

1926-27-28.

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.
CANBERRA.

No. 180.

VOTES AND PROCEEDINGS
OF THE
HOUSE OF REPRESENTATIVES.

THURSDAY, 31ST MAY, 1928.

1. The House met, at half-past two o'clock p.m., pursuant to adjournment.—Mr. Speaker (the Honorable Sir Littleton Groom) took the Chair, and read Prayers.
2. PRECEDENCE TO GOVERNMENT BUSINESS FOR SITTING.—Mr. Bruce (Prime Minister) moved, by leave, That Government Business shall take precedence over General Business for this day of sitting.
Question—put and passed.
3. SUPPLY [“GRIEVANCE DAY”].—Pursuant to the provisions of Standing Order No. 241, the Order of the Day having been read for going into the Committee of Supply—
Question proposed—That Mr. Speaker do now leave the Chair.
Question—put and negatived.
Resolved—That the House will, at the next sitting, resolve itself into the said Committee.
4. ELECTORAL BILL (1927).—The Order of the Day having been read for the further consideration of this Bill in Committee of the whole House—Mr. Speaker left the Chair, and the House resolved itself into a Committee of the Whole.

(In the Committee.)

Clause 9—

Debate resumed on the following proposed amendment of Mr. Manning :—That after “ Officer ” (page 4, line 24) the words “ or presiding officer ” be inserted.

Amendment, by leave, withdrawn.

Debate on clause continued.

On the motion of Mr. Marr (Honorary Minister), the following amendment was made :—Page 4, line 25, omit “ who ”, insert “ or may be delivered on polling day to any presiding officer, and the Divisional Returning Officer or presiding officer, as the case may be,”.

Clause, as amended, agreed to.

Clause 10 agreed to.

Clause 11—

On the motion of Mr. Marr, the following amendments were made :—

Page 4, line 32, omit “ and ”.

Page 4, at the end of the clause add the following :—

“ and

(c) by inserting after the words ‘ Divisional Returning Officer ’ the words ‘ or delivery to a presiding officer ’.”

Clause, as amended, agreed to.

Clause 12 agreed to.

Clause 13—

On the motion of Mr. Marr, the following amendment was made :—

Page 5, line 3, after “ Officer ” insert “ or any presiding officer ”.

Clause, as amended, agreed to.

Clauses 14 and 15 agreed to.

Clause 16 debated and agreed to.

Clauses 17 to 24 agreed to.

Clause 25 debated and agreed to.

Clauses 26 and 27 agreed to.

Clause 28 omitted, after debate.

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Postponed clause 2—

On the motion of Mr. Marr, the following amendment was made :—Page 1, lines 14—16, omit “ whose real place of living is not in the Division in respect of which he is enrolled shall not be entitled to vote as an elector of that Division ”, insert “ shall not be entitled to vote as an elector of the Division in respect of which he is enrolled ”.

Clause, as amended, agreed to.

New clauses—

Mr. Blakeley moved, That the following new clause be added to the Bill :—

- 1A. Section eight of the Principal Act is amended by adding at the end thereof the following :—
“ When it is necessary for Divisional Returning Officers to work in excess of the ordinary official hours, overtime shall be paid in accordance with the prescribed rates.”.

Debate ensued.

Point of Order—Chairman's Ruling.—Mr. Mackay raised a Point of Order that the amendment involved an appropriation of revenue or moneys and therefore needed a recommendation from the Governor-General and, further, that the amendment was not within the scope of the Bill. The Chairman (Mr. Bayley) ruled that for the purposes of the amendment no appropriation of revenue or moneys was necessary under the Bill, and that the amendment was within the scope of the Bill and in order.

Proposed new clause negatived.

Mr. Thompson moved, That the following new clause be added to the Bill :—

- 2A. Section forty-one of the Principal Act is amended—
(a) by omitting from sub-section (1.) the words “ one month ” and inserting in their stead the words “ three months ”; and
(b) by omitting from sub-section (2.) the words “ one month ” and inserting in their stead the words “ three months ”.

Debate ensued.

Proposed new clause negatived.

Mr. Fenton moved, That the following new clause be added to the Bill :—

- 2A. Section seventy of the Principal Act is repealed.

Debate ensued.

Proposed new clause negatived.

On the motion of Mr. Marr, the following new clauses were added to the Bill, after debate :—

- 3A. Section eighty-three of the Principal Act is repealed, and the following section inserted in its stead :—

“ 83.—(1.) If after the nominations for an election for the Senate have been declared and before polling day any candidate dies and the candidates remaining are not greater in number than the candidates required to be elected, they shall forthwith be declared to be elected and the writ returned. Death of candidate after nomination.

(2.) If after the nominations for an election for the House of Representatives have been declared, and before polling day, any candidate dies, the election shall be deemed to have wholly failed.”.

- 3B. Section eighty-four of the Principal Act is amended by adding at the end of sub-section (1.) the following proviso :— Failure of election

“ Provided that where the election has failed in consequence of the death of a candidate after the declaration of the nominations and before polling day, the supplementary election shall be held upon the roll which was prepared for the purpose of the election which failed ”.

On the motion of Mr. Parkhill, the following new clause was added to the Bill, after debate :—

- 14A. Section one hundred and thirteen of the Principal Act is amended by omitting from sub-section (1.) the word “ State ” and inserting in its stead the word “ Commonwealth ”. Where electors may vote.

Mr. Thompson moved, That the following new clause be added to the Bill :—

- 23A. After section one hundred and fifty of the Principal Act the following section is inserted :—

“ 150A. No Member of the Parliament, or other person who has been selected as a candidate, or who has announced himself as a candidate for the Parliament, shall offer, promise or give directly or indirectly any gift, donation or prize to or for any club or other association or institution :

Provided that it shall not be a contravention of this section for a Member of Parliament to contribute, or to offer or promise to contribute, to the funds of a hospital, a charitable body, an educational institution, a memorial or a church collection, or to pay any usual membership charge to any club, or other association or institution of which he is an active and bona fide member.”.

Proposed new clause negatived.

Mr. Thompson moved, That the following new clause be added to the Bill :—

- 25A. After section one hundred and sixty-four of the Principal Act the following section is inserted :—

“ 164A. Any newspaper which publishes any article, letter, paragraph or advertisement commenting upon any Member of the Parliament, or any candidate for the Parliament, shall within

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the next succeeding issue, or such other issue as the Member or candidate shall desire, publish in a prominent part of the paper usually devoted to such matters any reply by the Member or candidate :

Provided that it shall not be a contravention of this section for a newspaper to excise statements which cannot be construed as fair comment upon the article, letter, paragraph or advertisement complained of ; but so as not to destroy the relevancy of the reply.

Penalty : Fifty pounds."

Proposed new clause negatived.

Mr. Thompson moved, That the following new clause be added to the Bill :—

25B. Section one hundred and sixty-five of the Principal Act is amended by omitting sub-section (1.) and inserting in its stead the following sub-section :—

" (1.) A person shall not—

(a) print, publish or distribute any card or paper having thereon any direction or instruction as to how an elector should vote unless there is printed on the card or paper, in bold type, an intimation that the card or paper must not be left in the polling booth nor placed in the ballot-box, or

(b) exhibit or leave in any polling booth any card or paper having thereon any direction or instruction as to how the elector should vote or as to the method of voting.

Penalty : Twenty pounds."

Proposed new clause negatived.

Mr. Thompson moved, That the following new clause be added to the Bill :—

25c. Section one hundred and seventy-one of the Principal Act is amended—

(a) by omitting the word " twenty " and inserting in its stead the word " fifty " ; and

(b) by inserting therein, after paragraph (e), the following paragraph :—

" (f) driving a motor car or other vehicle not being a motor car or vehicle used for conveying incapacitated electors to the polling booth, or causing or authorizing any such motor car or vehicle to approach within fifty feet of the polling booth."

Proposed new clause negatived.

Title agreed to.

Bill to be reported with amendments.

The House resumed ; Mr. Mann reported accordingly.

Mr. Marr moved, That the Bill be now recommitted to a Committee of the whole House for the reconsideration of clauses 9 and 11.

Question—put and passed.

Mr. Speaker left the Chair, and the House again resolved itself into a Committee of the Whole.

(In the Committee.)

On recommitment—

Clause 9—

On the motion of Mr. Marr, the following further amendments were made :—

Page 4, proposed sub-section (2.), after " Divisional Returning Officer " (second occurring) insert " or to an Assistant Returning Officer ".

Page 4, proposed sub-section (2.), after " Divisional Returning Officer " (last occurring) insert " , Assistant Returning Officer ".

Clause, as further amended, agreed to.

Clause 11—

On the motion of Mr. Marr, the following further amendment was made :—

Page 4, before " a presiding officer " insert " an Assistant Returning Officer or ".

Clause, as further amended, agreed to.

Bill to be reported with further amendments.

The House resumed ; Mr. Mann reported accordingly.

On the motion of Mr. Marr, the House, by leave, adopted the Reports, and, by leave, the Bill was read a third time.

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5. ADJOURNMENT.—Mr. Bruce (Prime Minister) moved, That the House do now adjourn.
Debate ensued.
Question—put and passed.

And then the House, at eighteen minutes to eleven o'clock p.m., adjourned until to-morrow at eleven o'clock a.m.

MEMBERS PRESENT.—All Members were present (at some time during the sitting) except—Mr. Anstey, Mr. Atkinson, Mr. Bowden, Mr. Charlton, Mr. Coleman, Mr. Grosvenor Francis, Mr. Roland Green, Mr. Hill, Mr. Hughes, Sir Elliot Johnson, Mr. Lacey, Mr. Lambert, Mr. Latham, Mr. Lazzarini, Mr. Makin, Mr. Marks, Mr. Maxwell, Mr. Parsons, Mr. E. C. Riley, Mr. Rodgers, Mr. Stewart, Mr. Theodore, Mr. Watkins, and Mr. Watt.

E. W. PARKES,
Clerk of the House of Representatives.