangements have to be made with the Commonwealth Government for printing the rolls. The department considers that a minimum time of six weeks would be required. Mr. Douglass has pointed out that it is essential that he have a certain date and that he have it now, so that he will be able to have the roll ready for the conduct of the referendum. He has also pointed out that it is normal to conduct polls on the basis of a roll closing on a certain date, and that if a roll closes on a date before, it is possible to take the poll. The roll must be closed at a particular time, and this was the date that

he asked for so that his office would be able to take the poll when the Bill passed.

The Hon. Sir THOMAS PLAYFORD: I intended to move at a subsequent time that the Bill would operate upon proclamation. Surely this matter is not so urgent that the Electoral Department must arrange to complete the roll before the Bill is passed. After the Bill is passed, the Government can decide the time for the issue of the writs, and there would then be 28 days available for people to enrol. If there is to be a referendum, the roll should be as complete as possible. It may be six or eight weeks before Parliament finally completes consideration of this matter, assuming that it is finalized. The Returning Officer could be consulted before the Government issued the proclamation.

Mr. SHANNON: It is undemocratic to arbitrarily close the roll for a matter of some importance at a date prior to the legislation becoming law. It would preclude the people reaching the age of 21 before the vote could be taken from enrolling. Everybody who is eligible and who wishes to vote should be able to do so.

Mr. NANKIVELL: Has a date been fixed for the holding of this referendum?

The Hon. FRANK WALSH (Premier and Treasurer): No date as yet has been fixed for holding the referendum. When a date was suggested for the closing of the rolls, it was expected that this Bill would by now be under consideration in another place.

The Hon. Sir THOMAS PLAYFORD: The longer the time that elapses between the date fixed according to the Premier's amendment and the date for the holding of the referendum, the greater the number of people who will be disfranchised. I should have thought the purpose of a referendum would be to give people an opportunity to vote.

The Hon. FRANK WALSH: If this Bill passes through its remaining stages this afternoon, a message will be sent to another place. If the Bill has passed through both Houses by this time next week there will be no hesitation on my part to declare a date for the holding of a referendum. I had imagined, when this measure was originally introduced, that we would have been able to hold the referendum in October, at the latest.

Mr. SHANNON: Obviously, certain assumptions had to be made: first, that it would pass this House within a certain time; and secondly, that it would pass in another place

also within a certain time, so that a referendum could be conducted. It is unwise to make assumptions on the passage of legislation, and it is indeed unfair to try to fix a date on which people, if they desire to vote, shall place their names on a roll.

Mr. HEASLIP: The date stated in the Premier's amendment is August 30—nearly three weeks ago. We do not know how long it will be before the Bill is passed, if it is passed at all. This amendment may disfranchise some people who are interested in this measure.

The Committee divided on the amendment:

Ayes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Heaslip, McAnaney, Millhouse, Pearson, Sir Thomas Playford (teller), Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, and Mr. Teusner.

Noes (18).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Curren, Dunstan, Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Pair.—Aye—Mr. Nankivell. No—Mr. Corcoran.

Majority of 2 for the Noes.

Amendment thus negatived.

The Hon. FRANK WALSH: I move:

In definition of "elector", after "roll" to insert "in force at five o'clock in the afternoon of the thirtieth day of August, 1965."

As this matter has been debated exhaustively, I merely ask the Committee to support the amendment.

The Hon. Sir THOMAS PLAYFORD: The Premier's amendment would undoubtedly deprive many people of a vote. There is no justification for the amendment and it is not in accordance with the rules of the Labor Party, which state that there should be a referendum of the people, whereas this is a referendum of only some of the people.

Mr. Jennings: At least everybody will have a vote of equal value.

The Hon. Sir THOMAS PLAYFORD: Yes, if they are lucky enough to get a vote at all. The Premier's amendment has no merit whatever. The Commonwealth Constitution prescribes that certain time shall elapse after the passing of legislation before a referendum can be held, and in all the referenda on important matters ever held in other places it has always been stipulated that a certain time shall elapse. However, here the Government is trying to rush the referendum through without its implications being properly considered by

the people. Making the roll date back to a date before the Bill is even passed is completely undemocratic.

Mr. SHANNON: I move the following amendment to the Premier's amendment:

To strike out "August" and to insert "October".

By the Premier's amendment, not only do we close the roll but we open the door to the Government to hold a snap poll on this matter if it thinks it wise to do so, and it would give no chance for the opponents of this measure to discuss it thoroughly with the people. My amendment as least ensures some latitude for those who want to discuss this question before it goes to a vote.

The Committee divided on Mr. Shannon's amendment:

Ayes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Heaslip, McAnaney, Millhouse, and Pearson, Sir Thomas Playford, Messrs. Quirke, Rodda, and Shannon (teller), Mrs. Steele, and Mr. Teusner.

Noes (18).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Curren, Dunstan, Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Pair.—Aye—Mr. Nankivell. No—Mr. Corcoran.

Majority of 2 for the Noes.

Amendment thus negatived.

The House divided on the Hon. Frank Walsh's amendment:

Ayes (18).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Curren, Dunstan, Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Noes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Heaslip, McAnaney, Millhouse, and Pearson, Sir Thomas Playford (teller), Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, and Mr. Teusner.

Pair.—Aye—Mr. Corcoran. No—Mr. Nankivell.

Majority of 2 for the Ayes.

Amendment thus carried.

Mr. SHANNON: I understand that the Leader of the Opposition intends to move an amendment to make it necessary for a Bill—

The CHAIRMAN: There are no further amendments to this clause.

Mr. SHANNON: I may be moving one: I refer to clause 2.

The CHAIRMAN: Order! The honourable member for Onkaparinga is out of order in referring to amendments dealing with a later clause.

Mr. SHANNON: I am referring to clause 2, "Interpretation", and to the definition of "prescribed question". This definition may be changed, and I suggest to the Leader that he consider the necessity of altering this definition. To me it is important.

The Hon. Sir THOMAS PLAYFORD: I ask that the Committee consider postponing consideration of clause 2 until after clauses 3 and 4 have been considered, as the latter two clauses have an important bearing on the definition relating to this matter.

The CHAIRMAN: Order! Standing Order 308 provides that a clause may be postponed unless it has already been considered and amended. As this clause has been amended it cannot be postponed.

The Hon. Sir THOMAS PLAYFORD: This clause deals with definitions, and the definition in question has not been amended. Will you, Mr. Chairman, say whether Standing Order 308 would apply in this case?

The CHAIRMAN: The clause may be later recommitted, if the Committee desires, but it may not be postponed.

The Hon. FRANK WALSH: If and when this Bill is amended, I should be the first to ask for the privilege of having it recommitted.

Clause as amended passed.

Clause 3—"Issue of writ for referendum."

The Hon. Sir THOMAS PLAYFORD: I move:

To strike out "(1) As soon as practicable after the commencement of this Act" and insert the following:

(1) Section 1, this subsection and subsection (1a) of this section shall come into force on the day on which this Act is assented to by the Governor.

(1a) The other provisions of this Act shall come into force on the day fixed by the Governor by proclamation. No such proclamation shall be made until a Bill for the establishment and conduct of a lottery or lotteries by or under the authority of the Government of the State has been passed by both Houses of Parliament.

(1b) After the expiration of three months after the passing of the Bill referred to in subsection (1a) of this section.

After subclause (1) to insert the following proviso:

Provided that no such writ shall be issued after the expiration of six months after the said passing.

These amendments are followed by consequential amendments, which I do not think I need read in detail. The purpose of the amendments is to bring the taking of this referendum into line with the practice that has been almost universally laid down for the taking of referenda. Having studied the various authorities in the Parliamentary Library, I point out that a referendum should be submitted to the people in a concrete and unambiguous way. I shall now quote from the Constitution of Australia Act, under which we are governed in this country, and which deals with the question of taking a referendum for the purpose of altering the Constitution. Section 128 states:

The Constitution shall not be altered except in the following manner: The proposed law for the alteration thereof must be passed by an absolute majority of each House of the Parliament, and not less than two nor more than six months after its passage through both Houses the proposed law shall be submitted in each State to the electors qualified to vote for the election of members of the House of Representatives. But if either House passes any such proposed law by an absolute majority, and the other House rejects or fails to pass it or passes it with any amendment to which the first-mentioned House will not agree, and if after an interval of three months the first-mentioned House in the same or the next session again passes the proposed law by an absolute majority with or without any amendment which has been made or agreed to by the other House, and such other House rejects or fails to pass it or passes it with any amendment to which the first-mentioned House will not agree the Governor-General may submit the proposed law as last proposed by the first-mentioned House and either with or without any amendments subsequently agreed to by both Houses, to the electors in each State qualified to vote for the election of the House of Representatives.

When the proposed law is submitted to the electors the vote shall be taken in such manner as the Parliament prescribes. But until the qualification of electors of members of the House of Representatives becomes uniform throughout the Commonwealth, only one-half the electors voting for and against the proposed law shall be counted in any State in which adult suffrage prevails. And if in a majority of the States a majority of the electors voting approve the proposed law, and if a majority of all the electors voting also approve the proposed law, it shall be presented to the Governor-General for the Queen's assent.

It is strictly laid down that a referendum be taken on a precise matter. The correct procedure is for a copy of the Bill passed by Parliament to be submitted to each elector. Both sides of the case have to be presented to the electors. Clause 4 is too wide, and does not indicate who will run the lottery, if

it is established. My amendment is designed so that the precise terms of the lottery will be set out. Then the people can decide whether or not they want such a lottery, and whether it is designed to promote gambling or to curtail it. We should not put the cart before the horse. If the Premier included a clause at the end of the Bill providing that a lottery would be established if it were approved by the people at a referendum, the Bill would not be passed because certain members of the Government Party would not support such a Bill. In his second reading explanation, the Premier said that he wanted the people to give a *bona fide* opinion on this matter, and my amendment will provide for this.

The whole matter should be ventilated and not rushed through with an electoral roll that closed a fortnight ago. My amendments provide that a Bill will be passed, that it shall then be submitted in the referendum, and that it shall be submitted in the same way as a referendum would be submitted if it were an alteration to the Constitution under the Constitution Act.

The CHAIRMAN: Since receiving these copies of amendments I have considered the question of the admissibility of amendments. I find that the 17th Edition of Erskine May's Parliamentary Practice lays it down (at page 550) that an amendment which would reverse the principle of the Bill as agreed to on the second reading is not admissible. The Leader of the Opposition has used different words from "reversing the principle of the Bill"; he has referred to "putting the cart before the horse". I consider this amendment by the Leader of the Opposition reverses the principle of the Bill as agreed to on the second reading. I therefore rule the amendment out of order.

The Hon. Sir THOMAS PLAYFORD: I move:

That the Chairman's ruling be disagreed to.

The CHAIRMAN: Pursuant to Standing Orders, the Leader of the Opposition must state his objection in writing.

The Hon. D. N. BROOKMAN: Mr. Chairman, on a point of order, while this is being prepared, would you mind repeating—

The CHAIRMAN: Order! No point of order can be taken until this matter is disposed of.

The Chairman left the Chair and the Speaker was called.

The CHAIRMAN: Mr. Speaker, I have to report that the honourable the Leader of the Opposition moved an amendment which, among other things, included this provision:

No such proclamation shall be made until a Bill for the establishment and conduct of a lottery or lotteries by or under the authority of the Government of the State has been passed by both Houses of Parliament.

I have pointed out that the 17th Edition of Erskine May's Parliamentary Practice, at page 550, lays it down that an amendment which would reverse the principle of the Bill as agreed to on the second reading is not admissible. I consider this amendment of the Leader reverses the principle of the Bill as agreed to on the second reading, and I therefore ruled the amendment out of order. The Leader disagreed with my ruling and has stated, pursuant to Standing Order No. 161, in writing:

The ruling of the Chairman prohibits consideration of an amendment which is not outside the principles of the Bill. The Bill provides conditions under which a referendum may be taken, and the amendments merely seek to alter and add to those conditions.

The SPEAKER: I rule that the ruling of the Chairman of Committees is upheld.

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): I respectfully move:

That the Speaker's ruling be disagreed to.

The SPEAKER: Is the motion seconded?

The Hon. G. G. PEARSON (Flinders): Yes, Sir.

The Hon. Sir THOMAS PLAYFORD: I desire to speak to this motion. The quotation from Erskine May, which has been referred to, refers to reversing the principles of the Bill, whereas my amendment does not reverse the principles of the Bill. These principles, as carried on the second reading of the Bill, were to submit to the people a referendum whether they desired a lottery to be held or not. I do not reverse that: I am trying to give the people the right to know what they are voting for in this referendum. Erskine May has laid down that Parliament is in charge of its own business. This amendment should be considered by Parliament: it is not outside the terms of the Bill; it seeks to facilitate the terms of the Bill more amply than is proposed by the original legislation. Surely it is proper that honourable members should be able to consider in Committee the terms of any amendment that may be moved.

The Hon. G. G. PEARSON: I support the Leader, with great respect to yourself, Sir, and say that the title of the Bill proves the case submitted by the Leader:

An Act to provide for the submission to a referendum of a question in relation to the promotion and conduct of State lotteries.

Nothing suggested by the Leader's amendment and in the clause to which the Committee was referring in any way abrogates the main principle or provisions of this Bill. The amendment places no embargo on the conduct of the referendum, but recites in clearer terms the question to be submitted in the referendum.

The Hon. FRANK WALSH (Premier and Treasurer): This Bill seeks from the people entitled to vote their views on whether a Bill should be introduced to provide for a lottery. I have said here and publicly that we told the people in the last election campaign that if we were returned we would provide—

The SPEAKER: I ask the Hon. the Premier not to open the debate. It is limited at present, and refers to the question of whether the ruling should be upheld.

The Hon. FRANK WALSH: I shall proceed in that direction. The objections raised by the Leader and Deputy Leader presuppose something that is not in the Bill, whereas the proposals are simply set down. If and when this Bill is passed and proclaimed, the people will have the right to express their views. When the people indicate their attitude, this will be a direction to the Government, and if they do not want a lottery the Government will not introduce the legislation. I have said publicly that I would not take sides or give any indication of whether I would favour it or not. The people of this State have more or less made up their minds whether they want a lottery, because this social question has been in the forefront of discussion for many years. The Leader of the Opposition has had 27 years in which to determine his attitude.

The SPEAKER: I cannot allow a debate on the merits of the Bill. The question before the Chair is whether the previous ruling should be upheld.

The Hon. FRANK WALSH: I shall not transgress any further, nor do I intend to upset your ruling, Sir, or the conduct of the House. I firmly believe that the reasons given by the Leader as to why your ruling should not be upheld are contrary to the question under consideration, and under those circumstances I entirely support your ruling.

Mr. MILLHOUSE (Mitcham): I entirely support the arguments put forward by both the Leader and Deputy Leader in their disagreement with your ruling on this matter, Sir. The Premier said that the question to be put to the people on this Bill was simple, and then he gave his own extraordinary interpretation of it, namely, that the Bill was to seek from the

people their views as to whether a Bill should be introduced for a lottery. How on earth the Premier can make that statement on this question, I do not know.

The SPEAKER: I have called the Premier to order for debating that subject, and I cannot allow the member for Mitcham to continue on those lines.

Mr. MILLHOUSE: I certainly defer to your ruling, Sir, but I was only refuting something that was said without your stopping it. Surely, the only principle behind this Bill is whether or not a referendum on lotteries should be conducted. Surely, the reverse to the provisions of the Bill is that we should not have a referendum. The amendments put forward by the Leader of the Opposition are not to that effect: they presuppose that a referendum on this matter will be conducted, but add the further condition that that referendum should not be held until after a Bill has been passed by both Houses of Parliament.

I am surprised at the ruling you have given on this matter, Sir, because if that ruling is upheld it will mean that no member of this House will ever be able to move a substantial amendment to any Bill before the House in the future. If any substantial variation from any Bill is moved, the ruling will be that we are negating the principle of the Bill. I say with all due deference to you, Sir, that that is contrary to all my experience in this House, and I think it will be the worse for the House and for its working if such a principle is introduced at this stage. Surely, this amendment provides for a perfectly permissible variation of the conditions under which the referendum will be held.

The Hon. D. N. BROOKMAN (Alexandra): I am hopeful, Sir, that you will do something that I have never seen a Speaker do before, and that is that, having listened to the arguments on this matter, and if being convinced by those arguments you consider you have made a mistake, you will be prepared to say so and to alter your ruling. The amendment is not a reversal of the principle of the Bill. I do not know what attitude will be taken later on in this debate, but it would be just as logical to rule out of order any amendment referring to compulsion and to rule that as a reversal of the principle of the Bill. In this case, it is obvious that the amendment does not negate the principle of the Bill, and nobody has risen to support your ruling, Sir.

The Premier spoke some minutes ago, but I do not quite know what he said, although he did say that this Bill was forthright in its

proposals. I say it is forthright in its obscurity. The principle that has been stated again and again in this debate was set out by the Premier at the beginning, when he said that the Bill's object was to provide for the taking of a compulsory referendum on the question of State lotteries. How can the Leader's amendment possibly be reversing that principle? I hope that, having listened to this debate, you, Sir, will reconsider your decision and change your ruling to allow the debate to progress as was expected.

Mr. SHANNON (Onkaparinga): I have been associated with you, Mr. Speaker, in this Parliament for many years, and it is an unhappy task for me to disagree to your ruling. The member for Mitcham used the word "variation". However, I do not believe that the amendment is a variation, but rather that it is an extension of the definition. Instead of a simple question (as the Government refers to it) being put to the people, the Leader proposes that a more comprehensive question be put which will give more information. By the Chairman's ruling we have been denied an opportunity to debate the amendment, and it would be a grave departure from Parliamentary practice if such a step were taken.

The Hon. B. H. TEUSNER (Angas): I reluctantly disagree to your ruling, Mr. Speaker. The principle of the Bill is set out in the title, namely, "To provide for the submission to a referendum of a question in relation to the promotion and conduct of State lotteries". The Premier's second reading speech also makes it crystal clear that the principle of the Bill is the holding of a referendum. I understand Erskine May's reasoning when he says that any reversal of principle by any amendment which amounts to a reversal of the principles of a Bill would be out of order. Any member who opposed a Bill could vote against the principles on the vote on the second reading. However, I do not believe there is any suggestion of a reversal of principle in the Leader's amendment. It simply amounts to a variation of a clause in the Bill, and it would provide further enlightenment for the people, who will be asked to exercise their vote. I agree with other speakers who have said that this ruling, if it is upheld, could prevent members from moving amendments to clauses in other Bills that do not amount to more than variations of particular clauses. Mr. Speaker, I hope that, in view of the arguments that have been advanced by previous speakers, you will reconsider your ruling and reverse it.

Mr. LAWN (Adelaide): I rise to support the ruling given by you, Mr. Speaker, and, I suppose, given by me. I think it was the member for Mitcham who pointed out that no member on this side had risen to support the Speaker's ruling, so I thought perhaps I was obliged to speak. I thought that, if I spoke, I might be accused of wasting the time of this House, but seeing that honourable members want the position explained, and not all the one way, let me explain the attitude I adopted. First, I make two replies to the member for Onkaparinga and the member for Angas. The member for Onkaparinga said that members had been denied the right of discussing an amendment. I point out that the mover was permitted to move his amendment; as Chairman, I waited until he had fully concluded his remarks before giving my ruling, so at least the mover of the amendment was not denied any opportunity. That is the correct time for a Chairman (if he carries out his duties properly) to give his ruling: he should not wait until half the members of the Committee have spoken before doing so. Secondly, the member for Onkaparinga suggested that this matter was sprung on the Speaker, that the Speaker had not had time to consider the matter and that upon reflection he might reconsider the position.

Upon my taking the Chair today some pages of amendments were presented to me; I had not seen them before. Some of those amendments related to clause 2, on which considerable discussion took place. The next amendment—the one which brought this position about—concerned clause 3. It is the duty of the Speaker and the duty of the Chairman to rule whether amendments are in order. The member for Angas often rises in this House and raises points of order that I am out of order in speaking. As an ex-Speaker, he knows that it is part of the duty of the Speaker or Chairman to rule whether amendments are in order and whether a Bill is in order. A Bill has been ruled out of order by a previous Speaker. I attempted to consider whether this sheaf of amendments presented to me were in order, and as a considerable discussion took place on the interpretation clause I was able to study fully the further amendments proposed by the Leader. He moved first to strike out certain words and to insert:

(1) Section 1, this subsection and subsection (2) of this section shall come into force on the day on which this Act is assented to by the Governor.

(2) The other provisions of this Act shall come into force on the day fixed by the

Governor by proclamation. No such proclamation shall be made until a Bill for the establishment and conduct of a lottery or lotteries by or under the authority of the Government of the State has been passed by both Houses of Parliament.

(3) After the expiration of three months after the passing of the Bill referred to in subsection (2) of this section.

There was a list of other subsequent amendments. It is clear from the amendment which I just read out that it is a complete reversal of the principles of the Bill. The Bill states that it is proposed to permit a referendum by the people as to whether or not they want to see a lottery established in this State. If the Bill is carried a referendum of the people will be taken to see whether or not they desire a lottery. That is the Bill. If the amendment is carried the Bill will have no effect until another Bill is passed by this House establishing a lottery.

The Hon. Sir Thomas Playford: That is not a reversal: that is what will happen, anyway.

Mr. LAWN: The Leader is agreeing with me: he says that is what will happen anyway. The point is that this Bill proposes that we shall have one Bill and a referendum first before we have the other Bill. It is a complete reversal of this Bill to insert a provision to make it necessary to have two Bills before the referendum. I listened attentively to the Leader, and he admitted that when he was speaking. He drew attention to the provisions of the Bill; he disagrees with them, and he is entitled to do that, but he is disagreeing with a Bill that says we should take a referendum without knowing exactly what the second Bill will provide. He is perfectly entitled to say that, but he wants an opportunity to put the cart before the horse. In effect he was telling the Committee that the Bill was wrong, and that we have to completely reverse it. But the Leader himself knew he was doing something exactly contrary to the Bill. Members opposite think that this has never been done before, but it has been done before, and I do not have to name cases. This very session the Leader has an amendment already moved to a second reading motion, and the second reading has not been carried.

The Hon. Sir Thomas Playford: The same procedure that you are objecting to is provided for on the Notice Paper at the present moment.

The Hon. D. A. DUNSTAN (Attorney-General): I oppose the motion because I think your ruling is entirely correct, Sir. This Bill provides that a referendum of the people shall

be taken to give their opinion to Parliament on the principle of the establishment of a State lottery. What the Leader has moved is that, instead of the people being asked and then Parliament giving effect to the intention they have expressed at a poll, no poll is to be taken until after Parliament has passed a measure completely establishing a State lottery, and which will not necessarily provide that the establishment is subject to the poll. There is nothing in the amendment to make it subject to a poll. Under the amendment the poll will not be held until Parliament has passed legislation and established a State lottery. Honourable members opposite know the whole purpose of the amendment is to make the Bill nugatory, and that has been the attitude of the Leader during this debate.

Mr. HALL (Gouger): I have declared myself in favour of a State lottery if one is properly put to this Parliament and to the people.

The SPEAKER: I ask the honourable member not to pursue that argument. The question is whether the ruling given from the Chair is correct.

Mr. HALL: I approve of the taking of a referendum that has been properly constituted, but I agree with the Leader that your ruling, Sir, is not correct. How can anyone who wants a referendum negate it? We believe that the people should be told of all the conditions. A similar amendment has been accepted to another motion, and I hope, Sir, that if your ruling is upheld now, you will give the same ruling in that instance.

Mr. QUIRKE (Burra): I support the disagreement to your ruling, Sir, and do so with considerable sadness. You are a long-respected friend of mine and a man for whose honour and integrity I have the highest regard. Your ruling can possibly be reversed by a future Speaker, but it will be a precedent for this Parliament, unless you reverse it. I maintain that your ruling is wrong, because you have not had sufficient time to consider all the implications of this question. I am not saying it is a simple question to resolve, for it is not. Many able speakers, including the ex-Speaker, have given opinions disagreeing with your ruling, Sir. The Chairman of Committees, in the absence of any support from the Government side, or from you, Sir, felt compelled to stand up and to substantiate his own ruling, which I have never seen done before. Then the Attorney-General, shamefacedly and belatedly, rose to his feet to support you. I was looking for a lawyer to conduct a case for me, and I

had thought of employing the Attorney-General, but now I have ceased even to think about that. I suggest that progress be reported, and that the Government take time to study this question.

The SPEAKER: This question must be decided forthwith.

Mr. HUDSON (Glenelg): I rise to support your ruling, Sir. The question we should ask ourselves is, "What is the effect of carrying this amendment?" If the amendment were carried the Government would have no alternative but to withdraw the Bill. What would be the point of passing a Bill that provided the Government should introduce another Bill? If members opposite wish to adopt that procedure then the correct thing to do would be to move an amendment at the second reading stage, as was the case when the Leader of the Opposition moved an amendment concerning the Constitution Act Amendment Bill. He asked that the Bill be withdrawn and redrafted to take certain things into account. If the Opposition wants to do the same thing in this case it should ask that this Bill be withdrawn and redrafted to make those amendments. If any member of the Opposition can demonstrate the point of carrying a Bill that stipulates that another Bill must be passed, I should be most interested to see it. An amendment seeking to do the same thing could well be moved to the next Bill, and we could go on *ad infinitum*. If an amendment causing a Bill to be withdrawn is carried, then if it is not a negation of the principle involved in that Bill, I do not know what is. I fully support your ruling, Mr. Speaker.

The Hon. Sir THOMAS PLAYFORD (Leader of the Opposition): When moving the amendment I went to the trouble of explaining that my amendment conformed to the laws applying in almost every country in the world where referenda are taken, and that therefore the amendment could not be a negation of the second reading explanation. I quoted the Constitution Act of Australia, which lays down that, before a referendum relating to an alteration of the Constitution can be taken, a Bill must be passed.

Mr. Jennings: This does not concern the Constitution.

The Hon. Sir THOMAS PLAYFORD: That is a law providing for a referendum, exactly the same as this one provides for. However, you, Sir, gave a ruling which, if accepted by the House, will mean that the Opposition cannot move a substantial amendment to any

Bill. We saw only a short while ago, when my colleague the member for Mitcham introduced a Bill to provide for safety belts in motor cars, that an amendment was moved which completely negated the second reading explanation.

Mr. McAnaney: Emasculated it!

The Hon. Sir THOMAS PLAYFORD: I can give a dozen cases—

Mr. Jennings: Particularly in your own term of office!

The Hon. Sir THOMAS PLAYFORD: I do not object to Government members moving amendments. When my Government was in office we allowed matters to come before Parliament and to be properly discussed. If this amendment is accepted it will mean that a new principle relating to the taking of referenda will be introduced. My amendment was not a negation; it set out the conditions under which this referendum should be taken. The Bill sets out certain conditions in all the relevant clauses (and may I say that some of them are pretty badly-framed clauses). The Bill, in clause 4, sets out the question that shall be put. I desire to have a slightly different question put—a positive question, instead of an ambiguous one. Is that a negation of the second reading of the Bill? Obviously it is not!

Our amendment provides not that a referendum shall not be taken, but that the people shall have an opportunity to say what they are voting for. Surely they should be permitted to vote on that question. If this were a negation, why should the provision to which I have referred be included in the Constitution of Australia? That is the highest authority in this country that I know, and, with due respect to you, Mr. Speaker, it is a higher authority than yours. I positively assert that, if you maintain your ruling, the rules and privileges of the minority of this House will be swept aside. I emphatically oppose your ruling, Sir.

The SPEAKER: I appreciate the manner in which my ruling has been debated, and I also appreciate the concern expressed by members of the Opposition, and generally. True, I acted on advice, but I have had an opportunity to have a further look at proceedings in this Parliament, and at Erskine May's volume, for a precedent, and I am convinced that the ruling I gave is the correct one. I am speaking now only because I was asked to reconsider my ruling. Erskine May refers to a debate after the second reading of a Bill, and clearly sets out that any motion submitted in Committee

which has the effect of reversing the principle of a Bill is inadmissible. The Chairman of Committees ruled accordingly. I have examined the cases in the House of Commons referred to by Erskine May, and I believe that those are the rules that we are expected to administer. I believe that the Chairman's ruling is correct because the amendment is a reversal of the principle in the Bill. This ruling does not mean any abrogation of the rights of the minority or any alteration to the practices in this Parliament.

I believe I am entitled to refer to a debate that took place on November 2, 1960, when the member for Angas was Speaker in this place. On that occasion a motion moved by the then Leader of the Opposition was ruled out of order, and exactly the same ruling was given as has been given today. On that occasion the motion of the then Leader of the Opposition was merely to leave out clauses 32 to 34 inclusive and insert therein clause 35. The ruling given was that the proposed amendment was out of order because it was a reversal of the principle of the Bill as agreed to on the second reading, and that ruling was upheld. Therefore, this ruling does not mean any departure from the accepted practice in this place.

The House divided on the motion to disagree to the Speaker's ruling:

Ayes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Hall, Heaslip, McAnaney, Millhouse, Nankivell, Pearson, Sir Thomas Playford (teller), Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, and Mr. Teusner.

Noes (19).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Curren, Dunstan, Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Lawn, Loveday, McKee, Ryan, and Walsh (teller).

Majority of 3 for the Noes.

Motion thus negated.

In Committee.

The Hon. Sir THOMAS PLAYFORD: As the amendments I proposed could not be considered by the Committee, I ask the Premier whether he will report progress to enable me to present further amendments that may be acceptable to the Chairman of Committees.

The Hon. FRANK WALSH: No, Mr. Chairman.

Mr. SHANNON: I move:

To strike out "As soon as practicable" and insert "Not sooner than two months".

The reasons for my amendment are fairly obvious. We have not been told what time

is likely to elapse after the passing of the Bill before the question is put to the people. The Government is trying to shelter behind a referendum in order to avoid the obloquy of bringing forward a Bill. It seems to me to be appropriate that there should be no undue haste in this matter—haste that could be interpreted as an endeavour to foist upon the people something without their being thoroughly informed. Perhaps two months is little enough time to allow.

The Hon. FRANK WALSH: I hope the honourable member does not press the amendment. I give a solemn assurance that nothing will be done within three weeks, possibly four, of the Bill being assented to. That is as far as I am prepared to go.

The Hon. Sir THOMAS PLAYFORD: I believe it is desirable that on an issue of such importance ample time should be given to enable people to consider this matter. What is the objection to giving a couple of months for consideration?

Mr. SHANNON: The words "as soon as practicable" must mean that there is some urgency, and I would have thought that some Government members would have pointed out to the Committee what the urgency was. Nothing is gained by undue haste on social questions.

Mr. MILLHOUSE: I see no reason why we should not safeguard this Bill to allow members of the community to discuss this matter. Apparently the people of the State are to be denied this safeguard and will not be able to hear the pros and cons debated on the question to be put to them in a referendum. This amendment suggests two months, and no doubt follows the Commonwealth Constitution precedent. The Premier has said that the referendum will not be held sooner than three weeks after the passing of the legislation, but apparently he will not insert any such undertaking in the Bill. If this amendment is not carried, I intend to test the Premier's sincerity by moving a further amendment for a shorter period.

The Committee divided on Mr. Shannon's amendment:

Ayes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, McAnaney, Millhouse, Nankivell, and Pearson, Sir Thomas Playford, Messrs. Quirke, Rodda, and Shannon (teller), Mrs. Steele, and Mr. Teusner.

Noes (18).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark,

Curren, Dunstan, Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Pair.—Aye—Mr. Heaslip. No—Mr. Corcoran.

Majority of 2 for the Noes.

Amendment thus negatived.

Mr. MILLHOUSE: I move:

To strike out "As soon as practicable" and insert "Not sooner than four weeks".

This amendment is in a similar form to the one that has just been lost, but it is not the same. It is in line with the undertaking that has been given by the Premier this afternoon:

Mr. Jennings: If he has given it, why worry? He is a man of his word.

Mr. MILLHOUSE: I say, "If he has given it, why not accept the amendment, and write it into the clause?" That would be far more appropriate.

The CHAIRMAN: Order! The Committee has already voted on this amendment, and I therefore cannot allow it again.

Mr. MILLHOUSE: The debate on the previous amendment concerned leaving out the words "as soon as practicable".

The CHAIRMAN: The member for Mitcham is moving a similar amendment and cannot move to delete those same words in his amendment.

The Hon. Sir THOMAS PLAYFORD: The Committee has already decided not to strike out the words "as soon as practicable". I agree with your ruling, Mr. Chairman, because that has already been decided. However, I think the purpose of the member for Mitcham can be achieved if, after the word "practicable", he inserts "after the expiration of four weeks". If he does that, it will be in order, and we shall then be able to consider that amendment.

Mr. MILLHOUSE: Of course, Mr. Chairman, I defer to your ruling, and I adopt the advice given by my Leader. I desire to withdraw the amendment.

The CHAIRMAN: It has already been ruled out of order. There is no amendment before the Chair.

Mr. MILLHOUSE: With your permission, Sir, there will be in a second.

The Hon. D. A. Dunstan: You are only being obstructive.

Mr. MILLHOUSE: I move:

After "practicable" to insert "after the expiration of four weeks".

That will attain the result I desire, and it will not impinge on the vote just taken. This amendment will allow sufficient time for discussion in the community for and against the

referendum and, again, it is in line with the undertaking given by the Premier. I very much resent the interjection that I have just heard made by the Attorney-General, namely, that I am merely trying to obstruct the business of this Committee. Indeed, it is in line with the attitude he has been taking not only in the Chamber but outside, as to the tactics of the Opposition. We are entitled to move amendments and to try to protect the rights and privileges of the people of this State, one being the right of free speech, and discussion on a matter that is to come before them.

The Hon. FRANK WALSH: I have already intimated that I am not prepared to accept the amendment, and I do not intend to go back on that decision. I would add, however, that although I do not object to the display that has taken place this afternoon, I am a little concerned about it. If the Bill passes through both Houses in its present form and the people vote in favour, the Government will introduce the legislation necessary for a lottery. However, I have given an assurance, and I will not accept the amendment.

Mr. SHANNON: I accept the Premier's assurance, and I know it is honestly given. I should, however, remind the Premier that he is not the free agent he may think he is.

The Hon. G. A. Bywaters: He has a loyal Party behind him.

Mr. SHANNON: I shall now refer to history. I speak of the time when the late M. R. O'Halloran was Leader of the Labor Party, and I had the greatest admiration for him. A Bill was before this Chamber dealing with the redistribution of the House of Assembly districts. Mr. O'Halloran condemned it in appropriate language from his Party's point of view. The Bill proceeded through its various stages, and Mr. O'Halloran and all other members of his Party voted for the third reading.

Mr. Jennings: What has that got to do with this measure?

Mr. SHANNON: It has everything to do with a promise that may or may not be capable of being kept. If the Premier wants assurance that what he wants to be done will be done then he should accept this amendment. I question not the Premier's sincerity, but the forces behind him. On the occasion to which I have referred, an instruction was delivered to the Parliamentary Party by an organization outside the Parliament. It was delivered to the Leaders in both Chambers, Mr. Frank Condon and Mr. O'Halloran. Both had spoken against the Bill, but both voted for it on

instructions from outside Parliament. *Hansard* cannot be rewritten and what has been said is there for all time for all to read.

Mr. Clark: Events have proved that we were right.

Mr. SHANNON: I do not care what events have proved. I am merely saying that things can happen over which we have no control and things will happen to the honourable member during the life of this Parliament over which he will have little control. I support the amendment.

The Committee divided on Mr. Millhouse's amendment:

Ayes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, McAnaney, Millhouse (teller), Nankivell, and Pearson, Sir Thomas Playford, Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, and Mr. Teusner.

Noes (18).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Curren, Dunstan, Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Pair.—Aye—Mr. Heaslip. No—Mr. Corcoran.

Majority of 2 for the Noes.
Amendment thus negatived.

[*Sitting suspended from 6.2 to 7.30 p.m.*]

The Hon. Sir THOMAS PLAYFORD: If we pass this clause, Mr. Chairman, will the Committee be allowed to consider, at the appropriate time, the matters contained in the writ as stated in Form A, or will it be held that a vote has already been taken on this matter, and the Committee will be unable to amend the form of the writ?

The CHAIRMAN: I rule that the clause is in order, and draw the attention of the Leader to Standing Order 310.

The Hon. Sir THOMAS PLAYFORD: I am not asking whether the clause is in order.

The CHAIRMAN: The passing of clause 3 will not prejudice any discussion about the Schedule, and Form A is in the Schedule.

Clause passed.

Clause 4—"Question to be submitted to electors."

Mr. SHANNON: This is the nub of the Bill, and is the form of question to be presented to the electors which decides which information the electors will get. The form of the question is so nebulously drafted that no elector could be assured of anything happening which he might imagine would happen, and which he might be told would happen. He could be told that the profits would be devoted to charitable

purposes and that our hospitals would benefit greatly, but no such thing will necessarily happen. "Promotion" has a wide meaning; all sorts of thing in the commercial world, desirable and undesirable, are promoted. I do not see any necessity to use the word if, as the Government has alleged and as the Premier has explained, this is a move for a Government lottery. Under the Bill there will be no prohibition on the Government's engaging a private company to operate the lottery. We know that the Victorian Premier (Mr. Bolte) negotiated with the Tasmanian Government to take over a lottery. I am not criticizing him for that. He knows which side his bread is buttered on. Any deal that might be made with Mr. Bolte would not be unfavourable to the Victorian exchequer, which would get its pound of flesh out of it. The Labor Party favours a lottery run by the State. If the Minister of Education likes to join issue with me on the meaning of words, I shall be happy to debate the meaning of "State lottery" with him.

The Hon. R. R. Loveday: I agree that it would be a lottery run by the State.

Mr. SHANNON: I am trying to bring the Labor Party back to its own stated policy. I think I understand where this clause could lead us.

The Hon. R. R. Loveday: In effect, you are saying, then, that the referendum could be defeated, which is obviously what your Party wants. That is obvious today.

Mr. SHANNON: All I want to be sure of is that if the people are asked to vote on this matter they will know what they are voting for—what they will get if they vote "Yes" and what they will lose if they vote "No". As the present provision is drafted, I defy any honourable member opposite to debate the meaning of the word "promotion" and the words "by or under the authority". In addition, as long as "charitable purposes" is inserted I shall be prepared to leave the matter to the Government. My amendment merely opens the door for the poor, unfortunate and ill-informed elector who at present does not know what he will get out of this Bill. The question should be, "Are you in favour of the conduct of lotteries by the Government of the State, for charitable purposes?" This can be capable only of a single interpretation and would conform to the policy of the Government of the day. I move:

To strike out "promotion and".

The Hon. FRANK WALSH: Taking the amendment as a whole, I point out that it is

difficult to define "charitable purposes", and much consideration has been given to this matter. Further, something has to be promoted, and obviously the word "promotion" must appear. People will either be in favour of or against this question. The Government considered how it could define "charitable purposes" and it came up against the problem that is agitating the minds of honourable members this evening. It could not decide where to complete a definition. I assure the Committee that the Government fully considered the matters raised by the member for Onkaparinga in his amendment, and it was not able to reach agreement on this question.

I hope that a referendum will be submitted to the people in the terms of the Bill. If the people are in favour of the establishment of a lottery then the Government will introduce a further Bill dealing with the subject of who will benefit. A certain name was introduced into this debate by the Leader of the Opposition. I always believed that the Leader and the Premier of Victoria were bosom pals. I do not want to reflect on the Victorian Premier or on any of his promises, but I would rather see this State go without a lottery of any description than give the Premier of Victoria an opportunity to get 1s. out of it.

Mr. MILLHOUSE: It is extraordinary that, despite all that has been said, no member of the Government Party has been prepared to get up and say what this question means. This afternoon the Premier said that the purpose of this measure was to seek the views of the people on whether a Bill for a lottery should be introduced, but there is nothing in this question about a Bill. I defy any honourable member opposite to say what this question means, because it has no precise meaning. The amendment moved by the honourable member for Onkaparinga is a little more precise and, because of that, I support it. Although "charitable purposes" is not easy of precise definition, it is a better term than that in the question at present.

Mr. Hudson: Do "charitable purposes" include Government hospitals?

Mr. MILLHOUSE: Honourable members opposite should look a little more diligently at the wording of the question and try to give a few answers rather than analyse the meaning of the words "charitable purposes". It is funny how a perfectly simple plank in the Labor Party platform has been turned into a meaningless question. That plank is:

The submission of the—
not “a” —

question of a State Lottery to a referendum in which the Australian Labor Party will take no part.

If members persist in having a referendum without having a Bill beforehand passed by Parliament, it would have been perfectly simple to couch the question in those or similar terms. Why should the Government not have drafted the question so as to read, “Are you in favour of the promotion and conduct of a State lottery in this State?”, or just left it at “a State lottery”? It would have been quite easy to answer “Yes” or “No”. Yet that is apparently the plank which was agreed to by the Labor Party conference at some time, a compromise, incidentally (I understand), between those who favoured a lottery and those who were against it. I have no doubt that the suggestions which have been made on this side of the Chamber have much substance in them; the Government does not propose to run a State lottery in South Australia for good or indifferent reasons, and therefore it has had to turn around the wording of this question to make it wider and vaguer so that it will fit any scheme which it may come up with later.

I do not believe that that is a good thing. I believe that the question in the form in which it is written now and in which it is to be submitted to the people, according to the Party opposite, is no better than having a public opinion poll. Invariably in practice in oversea countries, as here with constitutional amendments in the Commonwealth sphere, a referendum is a question directed to the people of a country on a specific matter. When analysing and discussing the practice in Switzerland and other countries where referenda are used customarily in the legislative machinery of the country, Finer says:

In the referendum the Legislature refers its work to the people for approval or disapproval. In other words, by the referendum it is intended that the people shall have the opportunity of passing judgment upon a Bill which has already been dealt with by the people they have elected.

That is a political theory that members opposite may take to heart, as they appear to be studiously avoiding it.

The CHAIRMAN: I think the honourable member is getting on to a subject that was discussed this afternoon, and is not in accordance with clause 4.

The Hon. Sir THOMAS PLAYFORD: I object that we have to rush a most important

clause of this Bill, by saying that a member cannot discuss what will be the alternative.

The CHAIRMAN: Order! Take your seat. The Chairman did not make any suggestion of rushing the clause through. The honourable member was discussing a matter that was discussed this afternoon.

The Hon. Sir THOMAS PLAYFORD: Mr. Chairman—

The CHAIRMAN: What is the point of order?

The Hon. Sir THOMAS PLAYFORD: No point of order at the moment.

The CHAIRMAN: The honourable member for Mitcham has the right to speak if he wishes to continue.

Mr. MILLHOUSE: I am grateful to my Leader for coming to my assistance in this matter.

The CHAIRMAN: You should not need any assistance. The honourable member may proceed.

Mr. MILLHOUSE: It is useless putting any question to the people by way of referendum unless it is a precise and definite question which is capable of a clear answer “Yes” or “No”. In a case like this, that can only be set out in a Bill, when all eventualities and alternatives are set out and have been decided on by the Legislature. Only then can a clear answer be given. This question is not much better than the hoary old one which the member for Onkaparina referred to the other day, “Have you stopped beating your wife?” It is a question to which one cannot give a proper answer. This question is virtually meaningless as it stands at present. Anything done to make this question more precise than it is now will have my support.

Mr. COUMBE: I do not disagree to a referendum being held to allow people to express their views, but it is the method by which it is being presented to which I disagree. The Premier, in his second reading explanation, did not say one word about what the lottery was for. He said that this was a Bill to introduce a referendum for a lottery. He did not say for what purpose the lottery was being introduced, and that leads me to ask why he did not. The word “charities” as mentioned in the amendment did not appear once in the Premier’s second reading explanation. If a referendum is held it will possibly be carried, but if this amendment is accepted it will possibly stand a greater chance of success. If we had been told sooner where the funds would go, much argument would have been

—saved.—The Premier—and members—opposite—have avoided explaining what the referendum is for and who will benefit.

Mr. Millhouse: They will not be able to discuss it, because they cannot take any part in the referendum, so people will never know what they think.

Mr. COUMBE: What concerns me is that the electors will not know why the lottery is being established, as not one word about that has been said in this debate. All the explanations so far have been on the method of holding the referendum, and "lottery" has not been defined. If the amendment were carried, the minds of some electors would be put to rest if they knew that charities would ultimately benefit from this measure. What objection can there be to the amendment? If it is carried, it will be a direction to the Government and Parliament in the framing of the ultimate Bill.

Mr. Bockelberg: The people would know then what they were voting for.

Mr. COUMBE: Yes. If this amendment is accepted, it will then be a direction and guide to the Government in drafting a consequential Bill, because it will know that the money will go ultimately to charities. This is one of the few financial measures introduced since I have been here in which no provision is made for the use of revenues to be raised. If the Government accepted this amendment, which states that charities will participate, not only would it facilitate the passage of this legislation but it would at once put at rest some uneasy minds and facilitate the carrying of the referendum.

Mr. McKEE: Only one thing concerns me, and unfortunately there are so few people in that gallery that—

The CHAIRMAN: Order! The honourable member cannot refer to the gallery.

Mr. McKEE: I definitely oppose the amendment moved by the member for Onkaparinga, because I believe it is utter nonsense and is merely a stone-walling tactic in an attempt to delay the passage of this Bill. The public is fully aware of the meaning of the Bill. Indeed, I have received not one approach from anybody concerning its meaning, and I doubt whether honourable members opposite have received any such approaches from their constituents. The question is to be put simply to the people, who will know exactly what it means.

Mr. HALL: I support the amendment moved by the member for Onkaparinga (Mr. Shannon) because it will at least slightly clarify the position. Under pressure, the Premier

has said that if Mr. Bolte's Government was to have any finger in a lottery run here then he would not have a lottery. Therefore, we can assume that Tattersalls will not operate a lottery in South Australia under the present Premier. The member for Glenelg said that Tasmania had trouble with lotteries conducted by the State. Does this mean that we are not to have a State lottery or a lottery run by Tattersalls? Despite this difference of opinion in the Government Party the member for Port Pirie had the temerity to say that the public was fully aware of what would eventuate. What a ridiculous statement? Judging by the ambiguous way in which the question to the people is worded I should say that the Premier does not want a lottery in South Australia and, as I would like to see a properly conducted lottery here, I am disappointed. People are suspicious in these matters and they have reason to be suspicious of this referendum.

Mr. QUIRKE: In reply to the question by the member for Glenelg whether a Government hospital is a charity, I say that in many ways it is. I should have no objection to money from a lottery going to old folk's homes run by the Government. Much of this argument could be obviated if the Government explained what would be done if a lottery were established. People regard a lottery as the investment of 5s. or 10s. in the hope of winning something, but they will want to know what is to be done with the money raised.

The Hon. R. R. Loveday: That will be determined by the Bill later.

Mr. QUIRKE: It could be, but it should be determined now. Opposition members, who represent the people as much as Government members do, are entitled to know what is intended regarding the money accruing from a lottery.

The Hon. R. R. Loveday: If a dictionary definition of every word in this Bill was given, you still would not be satisfied.

Mr. QUIRKE: If the Minister of Education would tell me what the Government proposed to do with the money, I should be perfectly satisfied, but if Government members persist in being "close" with the information we shall fight every clause. We shall have to say to people, "Please yourself about it, but if you vote for a lottery you will not know what you are voting for." I defy any honourable member opposite to say that that is not so.

Mr. Hurst: What does "charity" mean?

Mr. QUIRKE: "Charity" means love.

The Hon. R. R. Loveday: What does "love" mean? You cannot define it.

Mr. QUIRKE: I define it as charity. The terms are synonymous. "Charity" means love and "love" means charity. I want to say a few words to the honourable member for Enfield who interjected earlier. I suggest that the honourable member on some occasion, either now or in the future, give this place the benefit of any talents he has and not continually make his contribution to the debates in this place per medium of completely facetious and irrelevant remarks. We never hear a word from him except the silly interjections that he continually makes. It is time he got back to some sort of self-equilibrium. The public knows what a lottery is, and they will regard this as a vote for a lottery. We have to safeguard the money invested in a lottery, and the simple question we have been asking is, "What is the Government going to do with the money?" The honourable member for Glenelg asked whether a Government hospital was a charity, and I say that it can be.

Mr. Hudson: What do the courts say?

Mr. QUIRKE: I do not know.

Mr. Millhouse: There is a definition of "charitable purposes" in the Collections for Charitable Purposes Act.

Mr. QUIRKE: The insistence by the Opposition to get a reply could be stopped immediately if one member of the Government would tell us how the income from the lottery is to be used. If the Government does not tell the people, the whole purpose of the referendum is negated.

Mr. SHANNON: The term I used was adopted from the Collections for Charitable Purposes Act. Perhaps there is some justification for asking, "What is a charitable purpose?" It is clearly defined in the 1939 Act as:

- (a) the affording of relief to diseased, sick, infirm, incurable, poor, destitute, helpless, or unemployed persons, or to the dependents of any such persons:
- (b) the relief of distress occasioned by war, whether occasioned in South Australia or elsewhere:
- (c) the supply of equipment to any of His Majesty's naval, military, or air forces, including the supply of ambulances, hospitals and hospital ships:
- (d) the supply of comforts or conveniences to members of the said forces:

That may have been too restrictive for what was required, so Parliament in 1947 amended the provision to read:

(1) If the Governor is satisfied that any moneys or securities for moneys held for any charitable purpose by or on behalf of any person, society, body or association to whom or to which a licence is or has been issued

under this Act, are not or will not be required for that purpose, the Governor may, by proclamation, declare that the whole or any part of such moneys and securities shall be—

(a) applied by such person, society, body or association to any other purpose;

or
(b) be vested in and transferred to the Minister to be applied to any purpose.

"Charitable purpose" should be widely defined, as new organizations, through the goodness of some people, are springing up from time to time. If we have a lottery some people will start to do good in some sections of society that have previously been neglected. The Government says that "charitable purposes" is difficult to define, but it is already defined in a Statute. The words that the court would look at in this matter are "applied by such person, society, body or association to any other purpose". South Australia has a bicameral system of Government. Some amendments that are obviously not only reasonable but proper to this legislation would facilitate its passage not only here but in another place. On the one hand, I believe I am charged by members opposite with trying to sabotage the Bill. On the other hand, my own colleagues have alleged that I am helping to carry the referendum if my amendment is accepted because, if people understand what they are voting for, they will know it is a reasonable proposition and will vote for it. Which is right? Never in my experience in Parliament have I seen reasonable amendments put forward by the Opposition not accepted. When the present Leader of the Opposition was Premier, we probably accepted from the Opposition more amendments to our legislation than any other Parliament in the Commonwealth. We did it in the best interests of the State.

I make this plea now to the Government that, if it is prepared to be reasonable and accept an amendment that will do no harm and may indeed help it to carry the referendum, I shall offer no objection to the referendum. If, however, the Government does not accept this amendment and we are then in the position of signing a blank cheque with no date or name on it, I shall do all I can by stumping around the country to defeat the referendum. This Parliament should not be a party to putting before the people a question capable of half a dozen different interpretations—and that is no exaggeration.

The Hon. G. A. BYWATERS (Minister of Lands): I shall not advocate the acceptance of the honourable member's amendment. I have no interest in the definition of "charity"

here, for that does not concern me. There has been much ado about nothing in debating this question. The public is concerned about whether lotteries should or should not be introduced; it either wants a lottery or does not want one, and it is not concerned whether a lottery is conducted for charitable purposes or for anything else. Strong views exist both ways on this matter. I was recently approached at Kimba by people who were in favour of a lottery, but I have also received petitions from people completely opposed to one. I appeal for a little order, Mr. Chairman.

The CHAIRMAN: Order! I ask honourable members to sit down and remain quiet.

The Hon. G. A. BYWATERS: The purpose of the amendment is purely to introduce a degree of sentimentality into the question. I recall an occasion when, in Western Australia, I entered a barber's shop for a haircut, and while in the chair the barber said, "Will you take a ticket in a lottery?" I replied that I did not intend to, and the barber said, "Are you too mean to take one for charity?" (Of course, Western Australian lotteries are held purely for charitable purposes.) I said, "That is not the point at all; if I had been asked for a donation to charity I would have given you one, but you have asked me to take a ticket in a lottery, to which I am opposed." Some people believe that we should have a lottery, so that proceeds will go to charity, but that is entirely wrong. It is the Government's duty to provide for charity, and proceeds from a lottery should go into revenue, from where—

Mr. Shannon: At last we have the cat out of the bag!

The Hon. G. A. BYWATERS: This is a social question, and I am expressing nobody's opinion but my own. The public is not silly, and it knows what it wants. It either wants a lottery or does not want it, and those people who desire it are interested only in winning a prize. They are not interested in where the money goes.

Mr. Nankivell: They want to become capitalists.

The Hon. G. A. BYWATERS: True; they think that one day they will strike it rich, and that is the only reason why they invest in a lottery. To say that a lottery is to be held for charitable purposes is pure hypocrisy. I oppose the amendment.

The Hon. Sir THOMAS PLAYFORD: The Minister of Lands said that the difficulty about this amendment was the definition of "charity", because he pointed out that in another State a

lottery is run for charitable purposes. Evidently that State has solved the problem of what constitutes a charity in much the same way as legislation in this State has solved it. This is the most important clause of the Bill because it sets out the question to be put to the people. Long before this legislation was announced by the Premier my Party considered its attitude towards social questions, and our conclusion was that we would not oppose a referendum on a social matter provided that a Bill had been passed so that its terms would be definitely known. All members of my Party agreed to that course irrespective of whether or not they were in favour of a lottery. Surely the public should have some inkling of what is going to happen when a question is put to them.

This evening one member of the Government Party said that a State lottery would not do in South Australia. Another, with much more experience, said that he would not have anything to do with a lottery associated with another State. Those statements are complete contradictions. I regret that we are debating this fundamental clause in such unusual circumstances. I said during the second reading debate that I thought lotteries were not in the best interests of the country and I make no excuse for saying that.

However, we are debating the question of a referendum and on social questions a referendum is a matter on which there is usually not much difficulty. However, my colleague immediately behind me, who is supporting a lottery, and I, who oppose it, are unanimous on the point now before the Chair because we have not the information, and the public will not have the information to know what they are voting for. Honourable members opposite do not know either, because those who have spoken have given different views.

I support the amendment moved by the member for Onkaparinga. It narrows the question somewhat, although it does not satisfy me completely, and I know that it does not completely satisfy the member for Onkaparinga. The word "promotion" in the original question has much more significance than the words "charitable purposes" in the amendment. Things can be promoted in many ways. I have heard the Attorney-General make scathing remarks about promoters, and I have agreed with him. I do not think that the Attorney-General will deny that his references have not been complimentary, and that is the understatement of the year. Yet, we are ourselves becoming promoters under this clause. I

would be opposed to private enterprise conducting a lottery. Of course, private enterprise is extremely good in some things but we do not want it promoting lotteries. We have seen what has happened in other States in that regard. As certain amendments designed to give effect to a decision that had been reached by my Party have been negated, I ask the Premier whether he will report progress to enable the clause to be further examined by the Committee.

The Hon. FRANK WALSH: The answer is "No".

The Hon. Sir THOMAS PLAYFORD: I am sorry the Premier has seen fit not to agree to what I consider a reasonable request. I think his attitude in trying to force this important Bill through in one afternoon of Committee is completely unfair. I believe the Bill will have far-reaching social consequences. Amendments have been prepared and will be prepared by members on many matters. I ask the Premier again whether he will consider reporting progress so that the clause may be properly considered at a proper time and in proper circumstances, with an opportunity for the Opposition to again prepare some amendment to this clause to make it more acceptable to Opposition members. After the amendment moved by the member for Onkaparinga has been dealt with I will seek to move a further amendment. I do not know whether it is necessary to give notice of that amendment now.

The CHAIRMAN: The Leader could not give notice now. He could, as an act of courtesy to the Chair, pass up a copy of his amendment, but he would be out of order in giving notice now of future amendments.

The Hon. Sir THOMAS PLAYFORD: As long as I will have an opportunity—

The CHAIRMAN: Provided the amendment is in order, the Leader will have an opportunity.

The Hon. Sir THOMAS PLAYFORD: Thank you, Mr. Chairman. I support the amendments proposed by the member for Onkaparinga. If they have served no other purpose they have brought to the public conscience that a State lottery is not going to do away with button days, which many people are under the impression it will.

The Hon. G. A. Bywaters: They have button days in every other State where lotteries are held.

The Hon. Sir THOMAS PLAYFORD: I agree with the Minister. However, it has been publicly stated by people who are promoting this lottery outside that if this lottery is carried there will be no more button days.

If the word "charity" is included, it will mean that some worthy institutions will get assistance.

The Hon. G. A. Bywaters: Charities that will not accept moneys will be left holding the baby.

The Hon. Sir THOMAS PLAYFORD: I am surprised at that attitude. The Minister knows, as we do, that the Government and Parliament of the State have constitutional obligations to help people who are conducting various charitable undertakings. I am sure he does not believe that a lottery should be held to pay over-award payments to Government employees or to pay for a public relations officer. It is obvious that the reason for the lottery is to augment the Treasurer's funds: it is not to stop money going to other States or to assist charities, but to enable the Treasurer to have additional funds.

Mrs. STEELE: Anyone listening to the debate must have wondered whether we had a responsible Government. Members on this side are still wondering, as the answer could have been so easily given by a responsible member of the Government who could have said for what purpose the lottery, which is the subject of the referendum, is to be held. We have a right to know the answer to this question, but it is only in the last few minutes that we have had any indication of what might happen if this Bill is passed. The member for Burra said that we, as members of Her Majesty's Opposition, represent people the same as do Government members, and because we represent a minority we have every right to be informed of the Government's intention. In the book of rules, platforms and standing orders of the Australian Labor Party is an interesting paragraph in the preamble of the Federal platform. This is paragraph 5, which says:

The Australian Labor Party is democratic in that it believes that the right of constitutional Opposition to a Government is essential to freedom.

In trying to find out just what is the purpose of this Bill, we are exercising our rights as members of a constitutional Opposition. Certain things in this measure have not been defined; in fact, "lottery" has not been defined. The Oxford dictionary has two definitions of "lottery", the first of which is that it is an arrangement for distributing prizes by chance among persons purchasing tickets. The second definition is most apt; it is "a thing that defies calculation". If that does not epitomize the confusion of the Government about this Bill, I do not know what does.

I support the holding of a referendum, as I have said publicly on many occasions. I am glad to be able to say this in the Committee stages of this Bill because I was not present when a vote was taken on the second reading and I do not want my electors to think I am uncommitted on this social question. I have said outside Parliament that I will support a lottery, but I will not support it in the form in which it appears in this Bill, which is like signing a blank cheque. One of the reasons why I will not agree to this Bill or to the holding of a referendum in the way mentioned in it is that it is not a properly defined Bill, so we cannot tell the people what it is all about. We are entitled to know the purpose for which a lottery is to be conducted. Most people think it is to be conducted for charitable purposes, so I think we are entitled to know what the Government has in mind for the proceeds. We are also entitled to know who will conduct it, but we still have not elicited this information from the Government. We do not even know whether the Government has made up its mind, and I think members and the public are entitled to know this.

The general public, through its members in this place, is entitled to know what proportion of the funds that will be raised will be necessary for administration purposes. For instance, what is to be the price of subscription to this lottery? If the people are to vote intelligently and know what they are voting for, they should know all these things. We have every right to ask the Government to provide the answers to these questions. In view of the few contributions to this debate from members opposite, I wonder whether much research has been done about having a lottery in South Australia or whether this legislation has been introduced merely to assure the public that at least one of the Government's election promises is being implemented. I believe it is hurried legislation to which proper consideration has not been given.

The Hon. G. G. PEARSON: As I have listened to the speeches, I have become more and more uneasy about this clause. If a referendum is to be submitted to the people, what is the question to be asked of them? One of the pitfalls to watch for in any matter submitted to the people is whether or not the question asked is specific. There have been referenda on the marketing of primary products and honourable members know how important it is that any question submitted in that way is not capable of two interpretations;

let alone half a dozen. Great care should be taken to ensure that a specific question is asked.

Obviously, this question is not specific and it has been well illustrated why it is not. We have striven today to get from the Government some indication of its intentions, but until just now we have failed to get even a glimmer of light on that. We have only conflicting opinions. I disagree entirely with the Minister of Lands on the question to be submitted in the referendum and the need for it to be specific. He said it was the Government's responsibility to dispense charity. I agree with that but do not agree that it is solely the Government's responsibility. It is essential for the well-being of any community that it takes care (and makes some sacrifice to take care) of the more unfortunate citizens. Indeed, the people of this State have been willing to give generously to worthwhile causes. The Winston Churchill appeal is one instance where the donations made by the public of this State exceeded those made in all other States—in some cases trebling them. The States that were low on the list were lottery States. If the public accepts the view that it is the Government's responsibility to dispense charity, we shall have taken a retrograde step. I take exception to that, for it is the most serious aspect of lotteries. I do not believe the Minister of Lands meant that the Government should be solely responsible—

The Hon. R. R. Loveday: He didn't say that!

The Hon. G. G. PEARSON: He implied it. He said, without qualification, that it was the Government's responsibility to dispense charity, and he will not deny that. We have heard some discussion about the meaning of "charitable purposes", and here again my uneasiness has been increased. The member for Onkaparinga said that a definition of "charitable purposes" appears in the Collections for Charitable Purposes Act. He read the definition and the amendment made to the Act in 1947. The Attorney-General interjected that the interpretation of that Act was too narrow.

Mr. Shannon: The member for Glenelg said it was far too wide.

The Hon. G. G. PEARSON: In view of the remark by the Attorney-General and the admission from the Minister of Lands, what are we to deduce? The Attorney-General, incidentally, is Minister of Social Welfare, but he considers that the interpretation of the Collections for Charitable Purposes Act is far too narrow. If this Bill is passed (and I have no doubt it will be) I will be asked by

hundreds of people to interpret what the question means, but what will I be able to say to them? They will accuse me of being inept and evasive, but during my political career I have been neither. I will be asked questions that I will not be able to answer. Although the amendment does not go as far as I would like it to go, I support it.

Mr. HALL: The Minister of Lands said that this debate had continued far too long, but I do not think so because at last we got the statement that in his opinion the profits from the lottery should go to general revenue. I do not believe in putting before the people a blank cheque that would give the Government the opportunity to set up any lottery it liked. I did not expect a responsible member of the Government to go so far as to say that the profits would go to general revenue. It has taken us until 9 p.m. to get this statement from the Government front bench. I thank the Minister of Lands for the information, because now I will have something at least to tell my constituents.

Mr. SHANNON: The honourable member for Flinders is perturbed because he will not know what to tell his constituents. It is important that we assess the result of this debate. Three things stand out clearly. The first is that there will be no change in what the Government has decided. It says, "We have the numbers and what we put before you you must accept." That is Labor policy and it will not accept any amendments. This has been decided, not necessarily by the front bench, but by Caucus.

Mr. McKee: You know that is not true.

Mr. SHANNON: We know that Caucus decisions are unalterable! No member of the Party, however much he might desire to defect, has the courage to do so. We know what happens when a member does so. Mr. Quirke was at one time a member of the Labor Party, but he had the courage to do the right thing. What happened to him?

The Government is not prepared to tell the electors who will conduct the lottery, and it is unwilling to commit itself to devoting any portion of the proceeds of a lottery to charitable purposes. There is no necessity for the words "promotion and" to be included, and their deletion will not interfere with the meaning of the question.

The Hon. FRANK WALSH: Some quite unnecessary views have been expressed about this Bill. It is not my fault that the debate has continued into this evening, but as we have

had to come back we will take full advantage of the sitting. When I first introduced this matter I said it would give the people an opportunity to say whether or not they wanted a lottery. I have already said that if the people determine that they do not want a lottery there will be no need to debate who shall conduct it or how the funds shall be handled. However, if they want a lottery to be established, Parliament will have an opportunity to discuss every phase of the matter. It is useless to try to introduce twists into the subject. The people will have the right to say whether or not they want a lottery.

Mr. Nankivell: If they vote "Yes", will you give them one?

The Hon. FRANK WALSH: If the people determine that they want a lottery it will be the responsibility of the Government to present a Bill to give effect to that wish. Then there will be ample opportunity for us to determine all matters relating to the setting up of the lottery, the costs and what shall be done with any profits. It is not a question for this Government at this stage to provide a Bill for the conducting of a lottery, and then ask the people to endorse it. All we have agreed to do is submit to the people a referendum to determine in broad principle whether they want a lottery or not.

Mr. McANANEY: The original Bill is so vague that any amendment could not make it worse. It reminds me of a jellyfish—no form, shape, or direction. The Leader tried to amend it to give it some backbone. I support a lottery and would support a Bill that was properly introduced. I do not favour a referendum because it would cost too much money at a time when the Government does not seem to have money available for other worthwhile purposes or to carry out the promises it made before the election. The Premier said that he was putting the policy of the Labor Party before the people of this State, but tonight he spoke about pools. Perhaps football pools would be permitted under this legislation. Does it refer only to a State lottery, or would it bring in other types of gambling?

Mr. JENNINGS: I draw attention to one of the principal arguments advanced against this clause—that it is rather vague and ambiguous. During this wearisome afternoon and night, arguments have been advanced by the Leader of the Opposition about Commonwealth referenda. Referenda put before the people under the Commonwealth Constitution are entirely different from this proposal. This

is merely asking for an expression of opinion of the people on whether they want a State lottery.

The Hon. Sir Thomas Playford: Where does it say "State lottery"?

Mr. JENNINGS: It is in clause 4. The Leader claimed that this was vague, nebulous and ambiguous. Let me quote what was put to the people of Australia at an important Commonwealth referendum in 1946. It was merely this:

Do you approve of the proposed law for the alteration of the Constitution entitled "Constitution Alteration (Social Services) 1946"?

YES.

No.

That was all there was. This was going to be an alteration. In fact, this was asking for a more open cheque than is being asked for here, because this was for an alteration to the Constitution whereas what we are asking for is an opinion of the people of South Australia, which would then come back to this Parliament for the same members to decide on the legislation. This was a proposed alteration to the Constitution, which read:

New paragraph to be added to section 51 of the Constitution. The provision of maternity allowances, widows' pensions, child endowment, unemployment, pharmaceutical, sickness and hospital benefits, medical and dental services (but not so as to authorize any form of civil conscription), benefits to students and family allowances.

How much maternity allowance, how much widows' pension, etc.? None of those things was put to us. I am glad to say that most people in Australia voted in favour of that, although the Premier of South Australia (Mr. Playford, as he then was) said:

I feel that I can help electors of South Australia by putting my own views of the referendum issues before them and telling them how the questions appeal to me and how I am going to vote and why.

He spoke about "baby bonuses". In spite of that advice, the people voted for the referendum, and it has benefited Australia ever since. All we are asking for is an expression of opinion from the people of South Australia on this issue and then, if they say definitely they do not want a State lottery, the matter will not be raised again. If, however, they say they do want one, the matter will then come again before this Parliament, where every member will have a say in the forming of the legislation.

Mr. MILLHOUSE: I am glad that the member for Enfield has given us his views as we have been waiting for them for a long time. He used the term "State lottery", which encourages me to foreshadow an amendment

if anything untoward happens to the present amendment. He also referred with some eloquence to the 1946 amendment to the Constitution carried by a referendum. Honourable members will note that, naturally enough, it was far more precise than the question set out in clause 4.

It is interesting that we are at present debating an amendment to the question. I remind the member for Enfield that the question which he read out and which was put to the people in 1946 contained an amendment that was accepted by the then Attorney-General for the Commonwealth (Dr. Evatt), an amendment that was inserted on the motion of the then Leader of the Commonwealth Opposition (Rt. Hon. R. G. Menzies). That was the phrase "so as not to authorize any form of civil conscription". In that case the Labor Government in Canberra was prepared to accept an amendment to the question to be put to the people of Australia by referendum. Why is this Government not prepared tonight to accept an amendment to a question to be put by referendum to the people? As in that case, the amendment would improve the question.

The Hon. Sir THOMAS PLAYFORD: I shall try not to misquote the Premier, and I stand to be corrected if I am wrong but I think he said, "Already a number of authorities (or people) have been discussing with me the establishment of lotteries."

Mr. Shannon: Outside the State!

The Hon. Sir THOMAS PLAYFORD: I should like to know who these people are and what discussions have taken place. Earlier in the evening when I had stated that in my opinion a certain gentleman in Victoria (who at the moment shall remain nameless) would no doubt be interested in this, the Premier indignantly denied that any discussions on this question had taken place with that gentleman. However, it is apparent from his statement here tonight that some representations have been received from him. I think the plural "lotteries" has a significance that the Committee may not previously have thought of.

A referendum on the establishment of a State lottery is part of the Labor Party's policy, but this Bill does not really concern State lotteries: it concerns the promotion of lotteries.

Mr. McKee: We might hold one every week, you know!

The Hon. Sir THOMAS PLAYFORD: I am quite sure, by the uproar that followed a remark I made a few moments ago, that

we are getting nearer the truth. I do not place any reliance whatever on the Premier's statement that a Bill will come before this Chamber and be dealt with by it, because we have already seen today that any Opposition amendment is automatically opposed. We know this because, when the Premier indicated that the referendum would not be held for a certain period, an amendment was moved to that effect and he did not accept it. Who made representations to the Premier about lotteries, and have the representations so far received been definitely rejected or are they still under consideration?

The Hon. FRANK WALSH: I believe that I said that I had received information from another State and that I had received certain other representations on the matter. I also said that I had received some letters expressing a desire for football pools. I said I was not interested in their representations.

Mr. SHANNON: The Premier's statement should be broadcast to the people of South Australia, because they are being asked to give the Government power to do the very things on which he has rejected representations. The Premier has now made sufficient admissions to show that his proper duty is to accept the amendment that will make abundantly clear to the people what will happen if they vote "Yes".

Mr. CASEY: The Premier has stated quite clearly on a number of occasions that we desire merely to ask the people in simple terms whether or not they want lotteries. I use the plural because probably there would be at least one lottery a week. Members opposite know exactly what the Bill provides, and they are merely prolonging this debate because it is tactics. We used to do the same thing when we were occupying the Opposition benches, and perhaps the Leader will recall that he has given us credit for teaching him how to become an effective Opposition. The Premier tried to impress upon Opposition members that this Bill is to ask the people two points, "Yes" or "No". If the people say "Yes", a Bill will be introduced covering all the matters raised by honourable members. That Bill will have to go to another place, so why prolong the issue in this Chamber?

The Committee divided on Mr. Shannon's amendment:

Ayes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, McAnaney, Millhouse, Nankivell, and Pearson, Sir Thomas Playford, Messrs. Quirke,

Rodda, Shannon (teller), Mrs. Steele, and Mr. Teusner.

Noes (18).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Curren, Dunstan, Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Pair.—Aye—Mr. Heaslip. No—Mr. Corcoran.

Majority of 2 for the Noes.

Amendment thus negatived.

Mr. MILLHOUSE: I move:

To strike out "lotteries" and insert "a State lottery".

I am disappointed that our efforts to improve this clause have not so far met with success, but this amendment is one more attempt to improve it and, incidentally, to bring the question somewhat into line with Labor Party policy. The amendment has several merits. First, it makes the question more definite than it is at present; it means a State lottery, which is far better than the vague word "lotteries". Secondly, the duty of Labor members under the plank in their platform relating to this matter is to submit the question of a State lottery to a referendum of the people. There seems to me to be no reason why they should not carry out their instructions faithfully, so in this respect I am doing my best to assist them.

The Hon. FRANK WALSH: If I could for one moment believe that the honourable member's interpretation was correct, and that the amendment would give the Government the right to establish a lottery in this State that could continue, I would not have any objection to the amendment.

Mr. Millhouse: If it is good enough for your Party, is it not good enough for the people?

The Hon. FRANK WALSH: If it is desired that this State should conduct a series of lotteries we must use the term "lotteries". I am not prepared to accept the amendment. "Lotteries" is needed for correct drafting.

The Hon. Sir THOMAS PLAYFORD: The Premier states that "lottery" means that only one lottery could be conducted and that "lotteries" means that we could have a variety of lotteries at the one time. This is emphasized by the fact that already various people are nibbling at establishing different types of lottery. In other States the term "lotteries" is used; and they have many lotteries. If the plural form of the word is used, I have no doubt that pressure will be brought to bear on the Government to promote different types of gambling activities. If the Premier

assured me that there would be only one State lottery, I would be prepared to accept his statement as a genuine declaration of his intentions, but he is not in a position to say what will be the attitude of Premiers at other times. If this becomes law, it will be claimed that it is a mandate for all sorts of lottery. I hope the amendment will be accepted. It is strictly in accord with Labor Party principles.

Mr. SHANNON: I support the amendment. I think it meets the circumstances better than the amendment I proposed, for it will set out the position more clearly and give members something definite to tell the people.

The Committee divided on Mr. Millhouse's amendment:

Ayes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, McAnaney, Millhouse (teller), Nankivell, and Pearson, Sir Thomas Playford, Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, and Mr. Teusner.

Noes (18).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Curren, Dunstan, Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Pair.—Aye—Mr. Heaslip. No—Mr. Corcoran.

Majority of 2 for the Noes.
Amendment thus negatived.

Mr. SHANNON: I move:

To strike out "or under the authority of". No member on this side knows exactly what is proposed with regard to the setting up of any number of lottery firms. Under the authority of the Government we could have introduced any of those pernicious forms of gambling, such as poker machines or even roulette. This is back-door draftsmanship.

The Hon. D. A. Dunstan: Nonsense.

Mr. SHANNON: The Attorney-General knows full well the meaning of words in legislation and he knows that "under the authority of" means that the Government will have a free hand to give a franchise to anybody to run a lottery. I challenge the Attorney-General to refute that. These words were included by design in order to give the Government a free hand.

The Committee divided on Mr. Shannon's amendment:

Ayes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, McAnaney, Millhouse, Nankivell, Pearson, Sir Thomas Playford, Messrs. Quirke, Rodda, and Shannon (teller), Mrs. Steele, and Mr. Teusner.

Noes (18).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Curren, Dunstan, Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Majority of 2 for the Noes.

Amendment thus negatived.

Mr. SHANNON: I move:

After "State" to insert "for charitable purposes?"

From the statements made by Government members, I do not think there is any doubt in the mind of Opposition members that the Government is not interested in charities. We have had it from one of the Ministers that he thinks the proceeds should go into the Treasury. I do not object to that, as long as we tell the people of this State where we stand with this referendum. If they vote for it, they may have a little less tax to pay; I do not know. However, lotteries are usually promoted for some charitable purpose and if a person desires to promote some form of gambling at present he must obtain permission to do so from the Chief Secretary. It is done in such a way under the present law that it is necessary to award a prize, not money, and all the proceeds, not just part of them, have to go to some charitable purpose. We have gradually found out where the road leads, and it leads to this unhappy state that we have a Government today that puts charity well down the list; in fact, it will not even admit that charity should come into the profits that may accrue from a lottery run by whoever happens to be running it.

The Committee divided on Mr. Shannon's amendment:

Ayes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Heaslip, Millhouse, Nankivell, and Pearson, Sir Thomas Playford, Messrs. Quirke, Rodda, and Shannon (teller), Mrs. Steele, and Mr. Teusner.

Noes (18).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Curren, Dunstan, Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Pair.—Aye—Mr. McAnaney. No—Mr. Corcoran.

Majority of 2 for the Noes.

Amendment thus negatived.

The Hon. Sir THOMAS PLAYFORD: I move:

After "State" to add "in terms of the draft Bill?"

Then, on the ballot paper would be set out a copy of the draft Bill. The Government would then have the opportunity to tell the electors

its proposals. This is not how I would like to have it, as I desire to have a completely authentic Bill placed before the electors. However, it would assist Government members to explain to the electors what they will be voting on. If this amendment is not carried, it may be supposed by the electors that the Government is unwilling to take the people into its confidence. If a draft Bill is attached to the referendum proposal, it will meet many of the difficulties we have debated tonight. This amendment gives an opportunity for the Attorney-General to draft a Bill in his own terms without obstruction or assistance (whatever way members like to express it), and the electors will have before them something definite about which to express an opinion and about which some interpretation can be given. I suggest that progress be reported so that this amendment can be examined, as it is a sincere attempt to enable the matter to be placed fairly and squarely before the electors in the form of a draft Bill.

Mr. MILLHOUSE: I had hoped that progress would be reported to enable this sensible suggestion to be examined but, apparently, the Government is not prepared even to answer it. I wholeheartedly support this amendment. Although it is not as good as the amendments that the Leader wanted to move but was prevented from moving earlier today, it is one more attempt on the part of the Opposition to make the referendum more meaningful by putting something specific to the people. If the Government really intends to go ahead with this measure, there is no reason why a Bill should not be drafted and appended to the ballot-paper. The political theory of a referendum is that the people shall judge upon a definite proposal. I ask the Government not to be quite so pig-headed, negative or closed in its mind towards amendments that we move as it has been all day, but at least to do as the Leader asked when moving this amendment—to consider it over the weekend.

The Hon. D. N. BROOKMAN: The Opposition has mainly been asking for the details of the lottery intended to be introduced into South Australia should the referendum be carried, and all the time we have been consistently denied the elementary information necessary for anybody to determine this question. An earlier amendment moved by the Leader of the Opposition was ruled out of order, and the Leader has now moved an amendment that I believe will substantially meet the Opposition's objection to this Bill. It is an insult to people's intelligence to ask them the question contained in clause 4, without first

letting them know who will run the lottery, where profits will go, as well as some elementary details.

Mr. HEASLIP: I am at a loss to understand why there is so much secrecy on the part of the Government about this referendum. If we cannot find out answers to these questions how will the public find them out? I am sure that if people knew that the money would be made available to charities there would be more support for a lottery.

The Hon. Sir THOMAS PLAYFORD: When I moved this amendment I asked the Premier whether the Committee could adjourn so that this matter could be considered. The Opposition strongly objects to the Government's attitude today in trying to have this Bill, with all its ramifications, put through in a three-hour debate this afternoon. Because it was not completed in that time, the Premier took the dictatorial attitude that members would sit until the Bill passed the third reading. I think that that is not a proper way in which to consider legislation and I now again ask the Premier whether he will report progress so that this, the most important clause in the Bill, can be considered under more appropriate conditions. At present, the Bill provides for a loose question that will be capable of many different interpretations if a lottery is established.

The CHAIRMAN: The Leader of the Opposition has moved—

The Hon. Sir THOMAS PLAYFORD: As it is obvious that the Premier is not going to reply to me, I move:

That progress be reported.

The Committee divided on the motion:

Ayes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Heaslip, Millhouse, Nankivell, and Pearson, Sir Thomas Playford (teller), Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, and Mr. Teusner.

Noes (18).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Curren, Dunstan, Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Majority of 2 for the Noes.

Motion thus negatived.

Mr. SHANNON: With his amendment the Leader has offered the Government a blank cheque. The offer has no strings attached to it, and the Government could frame the Bill to the best possible advantage for securing an affirmative vote from the electorate. It amazes me that it should refuse such a generous offer

from the Opposition, for I cannot see that in this case the Government has anything to lose, and, in fact, it could have much to gain. I do not know whether it intends to do, without any legislative authority, what we are now suggesting, but I believe that fairly wide latitude is available on such a matter. The course suggested by the Leader certainly would not restrict the Government in any way, and, in fact, it could take the electors into its confidence. I support the amendment.

The Committee divided on Sir Thomas Playford's amendment:

Ayes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Heaslip, Millhouse, Nankivell, and Pearson, Sir Thomas Playford (teller), Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, and Mr. Teusner.

Noes (18).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Curren, Dunstan, Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Majority of 2 for the Noes.

Pair.—Aye—Mr. McAnaney. No—Mr. Coreoran.

Amendment thus negatived.

The Committee divided on the clause:

Ayes (18).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Curren, Dunstan, Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Noes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Heaslip, Millhouse, Nankivell, and Pearson, Sir Thomas Playford (teller), Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, and Mr. Teusner.

Pair.—Aye—Mr. Coreoran. No—Mr. McAnaney.

Majority of 2 for the Ayes.

Clause thus passed.

Clause 5 passed.

Clause 6—"Electors who may be admitted to vote."

The Hon. Sir THOMAS PLAYFORD: Why is it necessary to say that somebody who is not entitled to vote shall not vote, having set out who is entitled to vote?

The Hon. FRANK WALSH: So far as I know, Commonwealth legislation has a similar provision, and the Parliamentary Draftsman considered that subclause (2) should be included to avoid the possibility of complications.

The Hon. Sir THOMAS PLAYFORD: The Premier referred to legislation dealing with entirely different circumstances.

The Hon. D. A. DUNSTAN: Not as far as voting is concerned.

The Hon. Sir THOMAS PLAYFORD: I cannot see any purpose in subclause (2).

The Hon. D. A. DUNSTAN: The difference arises between the words "entitlement" and "qualification". Although we refer to the roll, certain people would be disqualified under the Constitution, and it is not intended that they should vote. In these circumstances, the entitlement and qualification have to be made clear. I think the two relevant clauses clarify this matter, and it was useful to copy exactly this provision from the Commonwealth Act, to make provision for that purpose.

Mr. Shannon: The word "entitlement" may have some peculiar meaning, but it appears in both clauses.

The Hon. D. A. DUNSTAN: The second clause reduces the entitlement by excluding those people specifically disqualified. How could their names appear?

Mr. Shannon: I should imagine the Returning Officer would take notice of people who were guests of Her Majesty.

The Hon. D. A. DUNSTAN: This is a specific Act that has to incorporate the basis of the Electoral Act (which does not apply, except so far as its provisions are set forth in this Act).

Mr. Shannon: Are there not disqualifications in the Electoral Act that prohibit a person from having his name on the roll (for instance, if he is in gaol)?

The Hon. D. A. DUNSTAN: They can still be on the roll.

Mr. Shannon: But they cannot vote.

The Hon. D. A. DUNSTAN: We have to make provision, because the Electoral Act does not apply to the referendum except where this Bill specifically provides.

Mr. Shannon: Would it not be much simpler to adopt the Electoral Act for this purpose?

The Hon. D. A. DUNSTAN: We have adopted it, as far as we could.

Clause passed.

Clauses 7 to 12 passed.

Clause 13—"Close of roll."

The Hon. FRANK WALSH: I do not intend to proceed with this clause.

The Hon. Sir THOMAS PLAYFORD: It is customary, when an amendment is moved, to give some explanation. Why are we leaving out a whole clause? Can the Premier say whether it is proposed to allow scrutineers at this referendum?

The Hon. FRANK WALSH: We are faced with the difficulty of who would be the responsible people to appoint scrutineers. As this is a referendum our problem is to find someone to appoint a scrutineer for those who will vote "Yes" and a scrutineer for those who will vote "No".

The Hon. Sir THOMAS PLAYFORD: I do not have the slightest doubt that organized people will support this referendum strongly. I am also sure that the Council of Churches will strongly oppose the referendum, as will many others. I do not believe there is any problem in getting representative people to be available to see that the poll is carried out fairly, and I believe this is necessary. I believe it is only fair and proper that there should be scrutineers to see that the poll is carried out properly. In the count, votes may be challenged and it is necessary that we have some authority present.

The CHAIRMAN: I have allowed some discussion on this matter, but I think the Committee can see that the question of scrutineers is not applicable to clause 13.

(Midnight)

The Hon. D. A. DUNSTAN: Clause 13 is not necessary now that an amendment has been made to clause 2. As the roll, in effect, has been closed on August 30 for the purpose of a referendum, subsequent transfers for other purposes need not affect it in respect of the referendum. Therefore, it is not necessary to say to the electoral officer, "You shall not go on making transfers." That is a separate and subsequent administrative matter that need not concern the referendum.

Clause negatived.

Clause 14—"Electors entitled to vote."

The Hon. FRANK WALSH: I move:

After "force" to strike out "on" and insert "at 5 o'clock in the afternoon".

In view of the amendment referred to a moment ago by the Attorney-General, it is not necessary for me to give further reasons, other than to say that this amendment is in conformity with clause 2.

Mr. NANKIVELL: Has the roll been closed completely, and will it remain closed until after the referendum is held?

The Hon. D. A. DUNSTAN: Not for the purposes of the Electoral Act.

The Hon. Sir THOMAS PLAYFORD: Will it be necessary to prepare a separate roll for the referendum?

The Hon. D. A. DUNSTAN: Obviously, a roll will be prepared as far as the referendum

is concerned, even if, in fact, that means the printing of the roll for the whole State. If there is a by-election a supplementary roll is prepared, and there is no difference.

The Hon. Sir THOMAS PLAYFORD: Is not the Electoral Office altering the roll in accordance with applications made by people who move from one district to another and is there not in existence a roll of all electors? It is not always printed up to date, but a register of persons in the district is kept at all times and I put it to the Attorney-General that a much more effective way of getting a referendum carried would be to consider the provision we had earlier regarding the closing of the rolls on August 30 and, when this Bill is passed, to use the roll normally available for an election for the House of Assembly. That would save all the expense and the difficulty that we seem to be getting into in establishing a separate roll for the purpose of the referendum. What is the difficulty about that?

The Hon. D. A. DUNSTAN: The difficulty associated with it is the printing of a general State roll which has to be arranged with the Commonwealth Electoral Office. At a State general election a general roll is prepared; it ante-dates the State election, and a supplementary roll is then prepared. In this case we have to arrange for the printing of a general roll apart from the printing of the general roll for Commonwealth or State electoral purposes otherwise, because to take the last general roll which was printed would make the new supplementary rolls so voluminous that the work of the poll clerks would be too heavy and the possible production of the kind of mistakes which occurred in polling at the Legislative Council election would be obvious to members. In consequence, we had to have time for the printing of this one roll, and we had to have a specific date upon which the roll would close. That was advised to both the State and the Commonwealth Electoral Officers, who co-operate in the printing of the general roll.

The printing of the general roll will be as at August 30 and the indices which form the current roll in the Commonwealth office will be kept currently all the time. If any by-election occurs, then a supplementary roll in addition to the roll printed at August 30 will be available for that purpose. However, that roll would only be a short one. That is the reason this provision is here. Originally, as will be seen, we had intended that the roll would close on the coming into force of this Act, but both the Commonwealth and the State

Electoral Officers urged that this was not practicable if we were to arrange for the printing of a general roll for the whole State.

The Hon. Sir THOMAS PLAYFORD: I accept the position that there will be a general roll printed for the purposes of the referendum which will set out the electors as at August 30, but why can we not have a supplementary roll with the few names that will be necessary to put upon it in the intervening period between August 30 and the referendum?

Whichever way the Attorney-General looks at it I think he will see that there is a tremendous advantage in what I am suggesting. If there are only a few names to be added it will not cost very much. Conversely, if there are many names to be added then obviously it is something we should do because without that supplementary roll many people would be disfranchised. This would probably apply more to people who normally support his Party than those who support the Liberal Party. People changing their employment usually change their place of residence, and they will be the people who are disfranchised. In an ordinary election the roll does not have to be closed so long before it is decided that the election is to take place.

Mr. QUIRKE: I understand that although applications for enrolment will be received, no-one who becomes 21 years of age after August 30 can vote in the referendum.

The Hon. D. A. DUNSTAN: That is so. Amendment carried; clause as amended passed.

Clause 15—"Compulsory voting for House of Assembly."

Mr. QUIRKE: I am completely opposed to this clause, particularly if people do not know what they are voting for. Not one elector voting will know where the end product of the lottery will go if it comes into existence. Yet he is compelled to vote or pay the penalty. It is autocratic and dictatorial to say to people that they must vote or be fined £2 unless they have a good reason for not voting. On a social matter on which so many conflicting opinions are held, people should not be forced to vote. Compulsion may be legitimate in some instances, but this matter is entirely different: it has nothing to do with the safety and security of the nation or the general public. It is simply a matter of whether there should be a lottery, and it is utterly wrong for people to be compelled to vote on it, because such compulsion trespasses on the consciences of people. We are now adopting too much the line that people outside shall be compelled to do certain things.

Why should they be compelled to vote? It is a social matter, so it is not right to inflict a compulsory vote on people. I now ask you for a ruling, Mr. Chairman. In view of a previous ruling that certain amendments of the Leader of the Opposition were out of order, may I now move to strike out this clause entirely?

The ACTING CHAIRMAN (Mr. Ryan): As it deals with compulsory voting, yes.

Mr. QUIRKE: In that case, I intend to move that clause 15 be deleted from the Bill.

The ACTING CHAIRMAN: It is not necessary to move that. The honourable member need only vote against the clause to achieve the same result. It is not necessary to move an amendment along those lines.

Mr. QUIRKE: Very well. I am opposed to it and will vote against it.

Mr. MILLHOUSE: I, too, oppose this clause. It probably can be argued that people should be obliged to vote at State elections, because it can be said that members of Parliament support the Government and the Government affects the lives of everyone, and therefore everyone should take an interest in electing members of Parliament. However, that view is not held in the United States or the United Kingdom, and Australia is sometimes regarded as an undemocratic country because it obliges people to vote at State and Commonwealth elections. But there is a clear distinction to be drawn between compulsory voting for members of Parliament and voting at a referendum. I cannot see why we should oblige people to vote on a social question in which they may not be interested and which by no stretch of the imagination can be said automatically to affect the lives of everyone. Therefore, there is no reason why everybody should be made to vote on a referendum such as this.

I am fortified in my view by overseas examples. For instance, in Switzerland voting at referenda is not compulsory. That applies in many other countries. Therefore, in this case the people should not be obliged to express an opinion on a matter that need not concern them and on which there is no reason why they should have any opinion at all. Also, I believe that a referendum on the question in the terms of clause 4 is not much better than a waste of time. The question is so vague that it gives no guidance to us, as members of Parliament, as to what sort of Bill the people will want. I believe the question will be determined in the affirmative but it will not get us any further than we are now. I think it will show a majority. I think the only benefit of the referendum (and this

benefit can obtain only if the voting is not compulsory) is to show how many people in the community are really interested in this question of a lottery. I think a surprisingly small proportion of the population is really interested. Under the rules of the Labor Party it is not allowed to take any part in the referendum campaign. The Government will not be going out to say what it intends to do.

Mr. Hall: It doesn't know.

Mr. MILLHOUSE: Even if it did know, it would not be allowed to say what it intended to do. I am wondering who in the community will put the case for a "Yes" vote. It will not be either—

The Hon. R. R. Loveday: Who told you that about Labor Party members?

Mr. MILLHOUSE: It is in the rules.

The Hon. D. A. Dunstan: The Party as a Party will not take part in the referendum campaign but individual members are free to do so.

Mr. MILLHOUSE: It will be interesting to see how many do. The Premier said he would not take part in it, and I thought he was acting on Party instructions. He usually has to. I do not know which section of the community will prepare and champion the "Yes" case in this referendum.

The ACTING CHAIRMAN (Mr. Ryan): I think that, with all due respect to the member for Mitcham, he should base his remarks on the clause under consideration.

Mr. MILLHOUSE: I intend to do so, Sir. There is no earthly reason why we should blindly follow a rule for the election of members of Parliament and make this a compulsory vote.

The Hon. FRANK WALSH: The Government intends to proceed with this clause. In State elections since 1944 there has been a compulsory vote. Although it is called a compulsory vote it is well known that some electors go to the booth, take a ballot paper, and fold it without making a mark on it. Ample opportunities exist for people who do not wish to take part in the referendum to make explanations and avoid their responsibility. Since 1944 we have become accustomed to compulsory voting at elections and the Government intends to maintain it for the referendum.

Mr. QUIRKE: That is about the most extraordinary statement I have ever heard. It means that if a man does not want to vote, in order to prevent himself being fined £2 he can cast an informal vote. I do not know how the Premier can make such a statement; this

was as near to an immoral statement as we can get. I have never believed in compulsory voting on a social question and the Premier's statement has not caused me to change my opinion. It is a hateful way to treat the people.

The Hon. Frank Walsh: It is the truthful way.

Mr. QUIRKE: It is the complete opposite. It makes hypocrites of people.

The Hon. Frank Walsh: I have never made a hypocrite of anybody.

Mr. QUIRKE: It is being done in this case. I said I would vote for the Bill, in spite of its deficiencies, but I am entitled to endeavour to amend it. The Premier's statement was one of the most devastating I have heard.

Mr. HURST: I support the clause. I am amazed that members opposite completely oppose letting the people have a say in this matter. I am disgusted with what has been said. Every elector should be given the opportunity to go to the poll and cast his vote in the manner he thinks best for the State. Honourable members are introducing red herrings and wasting the time of the Committee.

The Hon. Sir THOMAS PLAYFORD: Mr. Chairman, on a point of order, is the honourable member in order in reflecting upon the conduct of this Committee? He said that its time is being wasted.

The CHAIRMAN: The honourable member for Semaphore was speaking of the attitude of some members.

Mr. HURST: We on this side are most anxious to get on with progressive legislation. Members opposite are wasting time. It should be mandatory on the people to vote on whether they want lotteries.

The Hon. Sir THOMAS PLAYFORD: I am surprised at the arguments advanced in support of compulsory voting. Over the years members have not moved to have compulsory voting on the vital question of liquor licences.

The Hon. D. A. Dunstan: The licensing court says that polls are ineffective because of the poor percentage vote.

The Hon. Sir THOMAS PLAYFORD: Voting at those polls is not compulsory. I understood the Premier to say that people could go to the polls, and that if they did not wish to vote for or against the referendum they could put in an informal vote, or they need not mark their paper. If that is the attitude he takes, why make some country people travel 50 to 100 miles to a booth when they do not want to vote? Why not give the people a vote on something they understand, so that the vote will be taken in a fair and proper manner? Section 235 of

the Licensing Act refers to the appointment of scrutineers at a local option poll, and that is not a Party matter. Provision can be made here for scrutineers so that the vote can be taken properly and fairly. Compulsion has never previously been a feature of social legislation in this State. There is no compulsion under the Local Government Act. Why make a person vote on an issue in which he is not interested, particularly when the Government will not tell him what he is voting on?

The Hon. D. A. Dunstan: In the Electoral Act a distance of five miles is mentioned.

The Hon. Sir THOMAS PLAYFORD: That may be so. I suggest to the Premier that at this stage we might report progress.

Mr. Jennings: We were prepared to go home at 6 o'clock, but one of your members stopped it.

The Hon. Sir THOMAS PLAYFORD: That is incorrect. Members opposite have control of the business, and we have facilitated the working of the Committee. The Opposition has a right and a duty to express its views, and will continue to express them.

The Hon. FRANK WALSH: Some years ago when I endeavoured to have a matter adjourned I was accused of filibustering, and every time I attempted to rise I was not seen. I was prepared to adjourn the present debate before six, but after a vote was taken, the result of which was clear from the voices, a division was called. I was not permitted under Standing Orders to extend the sitting beyond 6 o'clock and as a result I am not prepared to report progress.

Mr. HUDSON: The member for Burra said that the Premier was being hypocritical in suggesting that if people did not want to vote they could just turn in the ballot-paper. The Premier was simply pointing out that, if it was a matter of conscience and somebody did not want to vote one way or the other, there was a way out. Voluntary voting, particularly on a referendum, does not work satisfactorily. Also, it is accepted by the people of Australia that in these matters voting should be compulsory, that it is important to create a situation wherein people are encouraged to take a more active and intelligent interest in what is going on in the community. In that respect, compulsory voting has worked well.

It should be remembered that the voluntary polls on liquor licences do not work well. The interested groups spend money on getting people to the poll, but the final vote is no

more a reflection of the overall opinion of the community than if a poll was not held at all. By making this voting compulsory, we hope to encourage the people to take a more active interest in things. Compulsory voting in Commonwealth referenda has affected the overall result. It made the question an issue that was discussed much more among members of the community when they came together in small groups, and I suggest that a similar result will occur in relation to this matter. The fact that voting is made compulsory definitely encourages people to take a more active interest in what is going on, and that is important and worth while encouraging. Honourable members have referred to people having to travel long distances to polling booths, but I point out that, although not specifically referred to in clause 7 (which provides for postal voting), clause 17 states:

In the referendum the scrutineer shall, subject to the provisions of regulations relating to absent voting and to voting by post, be conducted in the manner following:

Mr. Heaslip: There is no authority at all.

The Hon. D. A. Dunstan: It is in clause 7: Part 10 of the Electoral Act applies.

Mr. HUDSON: The basic reason why the system of compulsory voting exists in this country is that it is what the majority of the people favour.

Mr. SHANNON: I knew after the tea adjournment that the Premier had arranged to continue the sitting long enough to clear up the Notice Paper. Is it suggested that I denied the opportunity for that to be done? It is customary for the Leader of the House (who is normally the Premier), if such an arrangement is sought, to approach the member speaking and ask him to sit down at two minutes to six so that the Notice Paper can be cleared up. No such approach was made to me.

The Hon. D. A. Dunstan: This always happens when we adjourn on Thursdays.

Mr. SHANNON: Never mind about Thursdays! This has always been the custom; it is the custom and I hope it will remain the custom. If the Government intended to deal with the balance of the Notice Paper in order that the House should adjourn all I wanted was a message from the Leader of the House.

The CHAIRMAN: Order! This discussion is out of order. The Premier made an explanation in reply to a question by the Leader of the Opposition whether progress would be reported. I have allowed the honourable member latitude but I suggest that he now confine his remarks to the clause.

Mr. SHANNON: It has been alleged that the Opposition is wasting the time of the Committee. There are 30 items on the Notice Paper. Apparently the Government considers that important matters, such as the Budget, can be relegated while we deal with lotteries. If the Government genuinely wished to adjourn at six o'clock then why keep us here now? We have asked three or four times that progress be reported and this request has been denied. Does this indicate that the Government considers lotteries are more important than other matters affecting the State? Has this provision been inserted because the Government fears that apathy in the electorate towards lotteries would mean such a poor percentage of votes under a voluntary poll that it is not game to face up to it? Clause 15 is voluminous. Why is it necessary to lay down this rigmarole for the taking of a simple ballot on whether people favour a lottery? Further, why does the Government want to make voting compulsory? The reason for compulsion is obviously to enable the Government to have the referendum carried. Will the penal provisions in the Bill be applied and, if so, will the Government take the odium when people are fined £2 for not voting at a referendum on which they had no opinion? Those penal clauses are included because they are in a normal Electoral Bill, but I do not expect them to be applied.

Mr. HEASLIP: I am opposed to compulsion. Why the Government should require a compulsory vote on a social matter such as this is beyond my comprehension—

Mr. Jennings: Well, most things are.

Mr. HEASLIP:—particularly when it is asking the people to vote on something they cannot possibly know anything about. In fact, apparently it is so secret that Opposition members in this Chamber are not being told anything about it. Hundreds of years ago people were blindfolded and made to walk the plank, and in effect that is what the Government members are forcing the people to do today.

Mr. Quirke: They are buccaneers anyway.

Mr. Ryan: How do you know the people don't want compulsory voting? You wouldn't have a clue.

Mr. Jennings: I still think you are a ratbag.

Mr. HEASLIP: On a point of order, Mr. Chairman, I take exception to the member for Enfield saying that I am a ratbag.

The CHAIRMAN: The honourable member for Rocky River has taken exception to the expression "ratbag".

Mr. JENNINGS: Conscience makes cowards of us all, and I completely withdraw, Mr. Chairman.

The Hon. R. R. LOVEDAY: I take exception to being called a buccaneer.

Mr. QUIRKE: I used the term and I now withdraw it, Mr. Chairman.

Mr. HEASLIP: A Bill for a wool reserve price plan is now being debated in the Commonwealth Parliament before the referendum is held. The people who are to vote on this plan are being told about it before it comes to a referendum. They are not compelled to vote even then. However, this Government is going to force people to vote on this social question. We know it is a Socialist Government that believes in regimentation and compulsion. The member for Glenelg said that the compulsory vote was encouraging people to take an active interest in this matter, but I cannot comprehend that.

The Hon. D. N. BROOKMAN: I cannot understand the inconsistencies and obscurities that have been applied to this matter by the Government. No honourable member on this side can understand the Government's arguments in favour of a compulsory vote. Last year we provided a ballot on egg marketing, but within a few days of this Government's assuming office this ballot was denied to growers, and a scheme forced down their throats. As no cogent reason has been advanced for compulsory voting I oppose the clause.

Mr. RODDA: I do not favour compulsory voting; I do not even favour putting this matter to the public at all. I got the impression from the Attorney-General that anyone living more than five miles from a polling place could obtain a postal vote, and I should like an explanation of this.

The Hon. D. A. DUNSTAN: Clause 7 refers to Part X of the Electoral Act, which relates to postal voting, and provides that any elector who will not, throughout the hours of polling on a polling day, be within five miles by the nearest practicable route of any polling booth may obtain a postal vote. Although valid reasons for not voting are not set out in the Act, the reasons for obtaining a postal vote are usually accepted as reasons why people did not vote. That is the basis on which the electoral officer usually acts, so there is really no compulsion if people have to travel more than five miles to a polling booth.

Mr. RODDA: It has often happened in the South-East that insufficient forms have been available at post offices. On one occasion it

happened at Naracoorte, where people were disfranchised because of lack of forms.

The Hon. D. A. DUNSTAN: I undertake to see that all post offices are supplied with adequate supplies of postal voting forms.

Mr. QUIRKE moved:

To strike out subclause (1).

The Committee divided on the amendment:

Ayes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Heaslip, Millhouse, Nankivell, and Pearson, Sir Thomas Playford, Messrs. Quirke (teller), Rodda, and Shannon, Mrs. Steele, and Mr. Teusner.

Noes (18).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Curren, Dunstan, Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Love-day, McKee, Ryan, and Walsh (teller).

Pair.—Aye—Mr. McAnaney. No—Mr. Corcoran.

Majority of 2 for the Noes.

Amendment thus negated.

The CHAIRMAN: I draw attention to the fact that now all the subclauses will have to be discussed on their merits.

The Hon. Sir THOMAS PLAYFORD: I move:

To strike out subclause (2).

This subclause should be read in conjunction with subclause (3). When the returning officer makes a statutory declaration it places the onus of proof on the person who may have legitimately voted.

Mr. Shannon: The poll clerk may have struck off the wrong name.

The Hon. Sir THOMAS PLAYFORD: That person would have to prove that the clerk did strike off the wrong name. In this instance, many people will be voting, and many officers will be appointed as clerks. A person can vote at any polling booth in the subdivision in which he resides. In my subdivision I can vote at a number of polling booths. Here we have the position of a returning officer, who obviously could not be at every polling booth in the subdivision, having to rely on reports from casual officers to give his ruling. He has to give a statutory declaration without knowing all the facts. A person could have voted by absentee vote somewhere else. The statutory declaration places all the obligation on the voter concerned to prove that he did vote. I do not believe this is good law, and I oppose it.

The Hon. D. A. DUNSTAN: The tactics of the Opposition are made more patently clear by what the Leader has just said. We have seen some fairly disgraceful tactics during this

debate. The sheer nonsense that has been talked deliberately by Opposition members will indicate clearly to the electors the kind of irresponsible persons they choose to be.

The Hon. Sir THOMAS PLAYFORD: Mr. Acting Chairman, a ruling was made a few moments ago that members must discuss the particular subclause. Does that ruling still stand?

The ACTING CHAIRMAN (Mr. Ryan): I ask the Attorney-General to debate the clause.

The Hon. D. A. DUNSTAN: Subclause (2) is exactly the same as subsection (2) of section 118a of the Electoral Act inserted by the Playford Government in 1942 and supported by the Leader of the Opposition at that time. The Leader has talked nonsense, with his tongue in his cheek, to delay proceedings and filibuster the Bill. He is trying to hold up a measure that the people supported at the last State election. The Government will not accept this amendment.

Mr. SHANNON: Quite obviously the reason we are still debating this measure is that the Government is keeping us here. It is so much eyewash for members opposite to suggest we are keeping them here. We had it from the Premier himself that he did not intend to sit late.

The Hon. C. D. HUTCHENS (Minister of Works): On a point of order, Mr. Acting Chairman, you ruled a few moments ago that a member must speak to the subclause. Is the honourable member for Onkaparinga in order in proceeding in the manner in which he is?

The ACTING CHAIRMAN (Mr. Ryan): He is not. I ask the honourable member for Onkaparinga to speak to subclause (2).

Mr. SHANNON: A similar subclause might have been inserted by our Leader in 1942, but many men learn by experience, and I am sure that the same lesson will be learned by certain people occupying the Treasury benches.

It would be a physical impossibility for a man to know all the facts on which to make a statutory declaration, and it is a serious offence for a person to make a statutory declaration without knowing the facts. An inexperienced poll clerk could mark off the wrong name and the onus of proof of voting could be on the unfortunate person whose name had not been marked off. An attempt is being made to get this measure through at any cost.

Mr. HUDSON: On a point of order, Mr. Acting Chairman, I understood that you ruled that members were to confine their remarks to subclause (2) and not canvass the Bill generally.

The ACTING CHAIRMAN (Mr. Ryan): The honourable member should confine his remarks to subclause (2).

Mr. SHANNON: It is improper for the onus of proof to be placed upon a person in the circumstances I mentioned. I support the Leader in his attempt to delete something that cannot operate fairly and justly.

The Committee divided on the amendment:

Ayes (16).—Messrs. Bockelberg, Brookman, Coumbe, Ferguson, Freebairn, Hall, Heaslip, Millhouse, Nankivell and Pearson, Sir Thomas Playford (teller), Messrs. Quirke, Rodda, and Shannon, Mrs. Steele, and Mr. Teusner.

Noes (18).—Messrs. Broomhill and Burdon, Mrs. Byrne, Messrs. Bywaters, Casey, Clark, Curren, Dunstan, Hudson, Hughes, Hurst, Hutchens, Jennings, Langley, Loveday, McKee, Ryan, and Walsh (teller).

Pair.—Aye—Mr. McAnaney. No—Mr. Corcoran.

Majority of 2 for the Noes.

Amendment thus negatived; clause passed. Clause 16 passed.

Clause 17—"Scrutiny of votes."

The Hon. Sir THOMAS PLAYFORD: I think it would be appropriate to provide in this clause for scrutineers. I do not accept the statement that it is not practicable to have scrutineers. At local option polls they are provided, so why not under this legislation? Various organizations will support the referendum, but undoubtedly there will be great hostility from certain churches which would be anxious to see that the poll was taken according to the rules. Provision could be made for the appointment of not more than 10 scrutineers at every polling booth.

Mr. MILLHOUSE: I support the Leader's plea. Every member who has taken part in a scrutiny knows how valuable and interesting it is. Previously I said that one virtue of a voluntary vote would be to see what was the level of interest in the community. It is necessary for scrutineers to check the informal votes.

The Hon. D. A. DUNSTAN: No provision for scrutineers has been included because it is impracticable to arrange for them in a poll of this kind. Under the Electoral Act each candidate may, by notice in writing or by telegram addressed to the assistant returning officer or returning officer, or deputy officer, as the case requires, appoint one scrutineer to represent him at each polling booth, so that there can be as many scrutineers at each booth as there are candidates. The Leader has outlined a vague proposal by which regulations are to be made in some way or another, apparently by the ingenuity of the Government.

Somehow or other 10 scrutineers are to be allowed at each polling booth from someone or other who is undefined, as there are no candidates and there are no people that we know who will support the proposal. We can assume some will oppose it, although the Council of Churches suggested by the Leader has made no such announcement.

Mr. Heaslip: Are there scrutineers at local option polls?

The Hon. D. A. DUNSTAN: Yes, but they can be provided because there are proponents and objectors.

Mr. Millhouse: Don't you think there will be two sides to this matter?

The Hon. D. A. DUNSTAN: Yes, but the proponents and objectors cannot be formally established. It is an impracticable proposal and for that reason we cannot provide a means of scrutiny other than by the electoral officers. It cannot be suggested that they will be unfair or biased. The member for Mitcham said that it would be of interest to see how many informal votes were cast.

Mr. Millhouse: I said that only following the Premier's suggestion that many may be cast.

The Hon. D. A. DUNSTAN: But that will be discovered without having anyone in the polling booth. In elections there may be some feeling, and scrutineers are there to see that one candidate is not favoured more than another. In those circumstances, it is reasonable to have scrutineers. Were it practicable to provide for them, I would think it useful to do so, but we could find no practicable means for this referendum. In other polls there are defined groups of people who may arrange for such a thing, but in this area there are not. If it were proposed by the Opposition to insert a provision for scrutineers, that would be a new provision requiring an instruction to this Committee. So far as I am aware, there has been none.

The Hon. Sir THOMAS PLAYFORD: I am astonished at what the Attorney-General has just said. It is not correct to say that it is not possible to get scrutineers for a poll of this description. Undoubtedly, there are organizations that will support the referendum.

The Hon. D. A. Dunstan: Who are they; how can they be established?

The Hon. Sir THOMAS PLAYFORD: Some people will support and some will oppose every controversial question. Surely the argument against the provision of scrutineers would apply to local option polls. In that case, the Government can make regulations under which

not more than 10 scrutineers may be appointed at any polling booth. That has stood the test of time. Scrutineers are an essential part of any election. The Premier has not been able to explain why we are not to have scrutineers in this case. It is not possible at this late hour to get expert assistance in the framing of the amendment I propose to move.

The Hon. D. A. Dunstan: This Bill has been on the Notice Paper for a long time.

The Hon. Sir THOMAS PLAYFORD: The purpose of the motion at the beginning of each session that the Parliamentary Draftsman shall be accommodated in the Chamber is so that he can deal with points that arise from time to time. I do not believe that the Attorney-General himself knew that there was no provision for scrutineers.

The Hon. D. A. Dunstan: Of course I did.

The Hon. Sir THOMAS PLAYFORD: Then why was the reason not stated in the second reading explanation so that honourable members could have their attention drawn to it? Anybody looking through the Bill would assume that it was provided for. The Government would have power to make regulations to appoint scrutineers from those who claimed to be in favour of the referendum and from those who claimed to be against it. Indeed, I know from experience that a returning officer desires to have scrutineers present, because they offer essential protection. Why should we not have scrutineers?

The Hon. FRANK WALSH: I do not intend to add anything to what has already been explained by the Attorney-General. I have accepted certain information concerning this matter from an officer of the Parliament, and it was fully considered prior to the Bill ever being introduced. The explanations given by the Attorney-General were fully investigated before the Bill was introduced. I cannot add any more to the explanation given by the Attorney-General. Clause 17 provides for the opening of the ballot boxes, and I assume one returning officer will be at each location. The ballot can be counted with the assistance of the officers conducting this referendum.

The Hon. Sir THOMAS PLAYFORD: I move to insert the following new subclause:

- (6) (a) The Governor may make regulations to provide for the appointment of not more than 10 scrutineers to act at each polling place at the referendum.
- (b) The regulations so made shall contain provisions which will enable:

- (i) those who are in favour of the referendum to appoint not more than five scrutineers; and
- (ii) those who are opposed to the referendum to appoint not more than five scrutineers.

- (c) Every scrutineer so appointed pursuant to this subsection shall, so far as it is consistent with the Act, have the same rights and the same powers as are conferred upon scrutineers by the Electoral Act, 1929-1955.

This is to make provision for the Governor to make a regulation to appoint scrutineers, five for those in favour of the referendum and five for those who oppose it. It provides for the scrutineers to have the same powers and obligations as are conferred upon scrutineers by the Electoral Act, 1929-1955.

The Hon. FRANK WALSH: On the condition that the regulations referred to are valid, the amendment will be accepted.

The Hon. Sir THOMAS PLAYFORD: The Attorney-General has suggested an amendment to my amendment.

The Hon. D. A. DUNSTAN: I suggest that the Leader of the Opposition amend his amendment as follows:

In paragraph (b) (i) by striking out "the referendum" and inserting "a 'Yes' vote to the prescribed question"; and in paragraph (b) (ii) by striking out "opposed to the referendum" and by inserting "in favour of a 'No' vote to the prescribed question".

The Hon. Sir THOMAS PLAYFORD: I ask leave to amend my amendment in accordance with the wording suggested by the Attorney-General.

Leave granted.

Mr. SHANNON: I am pleased that the Premier has seen fit to do this. I assure him that there will be no problem at all in getting scrutineers for the "No" side. Knowing that the Government Party has a platform dealing with a referendum on lotteries, I would imagine it would have no difficulty in getting people lined up to scrutineer for the "Yes" side. I know there are literally hundreds who will be most aggrieved if they are denied the right to act as scrutineers for the "No" side. I compliment the Premier on his attitude towards this amendment.

Amendment carried; clause as amended passed.

Clauses 18 to 26 passed.

Clause 27—"Exception."

The Hon. Sir THOMAS PLAYFORD: I take the most positive objection to this clause; for

it could lead to all sorts of undesirable practices at the poll. Strong precedent exists for having it struck out. Earlier the Attorney-General mentioned that a certain provision was in accordance with the Commonwealth law for taking a referendum. Incidentally, this provision has been taken out of the Commonwealth Electoral Act, section 160 of which provides that no declaration of public policy or promise of public action shall be deemed bribery or undue influence. That, of course, applies regarding ordinary normal elections, and it is rather significant that in the Commonwealth referendum legislation it is specifically stated that this provision shall not apply in the taking of a referendum. At ordinary elections Party leaders make statements of policy, and that is necessary, but this provision can only be used for an improper purpose. That is why the Commonwealth legislation on referenda omits it. I cannot see any justification to include it. I ask the Premier to consider its deletion.

The Hon. FRANK WALSH: The Leader will be pleased to know that the Government will not insist on its being included.

Clause negatived.

Clauses 28 to 33 passed.

The Schedule.

Mr. MILLHOUSE: I make one last attempt to alter the form of the question appearing in Forms A and B. I want to alter "lotteries" to "a State lottery". Could you tell me how to do that, Mr. Chairman?

The CHAIRMAN: I cannot tell the honourable member.

Mr. MILLHOUSE: I shall make a stab at it, and if I am wrong no doubt I shall be told. I move:

In Form A to strike out "lotteries" second occurring and insert "a State lottery".

The Hon. D. A. DUNSTAN: I rise on a point of order, Mr. Chairman. You have ruled that under Standing Orders we must deal with the schedule separately. The honourable member is endeavouring not to alter the form but to alter the substantive prescribed question that we have already agreed to in clause 4.

The Hon. Sir Thomas Playford: The Chairman said under clause 4 that it would be permissible to amend it.

The Hon. D. A. DUNSTAN: No, he said it under clause 3 as to the Schedule but not as to the substance of the question. We have already decided what the substance shall be.

The CHAIRMAN: The ruling I gave was in regard to the writ under clause 3.

Mr. MILLHOUSE: I have it now. I think the amendment is in pretty good form, even though you would not help me, Sir.

The CHAIRMAN: I am under no obligation to help the honourable member.

Mr. MILLHOUSE: I did not say you were, Sir.

The CHAIRMAN: Just bear that in mind. I am not under any obligation to help the member for Mitcham. In fact, I thought he considered he had more ability than I to draft an amendment.

Mr. MILLHOUSE: I never put myself above the Chair.

The CHAIRMAN: I rule the amendment out of order.

Mr. MILLHOUSE: I cannot accept that.

The CHAIRMAN: The honourable member must accept the authority, which is not I. The authority states:

An amendment must not be inconsistent with or contrary to the Bill as so far agreed to by the Committee.

Clause 4 has been determined by the Committee, and it deals with the form of the question to be submitted to the people. The proposed amendment is to alter a replica of clause 4.

Mr. MILLHOUSE: I thought this was in conformity with the ruling you gave when we were debating clause 4.

The CHAIRMAN: I cannot help what the honourable member thinks. I have informed him that his amendment is out of order. That cannot be debated; he must appreciate that.

Mr. MILLHOUSE: What amendments can we make?

The CHAIRMAN: That is not for the Chair to say. It is not for the Chair to draft amendments. The question before the Chair is that the Schedule stand as printed.

Schedule passed.

Title passed.

Bill reported with amendments.

PERSONAL EXPLANATION: SPEAKER'S RULING.

The Hon. B. H. TEUSNER (Angas): I ask leave to make a personal explanation.

Leave granted.

The Hon. B. H. TEUSNER: Mr. Speaker, my personal explanation arises out of a matter that was discussed yesterday afternoon when the Leader of the Opposition moved that your

ruling be disagreed to and you amplified your reasons for the ruling you had given earlier, stating, *inter alia*:

I believe I am entitled to refer to a debate that took place on November 2, 1960, when the member for Angas was Speaker in this place. On that occasion a motion moved by the then Leader of the Opposition was ruled out of order and exactly the same ruling was given as has been given today.

In view of that statement by you, it was assumed by many members of this Chamber (who have told me so) that the ruling of November 2, 1960, referred to by you was given by me.

I was unaware of the ruling referred to by you. I knew that I had not given a ruling of that nature. I have referred to the proceedings of the House on that day, and also to the *Hansard* report of November 2, 1960. On that day a ruling was given by the Acting Chairman of Committees (Mr. Jenkins) in connection with the Prices Bill (No. 2), which was being considered by the Committee. The then Leader of the Opposition stated, on page 1640 of *Hansard*:

It seems that that would be impossible. I move—

To strike out "Sections 34 to 42 inclusive" and to insert "Section 35".

The Acting Chairman (Mr. Jenkins) then stated:

I rule the amendment out of order, as an amendment which is an equivalent to a negative of the Bill or which would reverse the principle

of the Bill as agreed to on the second reading is not admissible.

The matter under consideration at that time by the Committee was, in my view, entirely different from what was under discussion yesterday afternoon. I want to make it clear that the ruling referred to by you, Mr. Speaker, yesterday afternoon was a ruling given not by me but by the Acting Chairman of Committees.

The SPEAKER: I am indebted to the honourable member for drawing my attention to what may have been a misconception of what I said yesterday afternoon. If it was possible to construe my remarks in the way suggested by the honourable member, then I apologize to him. He has said that he did not give the ruling in question, but I do not remember having suggested that he did. I said that exactly the same ruling was given, and upheld by the House, whilst the honourable member was Speaker. If he considers that he has been placed at a disadvantage in any way, through a misconstruing of the remarks I made yesterday, then I regret it. I did not intend to reflect in any way on the manner in which the honourable member carried out his duties as Speaker. Indeed, I have the greatest admiration and respect for the way in which he executed his duties when occupying that position.

ADJOURNMENT.

At 2.46 a.m. the House adjourned until Tuesday, September 21, at 2 p.m.