

House of Assembly—No 26

As laid on the table and read a first time, 13 October 2004

South Australia

Referendum (Direct Democracy) Bill 2004

A BILL FOR

An Act to provide for the submission of the *Direct Democracy (Citizen-Initiated Referendums) Bill 2004* to a referendum.

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The Parliament of South Australia enacts as follows:

1—Short title

This Act may be cited as the *Referendum (Direct Democracy) Act 2004*.

2—The Referendum

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- (1) The *Direct Democracy (Citizen-Initiated Referendums) Bill 2004* must, when passed by the Parliament but before being presented to the Governor for assent, be submitted to a referendum of electors for the House of Assembly.
- (2) The question to be put to electors at the referendum is as follows:
Do you approve the *Direct Democracy (Citizen-Initiated Referendums) Bill 2004*?
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- (3) The referendum will be held on a date appointed by proclamation for the purpose, being a date falling at least 2 months after the Bill is passed by Parliament.
- (4) If the majority of electors voting at the referendum approves the Bill, it must be presented to the Governor for assent but if not it will lapse.

3—Conduct of referendum

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- (1) The Electoral Commissioner is responsible for the conduct of the referendum.
- (2) The *Electoral Act 1985* applies to the referendum with adaptations, exclusions and modifications prescribed by regulation as if the referendum were a general election of members of the House of Assembly.

4—Distribution to electors of arguments for and against the Bill

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- (1) If within 4 weeks after the passage of the *Direct Democracy (Citizen-Initiated Referendums) Bill 2004* there is forwarded to the Electoral Commissioner—
- (a) an argument in favour of the Bill, consisting of not more than 2 000 words, authorised by a majority of those members of the Parliament who voted for the Bill; or
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- (b) an argument against the Bill, consisting of not more than 2 000 words, authorised by a majority of those members of the Parliament who voted against the Bill,

the Electoral Commissioner must, not later than 14 days before the voting day for the referendum, cause to be printed and to be posted to each elector, as nearly as practicable, a pamphlet containing the arguments.

- (2) A pamphlet under subsection (1) may contain such other information, or be accompanied by such material, as the Electoral Commissioner thinks fit.

5—Appointment of scrutineers

5 A political party registered under the *Electoral Act 1985* may by notice in a form approved by the Electoral Commissioner appoint one or more scrutineers for the purposes of the referendum.

6—Declaration of result

When the result of the referendum is known, the Electoral Commissioner must declare the result by notice in the Gazette.

10 **7—Regulations**

The Governor may make such regulations as are contemplated by, or necessary or expedient for the purposes of, this Act.