Index
1968–69

(SECOND SESSION OF THE FORTY-SECOND PARLIAMENT)

NEW SOUTH WALES

VOTES

AND

PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

DURING THE SESSION

OF

1968-69

WITH THE VARIOUS DOCUMENTS CONNECTED THEREWITH

IN ONE VOLUME

AND

FIVE JOINT VOLUMES

BY AUTHORITY

VICTOR C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES

1969
# Table of Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title page</td>
<td></td>
</tr>
<tr>
<td>Table of Contents</td>
<td></td>
</tr>
<tr>
<td>Index</td>
<td></td>
</tr>
<tr>
<td><strong>Votes—Sessional Papers:</strong></td>
<td></td>
</tr>
<tr>
<td>Alphabetical List of Members.  <em>(Facing page 1.)</em></td>
<td></td>
</tr>
<tr>
<td>Votes and Proceedings, Nos. 1 to 65</td>
<td>1</td>
</tr>
<tr>
<td>Proclamation Proroguing Parliament</td>
<td>405</td>
</tr>
<tr>
<td>Business undisposed of at the close of the Session</td>
<td>407</td>
</tr>
<tr>
<td>Attendances of Members in Divisions and Counts-out</td>
<td>413</td>
</tr>
<tr>
<td>Business of the Session</td>
<td>415</td>
</tr>
<tr>
<td>Register of Bills</td>
<td>417</td>
</tr>
<tr>
<td>Register of Addresses and Orders</td>
<td>425</td>
</tr>
<tr>
<td>Standing and Select Committees appointed during the Session</td>
<td>427</td>
</tr>
<tr>
<td>Weekly Reports of Divisions in Committee of the Whole, Nos. 1 to 17</td>
<td>429</td>
</tr>
<tr>
<td>Reports from Printing Committee, Nos. 1 to 19</td>
<td>525</td>
</tr>
</tbody>
</table>
INDEX
TO THE
VOTES AND PROCEEDINGS
AND
PAPERS LAID UPON THE TABLE
(INCLUDING PAPERS PRESENTED TO BOTH HOUSES AND BOUND IN THE JOINT VOLUMES)
DURING THE SESSION OF
1968-69
(Opened 7 August, 1968; Prorogued 7 May, 1969.)

NOTE
For Papers laid upon the Table of both Houses, and Sessional Returns, see under "Papers", page xxxvi.
For Proceedings on Bills, see under "Bills", page ii.
For Proceedings on Motions, see under "Motions", page xxvi.

REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

A

ADDRESS:
IN REPLY TO THE GOVERNOR'S SPEECH:
Motion made (Mr Coleman) for adoption and debate adjourned, 22; resumed and adjourned, 25, 28, 29, 32, 35, 38; resumed, Address in Reply agreed to, 41-2; presented to Lieutenant-Governor and Answer reported, 59.

REVOCATION OF DEDICATION OF CERTAIN STATE FORESTS:
Message from Governor recommending, 236; motion (Mr Beak) for, agreed to, 270.
INDEX
1968-69

REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

A

ADJOURNMENT (See also "BY CONSENT"):

OF DEBATE (See "DEBATE").

OF THE HOUSE:

As a mark of respect on death of Member, 7, 259.
Motion for, agreed to, 26, 35, 71, 84, 90, 97, 118, 127, 141, 144, 146, 150, 153, 155, 159, 166, 172, 179, 184, 195, 201, 210, 223, 237, 251, 284, 290, 292, 296, 299, 305, 313, 316, 323, 329, 334, 346, 353, 360, 367, 386.

Under Amended Sessional Order (Ten minutes after motion for adjournment moved), 30, 44, 63, 105, 113, 123, 168, 246, 377, 403.

Speaker or Deputy-Speaker leaves the Chair for period (Later Hour), 2;
(Against day), 395.

Special:

Motion for, agreed to, 47; (provision for earlier day, if necessary) agreed to, 55, 130, 181, 272, 403.

UNDER THE 49TH STANDING ORDER:

Negatived:

The increases in fares on train, bus and ferry services and rail parcel rates announced by the Premier on 17 September, 1968 (Mr Cox), 86.

The proposed resumptions by the Government for the purposes of extensive road works and associated projects at King's Cross (Mr Hills), 297.

Withdrawn:

The increasing distress resulting from the worsening of the drought in the Monaro area (Mr Mauger), 103.

The cessation yesterday of drought unemployment relief for about 400 men in the far west of New South Wales (Mr Johnstone), 121.

The disastrous property losses caused by bushfires in the area of the Greater City of Cessnock Council (Mr Neilly), 193.

The Bushfires in the lower Blue Mountains (Mr Dunbier), 242.

The critical position of the water supply to the township of Ivanhoe (Mr Johnstone), 295.

Ruled Out of Order:

The Department of Education's request for negotiations for the sale of their holdings received by 24 property owners in Victoria and Ireton Streets, Malabar, during the week commencing 21 October, 1968 (Mr Haigh), 158.

The statement by the Leader of the Opposition on 5 November, 1968, for special drought concessions for the South Coast of New South Wales (Mr Chaffey), 175.

AMENDMENTS (See also "BILLS"):

To add new paragraph (proposed), 295.
To insert word (agreed to), 328.

ASSEMBLY (See also "ADDRESSSES"): 

OPENING OF SESSION:

Clerk reads Proclamation, 1.
Usher of Black Rod delivers Message from Governor, 2.

B

BILLS (See also "DIVISIONS": also "PAPERS" INDEX):

Amendment to recommit on motion for 3°, agreed to, 130.
Amendment to recommit on adoption of Report, agreed to, 235.
Amendment to read Bill 3°, "this day six months", negatived, 80.
Amendment to refer Bill to Select Committee, negatived, 349.
Council's amendments ordered by Speaker or Deputy-Speaker to be taken into consideration (forthwith), 403; (Later hour of Day), 137, 268, 384; (Tomorrow), 243, 326, 367, 373.

Leave given, Bill not introduced, 59; presented, 69.
Order of Day discharged and Bill withdrawn, 59.
Pro forma, 18.
INDEX
1968-69
REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

B


PROCEEDINGS ON:

ABORIGINALS BILL:

Motion (Mr Willis) for leave to bring in, Bill presented and read 1°, 177; Message from Governor, 185; motion for 2° and debate adjourned, 284; House in Committee, reported with amendments, Report adopted, 289; read 3° and sent to Council, 310; returned with amendments, 317; additional message from Governor, 321; House in Committee, Council's amendments agreed to, Message to Council, 333; Assent reported, 382.

ADMINISTRATION OF JUSTICE BILL:

Assent to (Session 1968) reported, 2.

AERIAL SPRAYING CONTROL BILL:

Message from Governor, 173; Motion (Mr Crawford) for leave to bring in, Bill presented and read 1°, 177; read 2° and committed, reported with an amendment, Report adopted, 305; read 3° and sent to Council, 310; returned without amendment, 341; Assent reported, 380.

APPRENTICES BILL:

Motion (Mr Willis) for leave to bring in, Bill presented and read 1°, 344; motion for 2° and debate adjourned, 357; resumed, read 2° and committed, reported with amendments, Report adopted, 367; read 3° and sent to Council, 371; returned without amendment, 393.

APPROPRIATION BILL:

Message from Governor, 112; Standing Orders suspended (by consent) to bring in and pass all stages in one day, 161; Ordered, found on Resolution of Ways and Means (Nos 2 to 11), Bill presented and read 1°, read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 166; returned without amendment, 201; Assent reported, 212.

ARCHITECTS (AMENDMENT) BILL:

Motion (Mr Waddy on behalf of Mr Cutler) for leave to bring in, Bill presented and read 1°, 337; read 2° and committed, reported without amendment, Report adopted, 353; read 3° and sent to Council, 356; returned without amendment, 373; Assent reported, 398.

BANANA INDUSTRY BILL:

Motion (Mr Crawford) for leave to bring in, Bill presented and read 1°, 371; Message from Governor, 379; read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 393; returned with amendments, House in Committee, Council's amendments agreed to, Message to Council, 402.

BOY SCOUTS ASSOCIATION—NEW SOUTH WALES BRANCH INCORPORATION (AMENDEMENT) BILL:

Motion (Mr McCaw) for leave to bring in, Bill presented and read 1°, 110; read 2° and committed, reported without amendment, Report adopted, 190; read 3° and sent to Council, 193; returned without amendment, 216; Assent reported, 261.
BILLS (continued):

PROCEEDINGS ON:

BROKEN HILL TO SOUTH AUSTRALIAN BORDER RAILWAY AGREEMENT BILL:
Motion (Mr Morris) for leave to bring in, Bill presented and read 1°, 198; Message from Governor, 203; Motion for 2° and debate adjourned, 210; House in Committee, reported without amendment, Report adopted, read 3° (forthwith) and sent to Council, 246; returned without amendment, 257; Assent reported, 274.

BROKEN HILL TO SOUTH AUSTRALIAN BORDER RAILWAY AGREEMENT (AMENDMENT) BILL:
Motion (Mr Morris) for leave to bring in, Bill presented and read 1°, 352; read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 365; returned without amendment, 384.

BURSARY ENDOWMENT (AMENDMENT) BILL:
Motion (Mr Cutler) for leave to bring in, Bill presented and read 1°, 55; Order of Day discharged and Bill withdrawn, 59.

BURSARY ENDOWMENT (AMENDMENT) BILL (No. 2):
Motion (Mr Cutler) for leave to bring in, Bill presented and read 1°, 87; read 2° and committed, reported without amendment, Report adopted, 110; read 3° and sent to Council, 116; returned without amendment, 136; Assent reported, 151.

CANTERBURY MUNICIPALITY (BAZENTIN AND PERSIC STREETS RECREATION RESERVE) BILL:
Received from Council and read 1° (Mr K. J. Stewart), 40; read 2° and committed, reported without amendment, Report adopted, 95; read 3° and returned to Council, 102; Assent reported, 131.

CATTLE COMPENSATION (AMENDMENT) BILL:
Message from Governor, 45; motion (Mr Crawford) for leave to bring in, Bill presented and read 1°, 49; read 2° and committed, reported without amendment, Report adopted, 111; read 3° and sent to Council, 116; returned without amendment, 136; Assent reported, 151.

CHILD WELFARE (AMENDMENT) BILL:
Motion (Mr Waddy on behalf of Mr McCaw) for leave to bring in, Bill presented and read 1°, 296; motion for 2° and debate adjourned, 313; read 2° and committed, reported without amendment, Report adopted, 317; read 3° and sent to Council, 321; returned with amendments, 350; House in Committee, Council's amendments agreed to, Message to Council, 398.

CITY NIGHT REFUGE AND SOUP KITCHEN INCORPORATION (AMENDMENT) BILL:
Received from Council and read 1° (Mr Griffith), 364; read 2° and committed, reported without amendment, Report adopted, read 3° and returned to Council, 397.

CLOSER SETTLEMENT (REMOVAL OF RESTRICTION ON TRANSFER) BILL:
Assent to (Session 1968) reported, 2.

COAL AND OIL SHALE MINE WORKERS (SUPERANNUATION) AMENDMENT BILL (1968):
Motion (Mr Fife) for leave to bring in, Bill presented and read 1°, 87; read 2° and committed, reported without amendment, Report adopted, 97; read 3° and sent to Council, 102; returned without amendment, 118; Assent reported, 136.

COAL AND OIL SHALE MINE WORKERS (SUPERANNUATION) AMENDMENT BILL (1969):
Motion (Mr Fife) for leave to bring in, Bill presented and read 1°, 322; Message from Governor, 331; read 2° and committed, reported without amendment, Report adopted, 346; read 3° and sent to Council, 348; returned without amendment, 373; Assent reported, 399.
REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

B

BILLS (continued):

PROCEEDINGS ON (continued):

COAL MINING INDUSTRY LONG SERVICE LEAVE (AMENDMENT) BILL:
Motion (Mr Fitch) for leave to bring in, Bill presented and read 1°, 288; read 2° and committed, reported without amendment, Report adopted, 329; read 3° and sent to Council, 332; returned without amendment, 363; Assent reported, 399.

COLLARENEBRI WATER SUPPLY BILL:
Motion (Mr Hughes on behalf of Mr Morton) for leave to bring in, Bill presented and read 1°, 48; read 2° and committed, reported without amendment, Report adopted, 69; read 3° and sent to Council, 73; returned without amendment, 111; Assent reported, 131.

COMPANIES AND BUSINESS NAMES (AMENDMENT) BILL:
Motion (Mr McCaw) for leave to bring in, Bill presented and read 1°, 289; read 2° and committed, reported without amendment, Report adopted, 304; read 3° and sent to Council, 310; returned without amendment, 341; Assent reported, 380.

COMPANIES (TRANSFER OF DOMICILE) BILL:
Motion (Mr McCaw) for leave to bring in, Bill presented and read 1°, 42; read 2° and committed, reported without amendment, Report adopted, 51; read 3° and sent to Council, 54; returned without amendment, 88; Assent reported, 108.

CONSTITUTION (AMENDMENT) BILL:
Message from Governor, 239; Motion (Mr Askin) for leave to bring in, Bill presented and read 1°, 242; read 2° and committed, reported without amendment, Report adopted, 336; Message from Governor, 337; read 3° and sent to Council, 343; returned without amendment, 366; additional Message from Governor, 387; House in Committee, Council's amendments agreed to, Message to Council, 401.

CONSUMER (PROTECTION) BILL:
Motion (Mr Willis) for leave to bring in, Bill presented and read 1°, 318; motion for 2° and debate adjourned, 334; resumed, read 2° and committed, reported without amendment, Report adopted, 343; returned with amendments, 366; additional Message from Governor, 387; House in Committee, Council's amendments agreed to, Message to Council, 401.

CORONERS (AMENDMENT) BILL:
Motion (Mr Maddison) for leave to bring in, Bill presented and read 1°, 199; read 2° and committed, reported without amendment, Report adopted, 271; read 3° and sent to Council, 282; returned without amendment, 318; Assent reported, 339.

CREDIT UNION BILL:
Message from Governor, 283; Motion (Mr Stephens) for leave to bring in, Bill presented and read 1°, 284; motion for 2° and debate adjourned, 292; read 2° and committed, 296; House in Committee, reported without amendment, Report adopted, 298; read 3° and sent to Council, 305; returned with amendments, 325; House in Committee, Council's amendments agreed to, Message to Council, 333; Assent reported, 362.

CROWN LANDS AND CLOSER SETTLEMENT (AMENDMENT) BILL:
Motion (Mr Lewis) for leave to bring in, Bill presented and read 1°, 104; Message from Governor, 107; motion for 2° and debate adjourned, 123; resumed and adjourned, 179, 184; read 2° and committed, reported with amendments, Report adopted, 189; read 3° and sent to Council, 192; returned with amendments, 216; House in Committee, Council's amendments agreed to, Message to Council, 269; Assent reported, 275.
REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

BILLS (continued):

PROCEEDINGS ON (continued):

EDUCATION (AMENDMENT) BILL:
Assent to (Session 1968) reported, 2.

EVIDENCE (REPRODUCTIONS) AMENDMENT BILL:
Motion (Mr McCaw) for leave to bring in, Bill presented and read 1°, 288; read 2° and committed, reported without amendment, Report adopted, 299; read 3° and sent to Council, 303; returned without amendment, 326; Assent reported, 339.

EXPLOSIVES (AMENDMENT) BILL (1968):
Motion (Mr Fife) for leave to bring in, Bill presented and read 1°, 104; read 2° and committed, reported without amendment, Report adopted, 117; read 3° and sent to Council, 120; returned without amendment, 136; Assent reported, 152.

EXPLOSIVES (AMENDMENT) BILL (1969):
Motion (Mr Fife) for leave to bring in, Bill presented and read 1°, 312; read 2° and committed, reported without amendment, Report adopted, 329; read 3° and sent to Council, 332; returned without amendment, 363; Assent reported, 399.

FARMERS' RELIEF (AMENDMENT) BILL:
Message from Governor, 45; motion (Mr Lewis) for leave to bring in, Bill presented and read 1°, 49; read 2° and committed, reported without amendment, Report adopted, 90; read 3° and sent to Council, 94; returned without amendment, 122; Assent reported, 135.

FISHERIES AND OYSTER FARMS (AMENDMENT) BILL:
Motion (Mr Askin) for leave to bring in, Bill presented and read 1°, 48; Message from Governor, 57; read 2° and committed, reported without amendment, Report adopted, 62; read 3° and sent to Council, 68; returned without amendment, 89; Assent reported, 99.

FORESTRY (AMENDMENT) BILL:
Motion (Mr Beale) for leave to bring in, Bill presented and read 1°, 292; Message from Governor, 295; motion for 2° and debate adjourned, 318; resumed, read 2° and committed, reported without amendment, Report adopted, 329; read 3° and sent to Council, 332; returned without amendment, 363; Assent reported, 399.

GAMING AND BETTING (AMENDMENT) BILL:
Motion (Mr Willis) for leave to bring in, Bill presented and read 1°, 81; read 2° and committed, reported without amendment, Report adopted, 104; read 3° and sent to Council, 110; returned without amendment, 136; Assent reported, 143.

GAMING AND BETTING (POKER MACHINES) TAXATION AMENDMENT BILL:
Motion (Mr Willis) for leave to bring in, Bill presented and read 1°, 81; read 2° and committed, reported without amendment, Report adopted, 95; read 3° and sent to Council, 102; returned without amendment, 122; Assent reported, 135.

GENERAL LOAN ACCOUNT APPROPRIATION BILL:
Message from Governor, 144; Standing Orders suspended to bring in and pass all stages in one day, 175; Ordered (Mr Askin) founded on Resolution of Ways and Means (No. 12), presented and read 1°, read 2° and committed; reported without amendment, Report adopted, read 3° and sent to Council, 176; returned without amendment, 201; Assent reported, 212.

GOVERNMENT GUARANTEES (AMENDMENT) BILL:
Motion (Mr Askin) for leave to bring in, Bill presented and read 1°, 47; read 2° and committed, reported without amendment, Report adopted, 82; read 3° and sent to Council, 85; returned without amendment, 118; Assent reported, 134.
REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

BILLS (continued):

GOVERNMENT RAILWAYS (AMENDMENT) BILL:
Message from Governor, 173; Motion (Mr Morris) for leave to bring in, Bill presented and read 1st, 176; read 2nd and committed, reported without amendment, Report adopted, 195; read 3rd and sent to Council, 198; returned without amendment, 216; Assent reported, 261.

GOVERNOR'S SALARY (AMENDMENT) BILL:
Message from Governor that Bill Reserved for Royal Assent, 5; Assent (Session 1968) reported, 5.

HIGHER EDUCATION BILL:
Motion (Mr Cutler) for leave to bring in, Bill presented and read 1st, 348; read 2nd and committed, reported without amendment, Report adopted, read 3rd and sent to Council, 366; returned without amendment, 384.

H.M.S. ENDEAVOUR TRUST FUND BILL:
Motion (Mr McCaw) for leave to bring in, Bill presented and read 1st, 178; read 2nd and committed, reported without amendment, Report adopted, 199; read 3rd and sent to Council, 205; returned without amendment, 240; Assent reported, 263.

HORTICULTURAL STOCK AND NURSERIES BILL:
Message from Governor, 211; Motion (Mr Crawford) for leave to bring in, Bill presented and read 1st, 214; read 2nd and committed, reported without amendment, Report adopted, 298; read 3rd and sent to Council, 303; returned without amendment, 326; Assent reported, 340.

HUNTER VALLEY FLOOD MITIGATION AND HUNTER VALLEY CONSERVATION TRUST (AMENDMENT) BILL:
Motion (Mr Beale) for leave to bring in, Bill presented and read 1st, 178; Message from Governor, 185; read 2nd and committed, reported without amendment, Report adopted, 201; read 3rd and sent to Council, 206; returned without amendment, 240; Assent reported, 263.

IMPERIAL ACTS APPLICATION BILL:
Motion (Mr McCaw) for leave to bring in, Bill presented and read 1st, 351; read 2nd and committed, reported without amendment, Report adopted, read 3rd and sent to Council, 372; returned without amendment, 391.

INDUSTRIAL ARBITRATION (AMENDMENT) BILL:
Motion (Mr Willis) for leave to bring in, Bill presented and read 1st, 42; motion for 2nd and debate adjourned, 111; resumed and adjourned, 113; read 2nd and committed, reported without amendment, Report adopted, 117; read 3rd and sent to Council, 120; returned without amendment, 171; Assent reported, 186.

INNKEEPERS BILL:
Motion (Mr Maddison) for leave to bring in, Bill presented and read 1st, 44; read 2nd and committed, reported without amendment, Report adopted, 95; read 3rd and sent to Council, 102; returned without amendment, 122; Assent reported, 134.

INTERPRETATION (AMENDMENT) BILL:
Motion (Mr McCaw) for leave to bring in, Bill presented and read 1st, 189; read 2nd and committed, reported with amendments, Report adopted, 312; read 3rd and sent to Council, 317; returned with an amendment, 373; House in Committee, Council's amendment agreed to, Message to Council, 398.

JUDGES' PENSIONS AND EQUITY (AMENDMENT) BILL:
Message from Governor, 191; Motion (Mr McCaw) for leave to bring in, Bill presented and read 1st, 194; read 2nd and committed, reported without amendment, Report adopted, 290; read 3rd and sent to Council, 292; returned without amendment, 318; Assent reported, 340.
BILLS (continued):

PROCEEDINGS ON (continued):

KING GEORGE V AND QUEEN MARY MATERNAL AND INFANT WELFARE FOUNDATION (AMENDMENT) BILL:
Motion (Mr Jago) for leave to bring in, Bill presented and read 1st, 50; read 2nd and committed, reported without amendment, Report adopted, 200; read 3rd and sent to Council, 205; returned without amendment, 240; Assent reported, 263.

LANDLORD AND TENANT (AMENDMENT) BILL:
Motion (Mr Maddison) for leave to bring in, Bill presented and read 1st, 208; read 2nd and committed, 217; House in Committee, reported with an amendment; Motion made for adoption of Report and amendment to recommit, agreed to, recommitted, reported 2nd with a further amendment; Report adopted, read 3rd and sent to Council, 235; returned with an amendment, 249; House in Committee, Council's amendment agreed to, Message to Council, 269; Assent reported, 274.

LAND TAX (AMENDMENT) BILL:
Message from Governor, 191; Motion (Mr Askin) for leave to bring in, Bill presented and read 1st, 193; read 2nd and committed, reported without amendment, Report adopted, 209; read 3rd and sent to Council, 213; returned with an amendment, 243; House in Committee, Council's amendment agreed to, Message to Council, 271; Assent reported, 275.

LAW OF EVIDENCE (Pro Forma) BILL:
Presented (Mr Askin) and read 1st (pro forma), 18.

LIBRARY OF NEW SOUTH WALES BILL:
Motion (Mr Cutler) for leave to bring in, Bill presented and read 1st, 287; read 2nd and committed, reported without amendment, Report adopted, 299; read 3rd and sent to Council, 303; returned without amendment, 334; Assent reported, 362.

LIMITATION BILL:
Motion (Mr McCaw) for leave to bring in, Bill presented and read 1st, 356; read 2nd and committed, reported without amendment, Report adopted, read 3rd and sent to Council, 374; returned without amendment, 391.

LOCAL GOVERNMENT (AMENDMENT) BILL:
Motion (Mr Morton) for leave to bring in, Bill presented and read 1st, 371; motion for 2nd and debate adjourned, 383; resumed, read 2nd and committed, reported with an amendment, Report adopted, read 3rd and sent to Council, 389; returned without amendment, 395.

LOCAL GOVERNMENT AND OTHER AUTHORITIES (SUPERANNUATION) AMENDMENT BILL:
Assent to (Session 1968) reported, 3.

LOCAL GOVERNMENT (ELECTIONS) AMENDMENT BILL:
Motion (Mr Morton) for leave to bring in, Bill presented and read 1st, 42; motion for 2nd and debate adjourned, 69; resumed and adjourned, 71; read 2nd and committed, reported without amendment, Report adopted, 74; motion for 3rd and amendment (Mr Jensen) to read Bill 3rd "this day six months", amendment negatived, read 3rd and sent to Council, 80; returned without amendment, 111; Assent reported, 121.

LOCAL GOVERNMENT (GRANTS COMMISSION) AMENDMENT BILL:
Message from Governor, 192; Motion (Mr Morton) for leave to bring in, Bill presented and read 1st, 194; read 2nd and committed, reported without amendment, Report adopted, read 3rd and sent to Council, 249; returned without amendment, 256; Assent reported, 275.

LOCAL GOVERNMENT (REGULATION OF FLATS) AMENDMENT BILL:
Motion (Mr Morton) for leave to bring in, Bill presented and read 1st, 43; read 2nd and committed, reported without amendment, Report adopted, 53; read 3rd and sent to Council, 55; returned without amendment, 88; Assent reported, 108.
INDEX
1968-69

REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

BILLS (continued):

PROCEDINGS ON (continued):

MACQUARIE UNIVERSITY (AMENDMENT) BILL:
Motion (Mr Cutler) for leave to bring in, Bill presented and read 1°, 116; read 2° and committed, reported without amendment, Report adopted, 127; read 3° and sent to Council, 130; returned without amendment, 171; Assent reported, 186.

MANNING DISTRICT WATER SUPPLY BILL:
Motion (Mr Hughes) for leave to bring in, Bill presented and read 1°, 312; Message from Governor, 315; motion for 2° and debate adjourned, 337; resumed, read 2° and committed, reported without amendment, Report adopted, 345; read 3° and sent to Council, 348; returned without amendment, 373; Assent reported, 400.

MEAT INDUSTRY (AMENDMENT) BILL:
Standing Orders suspended (by consent) to bring in and pass through all stages in one day, 266; Motion (Mr Crawford) for leave to bring in, Bill presented and read, 1°, 266; read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 267; returned without amendment, 272; Assent reported, 274.

MILK (AMENDMENT) BILL:
Motion (Mr Crawford) for leave to bring in, Bill presented and read 1°, 357; Message from Governor, 361; read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 392; returned without amendment, 395.

MINES INSPECTION (AMENDMENT) BILL:
Motion (Mr Fife) for leave to bring in, Bill presented and read 1°, 177; read 2° and committed, reported without amendment, Report adopted, 200; read 3° and sent to Council, 206; returned without amendment, 241; Assent reported, 263.

MINING (AMENDMENT) BILL:
Motion (Mr Fife) for leave to bring in, Bill presented and read 1°, 322; read 2° and committed, reported without amendment, Report adopted, 352; read 3° and sent to Council, 356; returned without amendment, 374; Assent reported, 400.

MORATORIUM (AMENDMENT) BILL:
Motion (Mr Maddison) for leave to bring in, Bill presented and read 1°, 44; read 2° and committed, reported without amendment, Report adopted 95; read 3° and sent to Council, 102; returned without amendment, 122; Assent reported, 134.

MOTOR TRAFFIC (AMENDMENT) BILL:
Message from Governor, 239; Motion (Mr Morris) for leave to bring in, Bill presented and read 1°, 243; Motion for 2° and debate adjourned, 251; resumed, read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 254; returned with amendments, 268; House in Committee, Council's amendments agreed to, Message to Council, 270; Assent reported, 275.

MOTOR VEHICLES AND GOVERNMENT RAILWAYS (MISCELLANEOUS PROVISIONS) BILL:
Motion (Mr Morris) for leave to bring in, Bill presented and read 1°, 333; Message from Governor, 335; motion for 2° and debate adjourned, 352; resumed, read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 359; returned with amendments, 383; House in Committee, Council's amendments agreed to, Message to Council, 401.

NEW SOUTH WALES GOVERNMENT ENGINEERING AND SHIPBUILDING UNDERTAKING (AMENDMENT) BILL:
Assent to (Session 1968) reported, 3.
INDEX
1968-69

REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

BILLS (continued):

PROCEEDINGS ON (continued):

NEW SOUTH WALES-QUEENSLAND BORDER RIVERS (AMENDMENT) BILL:
Motion (Mr Beale) for leave to bring in, Bill presented and read 1°, 236; Message from Governor, 240; read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 251; returned without amendment, 264; Assent reported, 276.

OAKDALE STATE COAL MINE (SALE) BILL:
Motion (Mr Fife) for leave to bring in, Bill presented and read 1°, 207; read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 244; returned without amendment, 257; Assent reported, 276.

OBSCENE AND INDECENT PUBLICATIONS (AMENDMENT) BILL:
Motion (Mr Willis) for leave to bring in, Bill presented and read 1°, 44; read 2° and committed, reported without amendment, Report adopted, 75; read 3° and sent to Council, 78; returned without amendment, 118; Assent reported, 134.

PARLIAMENTARY ALLOWANCES AND SALARIES (AMENDMENT) BILL:
Motion (Mr Askin) (by consent) for leave to bring in, Bill presented and read 1°, 372; Message from Governor, 380; read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 385; returned without amendment, 393.

PARLIAMENTARY COMMITTEES ENABLING BILL:
Message from Governor, 361; motion (Mr Askin) for leave to bring in, Bill presented and read 1°, 365; read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 385; returned without amendment, 391.

PARLIAMENTARY ELECTORATES AND ELECTIONS (AMENDMENT) BILL:
Motion (Mr Willis) for leave to bring in, Bill presented and read 1°, 345; Message from Governor, 347; read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 375-7; returned without amendment, 395.

PEAK HILL A.I.F. MEMORIAL SCHOOL OF ARTS (LAND SALE) BILL:
Received from Council and read 1° (Mr Mason), 257; Standing and Sessional Orders suspended to permit consideration, read 2° and committed, reported without amendment, Report adopted, read 3° and returned to Council, 271; Assent reported, 277.

PHARMACY (AMENDMENT) BILL:
Motion (Mr Jago) for leave to bring in, Bill presented and read 1°, 352; motion for 2° and debate adjourned, 385; resumed, read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 390; returned without amendment, 395.

POLICE ASSOCIATION EMPLOYEES (SUPERANNUATION) BILL:
Motion (Mr Askin) for leave to bring in, Bill presented and read 1°, 343; read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 365; returned without amendment, 384.

PORT KEMBLA INNER HARBOUR (FURTHER EXTENSIONS) BILL:
Message from Governor, 211; Motion (Mr Hughes) for leave to bring in, Bill presented and read 1°, 214; read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 230; returned without amendment, 264; Assent reported, 276.
INDEX
1968-69

REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

B

BILLS (continued):

PROCEEDINGS ON (continued):

PORT STEPHENS SHIRE (SOLDIERS POINT PUBLIC RESERVE LAND SALE) BILL:
Received from Council and read 1° (Mr Punch), 363; read 2° and committed, reported without amendment, Report adopted, read 3° and returned to Council, 397.

POTATO GROWERS LICENSING (AMENDMENT) BILL:
Motion (Mr Crawford) for leave to bring in, agreed to, 69; presented and read 1°, 69; Message from Governor, 77; read 2° and committed, reported without amendment, Report adopted, 116; read 3° and sent to Council, 116; returned without amendment, 137; Assent reported, 152.

POULTRY PROCESSING BILL:
Motion (Mr Crawford) for leave to bring in, Bill presented and read 1°, 371; Message from Governor, 379; read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 392; returned without amendment, 402.

PRISONS (AMENDMENT) BILL:
Assent to (Session 1968) reported, 3.

PRISONS (FURTHER AMENDMENT) BILL:
Standing Orders suspended (by consent) to pass all stages in one day, 198; Motion (Mr Maddison) for leave to bring in, Bill presented and read 1°, read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 199; returned without amendment, 201; Assent reported, 203.

PUBLIC ROADS (AMENDMENT) BILL:
Message from Governor, 46; Motion (Mr Lewis) for leave to bring in, Bill presented and read 1°, 48; motion for 2° and debate adjourned, 84; read 2° and committed, reported without amendment, Report adopted, 88; read 3° and sent to Council, 94; returned without amendment, 126; Assent reported, 135.

PUBLIC SERVICE (AMENDMENT) BILL:
Motion (Mr Willis on behalf of Mr Akin) for leave to bring in, Bill presented and read 1°, 184; read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 396.

RURAL BANK OF NEW SOUTH WALES (AMENDMENT) BILL:
Motion (Mr Akin) for leave to bring in, Bill presented and read 1°, 311; Message from Governor, 313; read 2° and committed, reported without amendment, Report adopted, 319; read 3° and sent to Council, 321; returned without amendment, 351; Assent reported, 380.

RURAL WORKERS ACCOMMODATION BILL:
Motion (Mr Willis) for leave to bring in, Bill presented and read 1°, 298; motion for 2° and debate adjourned, 312; read 2° and committed, reported without amendment, Report adopted, 321; read 3° and sent to Council, 327; returned with amendments, 330; House in Committee, Council's amendments agreed to, Message to Council, 491.

ST ANNE'S CHURCH OF ENGLAND, SYDNEY, BILL:
Motion (Mr Lewis) for leave to bring in, Bill presented and read 1°, 49; read 2° and committed, reported with an amendment, Report adopted, 189; read 3° and sent to Council, 193; returned without amendment, 217; Assent reported, 262.

ST PETER'S CHURCH OF ENGLAND, COOK'S RIVER, CEMETERY BILL:
Motion (Mr Lewis) for leave to bring in, Bill presented and read 1°, 49; read 2° and committed, reported with an amendment, Report adopted, 190; read 3° and sent to Council, 193; returned without amendment, 217; Assent reported, 262.
REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

BILLS (continued):

PROCEEDINGS ON (continued):

SANCTA SOPHIA COLLEGE INCORPORATION (AMENDMENT) BILL:
Motion (Mr Cutler) for leave to bring in, Bill presented and read 1°, 287; read 2° and committed, reported without amendment, Report adopted, 299; read 3° and sent to Council, 303; returned without amendment, 334; Assent reported, 362.

SECOND-HAND DEALERS AND COLLECTORS (AMENDMENT) BILL:
Motion (Mr Willis) for leave to bring in, Bill presented and read 1°, 103; read 2° and committed, reported without amendment, Report adopted, 126; read 3° and sent to Council, 130; returned without amendment, 171; Assent reported, 186.

SOFTWOOD FORESTRY AGREEMENT BILL:
Motion (Mr Beale) for leave to bring in, Bill presented and read 1°, 43; Message from Governor, 47; motion for 2° and debate adjourned, 55; read 2° and committed, reported without amendment, Report adopted, 62; read 3° and sent to Council, 68; returned without amendment, 99; Assent reported, 131.

STAMP DUTIES (AMENDMENT) BILL:
Message from Governor, 209; Standing Orders suspended (urgency) to pass through all stages in one day, 218; brought in, founded on Resolution of Ways and Means (No. 13). Bill presented and read 1°, read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 236; returned without amendment, 250; Assent reported, 264.

STATUTORY SALARIES ADJUSTMENT BILL:
Assent to (Session 1968) reported, 3.

SUPERANNUATION (AMENDMENT) BILL:
Assent to (Session 1968) reported, 4.

SUPPLY BILL:
Message from Governor, 77; Standing Orders suspended (by consent) to bring in and pass through all stages in one day, 82; ordered (Mr Askin) founded on Resolution of Ways and Means (No. 1), Bill presented and read 1°, read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 83; returned without amendment, 111; Assent reported, 119.

SUPREME COURT AND CIRCUIT COURTS (AMENDMENT) BILL:
Motion (Mr McCaw) for leave to bring in, Bill presented and read 1°, 287; read 2° and committed, reported without amendment, Report adopted, 292; read 3° and sent to Council, 294; returned without amendment, 318; Assent reported, 340.

SURVEYORS (AMENDMENT) BILL (1968):
Message from Governor, 39; Motion (Mr Lewis) for leave to bring in, Bill presented and read 1°, 48; read 2° and committed, reported without amendment, Report adopted, 89; read 3° and sent to Council, 94; returned without amendment, 126; Assent reported, 135.

SURVEYORS (AMENDMENT) BILL (1969):
Motion (Mr Lewis) for leave to bring in, Bill presented and read 1°, 288; read 2° and committed, reported without amendment, Report adopted, 304; read 3° and sent to Council, 310; returned without amendment, 343; Assent reported, 381.

SYDNEY COUNTY COUNCIL (ELECTIONS) BILL:
Motion (Mr McEwne) for leave to bring in, Bill presented and read 1°, 249; read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 266; returned without amendment, 269; Assent reported, 276.
BILLS (continued):

PROCEEDINGS ON (continued):

SYDNEY COVE REDEVELOPMENT AUTHORITY BILL:
Message from Governor, 174; Motion (Mr Morton) for leave to bring in, Bill
presented and read 1°, 176; read 2° and committed, reported with an amend-
ment, Report adopted, 195; read 3° and sent to Council, 198; returned without
amendment, 241; Assent reported, 264.

SYDNEY FARM PRODUCE MARKET AUTHORITY BILL:
Assent to (Session 1968) reported, 4.

SYDNEY OPERA HOUSE (AMENDMENT) BILL:
Message from Governor, 336; Motion (Mr Hughes) for leave to bring in, Bill
presented and read 1°, 344; motion for 2° and amendment (Mr Ryan) to refer
Bill to Select Committee, amendment negatived, Bill read 2° and committed,
reported without amendment, Report adopted, 349; read 3° and sent to Council,
356; returned without amendment, 374; Assent reported, 400.

SYDNEY OPERA HOUSE TRUST (AMENDMENT) BILL:
Motion (Mr Cutler) for leave to bring in, Bill presented and read 1°, 344; read
2° and committed, reported without amendment, Report adopted, 348; read 3°
and sent to Council, 355; returned without amendment, 374; Assent reported,
400.

TEXTILE PRODUCTS LABELLING (AMENDMENT) BILL:
Motion (Mr Willis) for leave to bring in, Bill presented and read 1°, 178; read 2°
and committed, reported without amendment, Report adopted, read 3°
(forthwith) and sent to Council, 246; returned without amendment, 265;
Assent reported, 277.

THEATRES AND PUBLIC HALLS (AMENDMENT) BILL:
Motion (Mr Willis) for leave to bring in, Bill presented and read 1°, 243; read 2°
and committed, reported without amendment, Report adopted, read 3°
and sent to Council, 248; returned without amendment, 265; Assent reported,
277.

TRANSFER OF PUBLIC VEHICLES (TAXATION) BILL:
Message from Governor, 335; Standing Orders suspended to pass all stages in one
day, 337; Ordered (Mr Morris) founded on Resolution of Ways and Means
(No. 14), presented and read 1°, read 2° and committed, reported without amend-
ment, Report adopted, read 3° and sent to Council, 359; returned without
amendment, 384.

TRANSFERRED OFFICERS EXTENDED LEAVE (AMENDMENT) BILL:
Motion (Mr Askin) for leave to bring in, Bill presented and read 1°, 289; read 2°
and committed, reported without amendment, Report adopted, 271; read 3°
and sent to Council, 282; returned without amendment, 318; Assent reported,
340.

TRUSTEE COMPANIES (AMENDMENT) BILL:
Motion (Mr McCaw) for leave to bring in, Bill presented and read 1°, 214; read 2°
and committed, reported without amendment, Report adopted, 238; read 3°
and sent to Council, 257; returned without amendment, 281; Assent reported,
301.

UNIVERSITY OF NEW ENGLAND (SALE OF PROPERTY) BILL:
Motion (Mr Askin) for leave to bring in, Bill presented and read 1°, 43; read 2°
and committed, reported without amendment, Report adopted, 87; read 3° and
sent to Council, 93; returned without amendment, 126; Assent reported, 135.

UNIVERSITY OF NEW SOUTH WALES BILL:
Motion (Mr Cutler) for leave to bring in, Bill presented and read 1°, 62; read
2° and committed, reported without amendment, Report adopted, 88; read 3°
and sent to Council, 93; returned without amendment, 137; Assent reported
152.
BILLS (continued):

PROCEEDINGS ON (continued):

VAGRANCY, DISORDERLY HOUSES AND OTHER ACTS (AMENDMENT) BILL:
Motion (Mr Willis) for leave to bring in, Bill presented and read 1°, 103; Motion for 2° and debate adjourned, 118; read 2° and committed, reported with amendments, Report adopted, 126; motion for 3° and amendment to reconsider, agreed to, recommitted, reported 2° with further amendments, Report adopted, read 3° (forthwith) and sent to Council, 130; returned with amendments, 137; House in Committee, Council's amendments agreed to, Message to Council, 141; Assent reported, 149.

VETERINARY SURGEONS (AMENDMENT) BILL:
Motion (Mr Crawford) for leave to bring in, Bill presented and read 1°, 319; read 2° and committed, reported without amendment, Report adopted, 328; Message from Governor, 331; read 3° and sent to Council, 332; returned without amendment, 363; Assent reported, 406.

WATER POLLUTION BILL:
Motion (Mr Jago) for leave to bring in, Bill presented and read 1°, 382; Motion for 2° and debate adjourned, 402.

WEIGHTS AND MEASURES (AMENDMENT) BILL (1968):
Assent to (Session 1968) reported, 4.

WEIGHTS AND MEASURES (AMENDMENT) BILL (1969):
Motion (Mr Willis) for leave to bring in, Bill presented and read 1°, 364; read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 391; returned without amendment, 396.

WESTERN LANDS (AMENDMENT) BILL:
Motion (Mr Lewis) for leave to bring in, Bill presented and read 1°, 122; read 2° and committed, reported without amendment, Report adopted, 189; read 3° and sent to Council, 192; returned without amendment, 217; Assent reported, 262.

WHEAT INDUSTRY STABILIZATION BILL:
Message from Governor, 212; Standing Orders suspended (by consent) to pass through all stages in one day, 214; Motion (Mr Crawford) for leave to bring in, Bill presented and read 1°, read 2° and committed, reported without amendment, Report adopted, read 3° and sent to Council, 215; returned without amendment, 218; Assent reported, 262.

WILD DOG DESTRUCTION (AMENDMENT) BILL:
Message from Governor, 39; Motion (Mr Lewis) for leave to bring in, Bill presented and read 1°, 48; read 2° and committed, reported without amendment, Report adopted, 89; read 3° and sent to Council, 94; returned without amendment, 137; Assent reported, 152.

BLACK ROD:
Delivers message from Governor, 2.

BUDGET (See "FINANCE").

BUSHFIRES (See "ADJOURNMENT UNDER THE 49TH STANDING ORDER"; also "MOTIONS").
BUSINESS (See also “SESSIONAL ORDERS”):

Notice of Motion withdrawn, 101.
Order of the Day discharged and Bill withdrawn, 59.
Precedence of, 364, 388.
Government Business proceeded with, it being after 6 p.m., 122.

GENERAL:

Notice of Motion taken as Formal, 140.
Notice of Motion postponed, 287.
Notice of Motion withdrawn, 28.
Order of the Day removed from Business Paper by direction of Mr Speaker, 341.
Standing and Sessional Orders suspended (by consent) to permit consideration of Order of the Day of, 69, 94.

BY CONSENT:

Business Days and Hours of Sitting (Sessional Order), agreed to, 18.
Motion for leave to bring in Bill, 372.
Motion of General Business moved, 37.
Standing Orders suspended to bring in and pass Bill or Bills through all stages in one Day, 82, 161, 198, 214, 266, 357.
Standing and Sessional Orders suspended to permit consideration of Order of the Day of General Business, 69, 94, 270.

CARE OF THE AGED (See “MOTIONS”).

CHAIRMAN OF COMMITTEES (See also “SPEAKER”):

Takes Chair as Deputy Speaker and offers Prayer at commencement of Sitting, 99, 107, 115, 339.

TEMPORARY:

Speaker’s warrant nominating Temporary Chairmen, 10.

CLERK OF ASSEMBLY:

Reads Proclamation on Opening of Session, 1.
Reads Writ for election of Member of Legislative Council, 6, 308.
Reports unavoidable absence of Speaker, 99, 107, 115, 339.

R. E. WARD, Esq.:

Acting during absence of Mr Vidler and receipt of commission reported, 147.

CLOSURE:

Op DEBATE:

Motion, “That the Question be now put” (In House), agreed to, 43, 70, 74, 86, 91, 117, 121, 182, 183, 207, 222, 244, 245, 254, 255, 373, 376, 382, 389, 390, 395; (In Committee) agreed to, 431, 432, 443, 444, 445, 446, 453, 454, 462, 463, 473, 474, 479, 509, 510, 511, 513, 516, 517, 519, 520, 521; (under Standing Order No. 175b), 447, 449, 450, 451.

Motion, “That the Question be now put (under Standing Order No. 175b) (moved in Committee recorded), 164.

Notification of intention to apply under Standing Order No. 175b, at subsequent Sitting, 144, 146, 150, 153, 155, 159, 233.

COULONG CAVES (See “MOTIONS”).

COMMISSIONS:

Speaker’s, to administer Oath or Affirmation of Allegiance to Members, reported, 9.
Deputy Speaker’s, to administer Oath or Affirmation of Allegiance to Members, reported, 10.
REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

C

COMMITTEES:

HOUSE:
Sessional Order appointing, 60.

LIBRARY:
Sessional Order appointing, 60, 206.

PRINTING:
Sessional Order appointing, 60.

STANDING ORDERS:
Sessional Order appointing, 60.
Motion for reference of whole of Standing Orders to, agreed to, 78.

COMMONWEALTH-STATE FINANCIAL RELATIONS (See “MOTIONS”).

CONCURRENCE (See “BY CONSENT”).

CRIME (See “MOTIONS”).

CZECHOSLOVAKIA (See “MOTIONS”)

D

DAIRY AUTHORITY (See “MOTIONS”)

DEATHS:

MEMBER:
JAMES BRUNTON SIMPSON, ESQ.:
Motion (Mr Askin) extending sympathy and sorrow to Mrs Simpson and family, 239.

FORMER MEMBERS:
ARTHUR JOHN LEONARD WILLIAMS, ESQ.:
Motion (Mr Askin) extending sympathy and sorrow to family, 125.

THE HONOURABLE WILLIAM MCCULLOCH GOLLAN, C.B.E.:
Motion (Mr Askin) extending sympathy and sorrow to family, 133.

GEORGE WILLIAM BRAIN, ESQ.:
Motion (Mr Askin) extending sympathy and sorrow to family, 273.

ALFRED MCCLELLAND, ESQ.:
Mr Speaker informed House he would extend to family sympathy and sorrow of Members, 273.

ERNEST WETHERELL, ESQ.:
Motion (Mr Askin) extending sympathy and sorrow to family, 387.
DEATHS (continued):

OTHER:

The Honourable Arthur Dalgety Bridges, M.L.C., Minister for Child Welfare, Minister for Social Welfare, Advisory Minister for Transport and Vice-President of the Executive Council:

Motion (Mr Askin) extending sympathy and sorrow to Mrs Bridges and family, 7.

DEBATE (See also "CLOSURE"; also "BY CONSENT"):

Adjournment of, motion for, agreed to, 22, 26, 28, 30, 32, 35, 38, 55, 61, 66, 69, 71, 84, 111, 113, 118, 123(7), 179, 210, 251, 284, 292, 312, 313, 318, 383, 403.

Interrupted at 6 o'clock, p.m., by operation of Sessional Order, Government Business proceeded with, 79, 103, 141, 149, 159, 171, 188, 207, 283, 295, 311, 343, 352, 357.

Interrupted to present Address in Reply, 50.

Interrupted to report Messages from Legislative Council, 334.

DEPUTY SPEAKER (See "SPEAKER").

DISALLOWANCE OF REGULATIONS (See "MOTIONS").

DISORDER (See also "SPEAKER"): Member removed from Chamber by Serjeant-at-Arms, 35.

DIVISIONS:

IN THE HOUSE:

Amendment to read Bill 3° "this day six months", negatived, 80.

Adjournment of House (special), agreed to, 182.

Adjournment of House under 49th Standing Order, negatived, 86, 297.

Crime, negatived, 70.

Disallowance of Regulations, By-laws, etc., negatived, 25, 183.

Hospital Services, negatived, 140.

Suspension of Standing Orders, agreed to, 218.

That leave be given to bring in Bill, agreed to, 207, 208, 345.

That Bill be now read 2°, agreed to, 62, 74, 96, 195, 217, 244, 267, 304, 375.

That Report be now adopted, agreed to, 96.

That Bill be read 3°, agreed to, 80, 245, 377.

That Bill be referred to Select Committee, negatived, 349.

That Member's time be extended, negatived, 311.

That Member be not further heard, negatived, 394.

That Petition be received, agreed to, 369.

"That the Question be now put," agreed to, 70, 74, 86, 91, 117, 121, 182, 183, 207, 232, 244, 245, 254, 255(7), 375, 376, 382, 389, 390, 393.

That the Report be now adopted, agreed to, 75, 376.

That the Resolution be agreed to, agreed to, 232.

Urgency motion to consider motion relating to—

Colong Caves Reserve, negatived, 78.

Cotton Mesh Onion Bags, negatived, 46.

Dairy Authority, negatived, 116.

Drought Relief, negatived, 170.

Fares and Freight Increases, negatived, 92.

Oakdale State Coalmine, negatived, 100.

Railway Wage Rates, negatived, 301.

Suspension of Standing Orders, agreed to, 218.

Wheat Stabilization Scheme, negatived, 108.

IN COMMITTEE OF THE WHOLE:

BILLS:

Aerial Spraying Control Bill, 490.

Apprentices Bill, 505, 506, 507, 508.

Architects (Amendment) Bill, 501.

Banana Industry Bill, 519, 520(3), 521.

Child Welfare (Amendment) Bill, 492.

Consumer Protection Bill, 496(3), 497.

Credit Union Bill, 485, 486, 487.


Farmers' Relief (Amendment) Bill, 437.

Gaming and Betting (Amendment) Bill, 440.

Horticultural Stock and Nurseries Bill, 488.

Industrial Arbitration (Amendment) Bill, 441, 443(2), 444.

Interpretation Bill, 492.

Landlord and Tenant (Amendment) Bill, 465, 466, 470.

Local Government (Elections) Bill, 429, 430(2), 431, 432(2), 433.
DIVISIONS (continued):

IN COMMITTEE OF THE WHOLE (continued):

BILLS (continued):

Meat Industry (Amendment) Bill, 482.
Mining (Amendment) Bill, 500(2).
Oakdale State Coal Mine (Sale) Bill, 471, 472, 473(2), 474, 475, 479(2), 480.
Pharmacy (Amendment) Bill, 516, 517(2), 518.
Public Service (Amendment) Bill, 522.
Rural Bank of New South Wales (Amendment) Bill, 494.
Sydney County Council (Elections) Bill, 481.
University of New South Wales Bill, 436(2).
Wheat Industry Stabilization Bill, 461.

That Clause as read stand, 430(2), 432, 433, 444, 473, 480, 481, 506, 508, 512.
That Clause proposed to be inserted be so inserted, 461.
That the Question be now put, 431, 432, 444, 473, 474, 479, 509, 510, 511, 513, 516, 517, 519, 520, 521.
That words proposed to be added be so added, 429, 500.
That words proposed to be inserted be so inserted, 436, 437, 458, 459, 475, 482, 487, 490, 497.
That words proposed to be left out of proposed amendment stand, 443.

IN COMMITTEE OF SUPPLY:

That the Estimate be agreed to, 452.
That the Estimate be reduced by $1 (Loan Estimates, 1968–1969), 454.
That the Question be now put, 453, 454.
That words proposed to be left out of proposed amendment stand, 452.

IN COMMITTEE OF WAYS AND MEANS:

Stamp Duties (Amendment) Bill, 462(2), 463, 464.
That the Question be now put (under Standing Order 175b), 445, 447, 449, 450, 451.

That the Resolution be agreed to, 464.
That words proposed to be inserted be so inserted, 462.

DOCUMENTS (See "PAPERS" under GENERAL INDEX).

DROUGHT UNEMPLOYMENT RELIEF (See "ADJOURNMENT UNDER 49th STANDING ORDER").

DROUGHT RELIEF (See "MOTIONS").

ELECTORAL:

DISTRICT OF LAKE MACQUARIE:

Speaker informs House of receipt of certificate of death of James Brunton Simpson and seat declared vacant, 278.

FARES (See "MOTIONS"; also "PETITIONS").

FINANCE:

SUPPLY:

Motion made (Mr Willis), That House will on its next Sitting Day resolve itself into Committee, 42.
House in Committee (Supply Bill), 82; (Financial Statement, 1968–69), 112; (Estimates, 1968–69), 144, 146, 149, 153, 155, 159, 162; (Loan Estimates, 1968–69), 146, 166, 168, 172, 175.
Resolutions reported (Supply Bill), 82; (Financial Statement, 1968–69), 112; (Estimates, 1968–69), 162; (Loan Estimates, 1968–69), 175.
Resolutions agreed to (Supply Bill), 83; (Financial Statement, 1968–69), 112; (Estimates, 1968–69), 164; (Loan Estimates, 1968–69), 175.
FINANCE (continued):

WAYS AND MEANS:
Motion made (Mr Willis), That House will on its next Sitting Day resolve itself into Committee, 42.

House in Committee (Supply Bill), 83; (Financial Statement, 1968-69), 112, 127, 131, 141, 144; (Estimates), 165; (Loan Estimates, 1968-69), 175; (Stamp Duties (Amendment) Bill), 209, 219; (Transfer of Public Vehicles (Taxation) Bill), 352, 357.

Resolutions reported (Supply Bill), 83; (Financial Statement, 1968-69), 144; (Estimates, 1968-69), 165; (Loan Estimates, 1968-69), 175; (Stamp Duties (Amendment) Bill), 219; (Transfer of Public Vehicles (Taxation) Bill), 357.

Resolutions agreed to (Supply Bill), 83; (Financial Statement, 1968-69), 144; (Estimates, 1968-69), 165; (Loan Estimates, 1968-69), 175; (Stamp Duties (Amendment) Bill), 233; (Transfer of Public Vehicles (Taxation) Bill), 359.

FORESTRY:

REVOCATION OF DEDICATION OF CERTAIN STATE FORESTS:
Message from Governor recommending, 256; motion (Mr Beale) for, agreed to, 270.

FREIGHTS (See "MOTIONS").

G

GENERAL BUSINESS (See "BUSINESS").

GOVERNOR:

Proclamation by, summoning Parliament, read by Clerk, 1.
Message from, delivered by Usher of the Black Rod, 2.

OPENING SPEECH:
Reported in Assembly and laid upon Table by Mr Speaker, 18; motion (Mr Coleman) for adoption of Address in Reply, and debate adjourned, 22; resumed and adjourned, 25, 28, 29, 32, 35, 38; resumed, Address in Reply agreed to, 41-2; presented to Lieutenant-Governor and Answer reported, 50.

H

HOSPITALS (See "MOTIONS").

HOURS OF SITTING (See "SESSIONAL ORDERS").

HOUSE COMMITTEE (See "COMMITTEES").

I

IVANHOE (See "ADJOURNMENT UNDER THE 49th STANDING ORDER").
KNIGHTHOOD (See "SPEAKER").

LAND UTILISATION COMMITTEE (See "MOTIONS").

LEADER OF THE OPPOSITION (See "OPPOSITION").

LEAVE OF ABSENCE (See "MEMBERS").

LEGISLATIVE COUNCIL OF NEW SOUTH WALES (See also "PAPERS" INDEX):

CASUAL VACANCIES:
Speaker reports Message from Governor announcing issue of Writ and forwarding copy thereof, Writ read by Clerk and taking of votes set down as an Order of the Day for date specified in Writ, 6; 307; Election, 33.
Vacancy filled unopposed and Order of Day removed from Business Paper by direction of Speaker, 341.

LIBRARY (See "COMMITTEES"; also "MOTIONS").

LIEUTENANT-GOVERNOR (See "GOVERNOR").

LOAN ESTIMATES (See "FINANCE").

MEAT INDUSTRY (See "MOTIONS")

MEMBERS (See also "DEATHS"): Leave of absence—on account of illness, 7; on account of absence from the State, 7.
Removed from Chamber by Serjeant-at-Arms, 35.

MENTAL HEALTH SERVICES (See "MOTIONS").

MESSAGES:
Referred to Committee of Supply, 77, 112, 144.
Referred to Committee of Ways and Means, 209, 335.
Referred to the Committee of the Whole, 321, 387.

FROM THE GOVERNOR (Sir Arthur Roden Cutler):
2. Assenting to (Session, 1968) Closer Settlement (Removal of Restriction on Transfer) Bill, 2.
4. Assenting to (Session, 1968) Local Government and Other Authorities (Supernu-
   tations) Amendment Bill, 3.
5. Assenting to (Session, 1968) New South Wales Government Engineering and Ship-
   building Undertaking (Amendment) Bill, 3.
REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

INDEX

MESSAGES (continued):
FROM THE GOVERNOR (Sir Arthur Roden Cutler) (continued):

11. Notifying that the Governor's Salary (Amendment) Bill had been Reserved for Royal Assent, 5.
13. Announcing issue of Writ for election of Member of Legislative Council (in room of Hon. A. D. Bridges, deceased), 5.
15. Recommending Surveyors (Amendment) Bill, 39.
16. Recommending Cattle Compensation (Amendment) Bill, 45.
17. Recommending Farmers' Relief (Amendment) Bill, 45.
19. Recommending Softwood Forestry Agreement Bill, 47.
20. Recommending Fisheries and Oyster Farms (Amendment) Bill, 57.
23. Recommending Fisheries and Oyster Farms (Amendment) Bill, 99.
33. Assenting to Gaming and Betting (Poker Machines) Taxation Amendment Bill, 133.
34. Assenting to Government Guarantees (Amendment) Bill, 134.
35. Assenting to Tookesmen Bill, 134.
36. Assenting to Moratorium (Amendment) Bill, 134.
37. Assenting to Obscene and Indecent Publications (Amendment) Bill, 134.
38. Assenting to Public Roads (Amendment) Bill, 135.
39. Assenting to Farmers' Relief (Amendment) Bill, 135.
40. Assenting to Surveyors (Amendment) Bill, 135.
41. Assenting to University of New England (Sale of Property) Bill, 135.
42. Assenting to Coal and Oil Shale Mine Workers (Superannuation) Amendment Bill, 136.
43. Assenting to Gaming and Betting (Amendment) Bill, 143.
44. Recommending Loan Estimates, 1968-69, 144.
45. Assenting to Vagrancy, Disorderly Houses and Other Acts (Amendment) Bill, 149.
46. Assenting to Burjury Endowment (Amendment) Bill, 151.
47. Assenting to Cattle Compensation (Amendment) Bill, 151.
48. Assenting to Explosives (Amendment) Bill, 152.
49. Assenting to Potato Growers Licensing (Amendment) Bill, 152.
50. Assenting to University of New South Wales Bill, 152.
51. Assenting to Wild Dog Destruction (Amendment) Bill, 152.
52. Recommending Aerial Spraying Control Bill, 173.
55. Recommending Aborigines Bill, 183.
56. Recommending Hunter Valley Flood Mitigation and Hunter Valley Conservation Trust (Amendment) Bill, 185.
57. Assenting to Industrial Arbitration (Amendment) Bill, 186.
58. Assenting to Macquarie University (Amendment) Bill, 186.
59. Assenting to Second-hand Dealers and Collectors (Amendment) Bill, 186.
60. Recommending Judges' Pensions and Equity (Amendment) Bill, 191.
61. Recommending Land Tax (Amendment) Bill, 191.
63. Assenting to Prisons (Further Amendment) Bill, 203.
64. Recommending Broken Hill to South Australian Border Railway Agreement Bill, 203.
65. Recommending Stamp Duties (Amendment) Bill, 209.
66. Recommending Horticultural Stock and Nurseries Bill, 211.
67. Recommending Port Kembla Inner Harbour (Further Extensions) Bill, 211.
68. Assenting to Appropriation Bill, 212.
69. Assenting to General Loan Account Appropriation Bill, 212.
70. Recommending Wheat Industry Stabilization Bill, 212.
71. Recommending Constitution (Amendment) Bill, 239.
72. Recommending Motor Traffic (Amendment) Bill, 239.
73. Recommending New South Wales-Queensland Border Rivers (Amendment) Bill, 240.
74. Recommending Revocation of Dedication of Certain State Forests, 256.
75. Recommending Boy Scouts Association—New South Wales Branch Incorporation (Amendment) Bill, 261.
76. Assenting to Government Railways (Amendment) Bill, 261.
77. Assenting to St Anne's Church of England, Ryde, Bill, 262.
78. Assenting to St Peter's Church of England, Cook's River, Cemetery Bill, 262.
79. Assenting to Western Lands (Amendment) Bill, 262.
80. Assenting to Wheat Industry Stabilization Bill, 262.
81. Assenting to H.M.S. Endeavour Trust Fund Bill, 263.
82. Assenting to Hunter Valley Flood Mitigation and Hunter Valley Conservation Trust (Amendment) Bill, 263.
MESSAGES (continued):

FROM THE GOVERNOR (Sir Arthur Roden Cutler) (continued):

83. Assenting to King George V and Queen Mary Maternal and Infant Welfare Foundation (Amendment) Bill, 263.
84. Assenting to Mines Inspection (Amendment) Bill, 263.
85. Assenting to Stamp Duties (Amendment) Bill, 264.
86. Assenting to Sydney Cove Redevelopment Authority Bill, 264.
88. Assenting to Landlord and Tenant (Amendment) Bill, 274.
89. Assenting to Broken Hill to South Australian Border Railway Agreement Bill, 274.
90. Assenting to Constitution (Amendment) Bill, 274.
92. Assenting to Land Tax (Amendment) Bill, 275.
93. Assenting to Local Government (Grants Commission) Amendment Bill, 275.
95. Assenting to New South Wales-Queensland Border Rivers (Amendment) Bill, 276.
96. Assenting to Oakdale State Coal Mine (Sale) Bill, 276.
97. Assenting to Port Kembla Inner Harbour (Further Extensions) Bill, 276.
98. Assenting to Sydney County Council (Elections) Bill, 276.
99. Assenting to Textile Products Labelling (Amendment) Bill, 277.
100. Assenting to Peak Hill A.I.F. Memorial School of Arts (Land Sale) Bill, 277.
101. Recommending Credit Union Bill, 283.
102. Recommending Forestry (Amendment) Bill, 295.
103. Announcing issue of Writ for election of a Member of Legislative Council (in room of Hon. A. E. Armstrong, expelled), 307.
104. Recommending Rural Bank of New South Wales (Amendment) Bill, 315.
106. Recommending Aborigines Bill (additional Message), 321.
107. Recommending Veterinary Surgeons (Amendment) Bill, 331.
108. Recommending Coal and Oil Shale Mine Workers (Superannuation) Amendment Bill, 331.
110. Recommending Milk (Amendment) Bill, 361.
111. Recommending Parliamentary Committees Enabling Bill, 361.
112. Assenting to Aborigines Bill, 362.
113. Assenting to Credit Union Bill, 362.
115. Assenting to Santa Sophia College Incorporation (Amendment) Bill, 362.
119. Assenting to Aerial Spraying Control Bill, 380.
120. Assenting to Surveyor General (Amendment) Bill, 381.
121. Assenting to Transferred Officers (Extended Leave) Amendment Bill, 381.
122. Recommending Consumer Protection Bill (additional Message), 387.
123. Recommending Architects (Amendment) Bill, 398.
124. Recommending Coal and Oil Shale Mine Workers (Supernumerary) Amendment Bill, 399.
125. Assenting to Coal Mining Industry Long Service Leave (Amendment) Bill, 399.
126. Assenting to Explosives (Amendment) Bill, 399.
127. Assenting to Forestry (Amendment) Bill, 399.
128. Assenting to Manning District Water Supply Bill, 400.
129. Assenting to Mining (Amendment) Bill, 400.
130. Assenting to Sydney Opera House (Amendment) Bill, 400.
131. Assenting to Sydney Opera House Trust (Amendment) Bill, 400.
132. Assenting to Veterinary Surgeons (Amendment) Bill, 400.

FROM ASSEMBLY TO COUNCIL:

TRANSMITTING:

Companies (Transfer of Domicile) Bill, 54.
Local Government (Regulation of Flats) Amendment Bill, 55.
Softwood Forestry Agreement Bill, 68.
Fisheries and Oyster Farms (Amendment) Bill, 68.
Collarenebri Water Supply Bill, 73.
REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

MESSAGES (continued):

FROM ASSEMBLY TO COUNCIL (continued):

TRANSMITTING (continued):

Obscene and Indecent Publications (Amendment) Bill, 78.
Local Government (Elections) Amendment Bill, 81.
Supply Bill, 84.
Government Guarantees (Amendment) Bill, 85.
University of New England (Sale of Property) Bill, 93.
University of New South Wales Bill, 93.
Public Roads (Amendment) Bill, 94.
Wild Dog Destruction (Amendment) Bill, 94.
Surveyors (Amendment) Bill, 94.
Farmers' Relief (Amendment) Bill, 94.
Gaming and Betting (Poker Machines) Taxation Amendment Bill, 102.
Innkeepers Bill, 102.
Muralion (Amendment) Bill, 102.
Coal and Oil Shale Mine Workers (Superannuation) Amendment Bill, 102.
Gaming and Betting (Amendment) Bill, 110.
Cattle Compensation (Amendment) Bill, 116.
Explosives (Amendment) Bill, 120.
Industrial Arbitration (Amendment) Bill, 120.
Second-hand Dealers and Collectors (Amendment) Bill, 130.
Macquarie University (Amendment) Bill, 130.
Vagrancy, Disorderly Houses and Other Acts (Amendment) Bill, 131.
Appropriation Bill, 166.
General Loan Account Appropriation Bill, 176.
Crown Lands and Closer Settlement (Amendment) Bill, 192.
Western Lands (Amendment) Bill, 192.
St. Peter's Church of England, Cook's River, Cemetery Bill, 192.
St. Anne's Church of England, Ryde, Bill, 193.
Boy Scouts Association—New South Wales Branch Incorporation (Amendment) Bill, 193.
Sydney Cove Redevelopment Authority Bill, 198.
Government Railways (Amendment) Bill, 198.
H.M.S. Endeavour Trust Fund Bill, 205.
King George V and Queen Mary Maternal and Infant Welfare Foundation (Amendment) Bill, 206.
Mines Inspection (Amendment) Bill, 206.
Hunter Valley Flood Mitigation and Hunter Valley Conservation Trust (Amendment) Bill, 206.
Land Tax (Amendment) Bill, 213.
Landlord and Tenant (Amendment) Bill, 236.
Stamp Duties (Amendment) Bill, 237.
Oakdale State Coal Mine (Salse) Bill, 245.
Broken Hill to South Australian Border Railway Agreement Bill, 246.
Theatres and Public Halls (Amendment) Bill, 246.
Theatres and Public Halls (Amendment) Bill, 248.
Local Government (Grants Commission) Amendment Bill, 249.
Port Kembla Inner Harbour (Further Extensions) Bill, 250.
New South Wales-Queensland Border River (Amendment) Bill, 251.
Motor Traffic (Amendment) Bill, 256.
Constitution (Amendment) Bill, 266.
Sydney County Council (Elections) Bill, 267.
Meat Industry (Amendment) Bill, 267.
Coroners (Amendment) Bill, 282.
Trustee Companies (Amendment) Bill, 282.
Aborigines Bill, 291.
Judges' Pensions and Equity (Amendment) Bill, 292.
Supreme Court and Circuit Courts (Amendment) Bill, 294.
Horticultural Stock and Nurseries, Bill, 303.
Evidence (Reproductions) Amendment Bill, 303.
Santa Sophia College Incorporation (Amendment) Bill, 303.
Library of New South Wales Bill, 304.
Credit Union Bill, 305.
Companies and Business Names (Amendment) Bill, 310.
Surveyors (Amendment) Bill, 310.
Aerial Spraying Control Bill, 310.
Interpretation (Amendment) Bill, 317.
Rural Bank of New South Wales (Amendment) Bill, 321.
Child Welfare (Amendment) Bill, 322.
Transferred Officers Extended Leave (Amendment) Bill, 327.
Rural Workers Accommodation Bill, 327.
Veterinary Surgeons (Amendment) Bill, 332.
Forestry (Amendment) Bill, 332.
Coal Mining Industry Long Service Leave (Amendment) Bill, 332.
Explosives (Amendment) Bill, 332.
Consumer Protection Bill, 343.
Manning District Water Supply Bill, 348.
Coal and Oil Shale Mine Workers (Superannuation) Amendment Bill, 348.
Sydney Opera House Trust (Amendment) Bill, 353.
Sydney Opera House (Amendment) Bill, 356.
MESSAGES (continued):

FROM ASSEMBLY TO COUNCIL (continued):

TRANSMITTING (continued):

Mining (Amendment) Bill, 356.
Architects (Amendment) Bill, 356.
Transfer of Public Vehicles (Taxation) Bill, 359.
Police Association Employees (Superannuation) Bill, 365.
Broken Hill to South Australian Border Railway Agreement (Amendment) Bill, 365.
Higher Education Bill, 366.
Apprentices Bill, 371.
Imperial Acts Application Bill, 372.
Limitation Bill, 374.
Parliamentary Electorates and Elections (Amendment) Bill, 377.
Parliamentary Committees Enabling Bill, 385.
Local Government (Amendment) Bill, 389.
Pharmacy (Amendment) Bill, 390.
Weights and Measures (Amendment) Bill, 391.
Milk (Amendment) Bill, 392.
Poultry Processing Bill, 392.
Banana Industry Bill, 394.
Public Service (Amendment) Bill, 396.

RETURNING:

Canterbury Municipality (Bazentin and Persic Streets Recreation Reserve Bill),
without amendment, 102.
Peak Hill A.I.F. Memorial School of Arts (Land Sale) Bill, 270.
Port Stephens Shire (Soldiers Point Public Reserve Land Sale) Bill, 397.
City Night Refuge and Soup Kitchen Incorporation (Amendment) Bill, 397.

AGREEING TO COUNCIL'S AMENDMENTS:

Vagrancy, Disorderly Houses and Other Acts (Amendment) Bill, 141.
Landlord and Tenant (Amendment) Bill, 269.
Crown Lands and Closer Settlement (Amendment) Bill, 269.
Motor Traffic (Amendment) Bill, 270.
Land Tax (Amendment) Bill, 271.
Credit Union Bill, 333.
Aborigines Bill, 333.
Interpretation (Amendment) Bill, 398.
Rural Workers Accommodation Bill, 401.
Consumer Protection Bill, 401.
Banana Industry Bill, 403.

FROM COUNCIL TO ASSEMBLY:

FORWARDING:

Canterbury Municipality (Bazentin and Persic Streets Recreation Reserve) Bill, 40.
Peak Hill A.I.F. Memorial School of Arts (Land Sale) Bill, 257.
Port Stephens Shire (Soldiers Point Public Reserve Land Sale) Bill, 363.
City Night Refuge and Soup Kitchen Incorporation (Amendment) Bill, 364.

RETURNING:

Companies (Transfer of Domicile) Bill, without amendment, 88.
Local Government (Regulation of Flats) Amendment Bill, without amendment, 88.
Fisheries and Oyster Farms (Amendment) Bill, without amendment, 89.
Softwood Forestry Agreement Bill, without amendment, 99.
Collarenebri Water Supply Bill, without amendment, 111.
Local Government (Elections) Amendment Bill, without amendment, 111.
Supply Bill, without amendment, 111.
Coal and Oil Shale Mine Workers (Superannuation) Amendment Bill, without amendment, 118.
Government Guarantees (Amendment) Bill, without amendment, 118.
Obscene and Indecent Publications (Amendment) Bill, without amendment, 118.
Farmers' Relief (Amendment) Bill, without amendment, 122.
Gaming and Betting (Poker Machines) Taxation Amendment Bill, without amendment, 122.
Innkeepers Bill, without amendment, 122.
Moratorium (Amendment) Bill, without amendment, 122.
Public Roads (Amendment) Bill, without amendment, 126.
Surveyors (Amendment) Bill, without amendment, 126.

REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION
INDEX

1968-69

REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

MESSAGES (continued):

FROM COUNCIL TO ASSEMBLY (continued):

RETURNING (continued):

University of New England (Sale of Property) Bill, without amendment, 126.
Bursary Endowment (Amendment) Bill, without amendment, 136.
Cattle Compensation (Amendment) Bill, without amendment, 136.
Explosives (Amendment) Bill, without amendment, 126.
Gaming and Betting (Amendment) Bill, without amendment, 136.
Potato Growers Licensing (Amendment) Bill, without amendment, 137.
University of New South Wales Bill, without amendment, 137.
Wild Dog Destruction (Amendment) Bill, without amendment, 137.
Vagrancy, Disorderly Houses and Other Acts (Amendment) Bill, with amendments, 137.
Industries Arbitration (Amendment) Bill, without amendment, 171.
Macquarie University (Amendment) Bill, without amendment, 171.
Second-hand Dealers and Collectors (Amendment) Bill, without amendment, 172.
Motor Vehicles Bill, without amendment, 201.
General Loan Account Appropriation Bill, without amendment, 201.
Prisons (Further Amendment) Bill, without amendment, 201.
Boy Scouts Association—New South Wales Branch Incorporation (Amendment) Bill, without amendment, 216.
Government Railways (Amendment) Bill, without amendment, 216.
St. Anne’s Church of England, Ryde, Bill, without amendment, 217.
St. Peter’s Church of England, Cook’s River, Cemetery Bill, without amendment, 217.
Western Lands (Amendment) Bill, without amendment, 217.
Wheat Industry Stabilization Bill, without amendment, 218.
H.M.S. Endeavour Trust Fund Bill, without amendment, 240.
Hunter Valley Flood Mitigation and Hunter Valley Conservation Trust (Amendment) Bill, without amendment, 240.
King George V and Queen Mary Maternal and Infant Welfare Foundation (Amendment) Bill, without amendment, 240.
Mines Inspection (Amendment) Bill, without amendment, 241.
Sydney Cove Redevelopment Authority Bill, without amendment, 241.
Local Rates and Public Hulls (Amendment) Bill, without amendment, 265.
Constitution (Amendment) Bill, without amendment, 268.
Motor Traffic (Amendment) Bill, with amendments, 268.
Sydney County Council (Elections) Bill, without amendment, 269.
Meat Industry (Amendment) Bill, without amendment, 272.
Aborigines Bill, with amendments, 317.
Trustee Companies (Amendment) Bill, without amendment, 318.
Supreme Court and Circuit Courts (Amendment) Bill, without amendment, 318.
Judges’ Pensions and Equity (Amendment) Bill, without amendment, 318.
Coroners (Amendment) Bill, without amendment, 318.
Credit Union Bill, with amendments, 325.
Evidence (Reproductions) Amendment Bill, without amendment, 326.
Horticultural Stock and Nurseries Bill, without amendment, 326.
Library of New South Wales Bill, without amendment, 334.
Sancta Sophia College Incorporation (Amendment) Bill, without amendment, 334.
Aerial Spraying Control Bill, without amendment, 341.
Companies and Business Names (Amendment) Bill, without amendment, 341.
Surveyors (Amendment) Bill, without amendment, 343.
Child Welfare (Amendment) Bill, with amendments, 350.
Rural Workers Accommodation Bill, with amendments, 350.
Rural Bank of New South Wales (Amendment) Bill, without amendment, 351.
Increased Officers Extended Leave (Amendment) Bill, without amendment, 351.
Coal Mining Industry Long Service Leave (Amendment) Bill, without amendment, 363.
Explosives (Amendment) Bill, without amendment, 363.
Forestry (Amendment) Bill, without amendment, 363.
Veterinary Surgeons (Amendment) Bill, without amendment, 363.
Consumer Protection Bill, with amendments, 367.
Interpretation (Amendment) Bill, with an amendment, 373.
Architects (Amendment) Bill, without amendment, 373.
Coal and Oil Shale Mine Workers (Superannuation) Amendment Bill, without amendment, 373.
Manning District Water Supply Bill, without amendment, 373.
Mining (Amendment) Bill, without amendment, 374.
Sydney Opera House Trust (Amendment) Bill, without amendment, 374.
Broken Hill to South Australian Border Railway Agreement (Amendment) Bill, without amendment, 384.
Higher Education Bill, without amendment, 384.
MESSAGES (continued):
FROM COUNCIL TO ASSEMBLY (continued):
RETURNING (continued):
Police Association Employees (Superannuation) Bill, without amendment, 384.
Transfer of Public Vehicles (Taxation) Bill, without amendment, 384.
Imperial Acts Application Bill, without amendment, 391.
Limitation Bill, without amendment, 391.
Parliamentary Committees Enabling Bill, without amendment, 391.
Apprentices Bill, without amendment, 391.
Parliamentary Allowances and Salaries (Amendment) Bill, without amendment, 394.
Parliamentary Electorates and Elections (Amendment) Bill, without amendment, 395.
Milk (Amendment) Bill, without amendment, 395.
Local Government (Amendment) Bill, without amendment, 395.
Pharmacy (Amendment) Bill, without amendment, 395.
Weights and Measures (Amendment) Bill, without amendment, 396.
Poultry Processing Bill, without amendment, 402.
Banana Industry Bill, with amendments, 402.

MIDNIGHT:
Sittings after 217, 245, 251, 353, 367, 376, 392.

MINISTERIAL ARRANGEMENTS:
Mr Askin informed House that on 23 May, 1968, the Hon. A. H. Jago, M.L.A., Minister for Health, was appointed also as Minister for Child Welfare and Minister for Social Welfare by the Lieutenant-Governor and that on 10 July, 1968, the Hon. J. B. M. Fuller, M.L.C., Minister for Decentralisation and Development, was appointed Vice-President of the Executive Council by His Excellency the Governor, 6.
Mr Askin informed House that His Excellency the Governor had authorized the Hon. Davis Hughes, M.L.A., Minister for Public Works, to exercise the powers, perform the official duties and be responsible for the obligations appertaining to the office of Minister for Decentralisation and Development on and from 20 October, 1968, during the absence overseas of the Hon. J. B. M. Fuller, M.L.C., Minister for Decentralisation and Development, 153.
Statement made (Mr Askin) in reference to new Ministry, 277.

MOTIONS (See also "BUSINESS"):
ADJOURNMENT OF HOUSE UNDER 49TH STANDING ORDER:
Bushfires in the area of the Greater City of Cessnock Council (withdrawn), 193.
Bushfires in the lower Blue Mountains (withdrawn), 242.
Critical position of the water supply to the township of Ivanhoe (withdrawn), 295.
Drought in the Monaro area (withdrawn), 103.
Drought on the South Coast, (ruled out of order), 125.
Drought unemployment relief in far west of New South Wales (withdrawn), 121.
Increases in fares on train, bus and ferry services and rail parcel rates (negatived), 86.
Proposed resumptions by the Government for the purpose of extensive road works and associated projects at King's Cross (negatived), 297.
Sale of land in Malabar to Education Department (ruled out of order), 158.

AIR, RIVER AND FORESHORE POLLUTION:
Motion (Mr Haigh), pursuant to Notice, (1) That a Select Committee be appointed to inquire into and report upon the control of air, river and foreshore pollution and noise nuisance, etc., and debate adjourned, 340.

BUSH FIRES:
Motion (Mr Jackson) (Urgency—Suspension of Standing and Sessional Orders),
(1) This House is appalled at the tragic loss of homes and property caused by the devastating bushfires which have occurred in this State during recent weeks. The House extends sincere sympathy and concern to all those who have suffered through those losses and calls upon the State and Federal Governments to provide every possible assistance to these unfortunate victims who have experienced this national disaster. (2) That all necessary action be taken by the Government to prevent further outbreaks of fire, agreed to, 157.
MOTIONS (continued):

CARE OF THE AGED:
Motion (Mr Bannon), pursuant to Notice, That in the opinion of this House the Commonwealth Government should, in recognition of the role of the National Government in matters relating to the care and well-being of the aged, take action immediately to extend the provisions of the Commonwealth Aged Persons' Homes Act to permit of State Housing Authorities participating in the grant provisions of such Act.

And amendment (Mr Freudenstein) to insert after the words "well-being of the aged" the words "acknowledge the validity of the claims in this regard of the New South Wales Government and Housing Ministers of all States as outlined by the Premier at the Conference of Commonwealth and State Ministers in June, 1966 and", and debate adjourned, 149; resumed and adjourned, 207.

COLONG CAVES RESERVE:
Motion (Mr McCartney) (Urgency), That Government should take immediate action to (1) revoke all mining leases granted to Associated Portland Cement Ltd to mine in and adjacent to the Colong Caves Reserve and (2) restore the excised area of 5,000 acres to the Kanangra/Boyd National Park, negatived, 78.

COMMONWEALTH-STATE FINANCIAL RELATIONS:
Motion (Mr Punch) (pursuant to Notice), That this House:
(1) Calls upon the Premier to convene a meeting of State Premiers to protest against the Commonwealth Government's refusal to reverse the trend of centralization of Government administration and finance in Canberra.
(2) Urges the establishment of a permanent Council of Premiers to marshal opposition to Commonwealth incursions into spheres of State administration, and to prepare for submission to the Commonwealth a structure for a new financial agreement in Commonwealth-State relations.
(3) Demands that, in the meantime, the State of New South Wales receives a more equitable reimbursement of taxation and approval for more adequate borrowing of loan funds.

Mr Jensen moved, That the Question be amended by leaving out paragraphs (1) and (2) with a view of inserting the following paragraphs instead thereof:

"(1) This House directs the Premier to initiate the early convening of a meeting of all Premiers and Leaders of the Opposition in each State, together with the Prime Minister, the Federal Treasurer and the Leader of the Opposition in the Commonwealth Parliament to discuss all aspects of Commonwealth-State relationships, especially the trend of centralization of Government administration and finance in Canberra.
(2) That this meeting be followed by the calling of a series of National Constitutional Conventions, consisting of leading Members of each State Parliament and the Commonwealth Parliament, together with citizens representing applicable professions, industry, trade unions and other groups to review and where necessary recommend amendments to the Commonwealth of Australia Constitution Act."

The Speaker said that he felt that the first part of the amendment seemed to enlarge the scope of the original Motion while the second part went even further involving National Conventions, and as presently minded he was inclined to rule the amendment out of order. However, he would like more time to think about the question but he felt that he might be left in the position where he would have to rule against the amendment; debate adjourned, 61; resumed, Mr Speaker stated that he was compelled to rule the amendment out of order on three counts (i) as subversive of the principle of the original motion, (ii) outside the scope of the original motion, and (iii) not relevant to the subject matter of the original motion; debate continued, 79; agreed to, 121.

COTTON MESH ONION BAGS:
Motion (Mr Grassby) (Urgency), (1) That House calls on Premier to immediately request the Prime Minister to institute an independent inquiry into racketeering in the bag industry which is detrimental particularly to primary industries in this State, and (2) That Premier request that the inquiry be directed urgently to the circumstances in which a protective tariff was granted on cotton mesh onion bags which have not been and are not manufactured in Australia, negatived, 46.
MOTIONS (continued):

CRIME:
Motion (Mr Hills) (Urgency), (1) That House calls upon Government to take immediate action to eradicate organized crime in N.S.W.; (2) That a Joint Committee be appointed to inquire into and report upon all aspects and incidence of organized crime in this State, withdrawn, 57; moved (Mr Hills) after (Urgency—Suspension of Standing and Sessional Orders) and debate adjourned, 65; debate resumed, motion negatived, 69-71.

DAIRY AUTHORITY:
Motion (Mr Chaffey) (urgency), That this House endorses the basic principle that there should be one single Dairy Authority for the State of New South Wales, negatived, 316.

DISALLOWANCE OF REGULATION UNDER THE MOTOR VEHICLES (THIRD PARTY INSURANCE) ACT, 1942, as amended:
Motion (Mr Hills), That this House disallows the amendment of the Table in the Schedule to Regulation Four under the Act, as set forth in the notice appearing in Government Gazette No. 72 of 7 June, 1968, a copy of which was laid upon the Table of the House on 8 August, 1968, negatived, 25.

DISALLOWANCE OF BY-LAW UNDER THE GOVERNMENT RAILWAYS ACT, 1912, as amended:
Motion (Mr Hills), That this House disallows the Department of Railways (New South Wales) By-law No. 1221 respecting fares and parcel rates as set forth in the notice appearing in Government Gazette No. 117 of 3 October, 1968 a copy of which was laid upon the Table of the House on 22 October, 1968, negatived, 182.

DIVORCE PROCEEDINGS BETWEEN DR E. J. TRENERRY AND A. TRENERRY:
Motion (Mr Jackson) (Urgency—Suspension of Standing Orders), (1) That House calls on Government to immediately appoint a Supreme Court Judge to preside over a full and open inquiry into all aspects of charges contained in statutory declarations alleging devious miscarriages of justice in these divorce proceedings, and (2) because of his failure to accept his ministerial responsibility by fully investigating and making public the results of such investigations, the Hon. J. C. Maddison, B.A., LL.B., M.L.A., Minister of Justice, be relieved of his portfolio pending the findings of the inquiry sought by this resolution, negatived, 31.

DROUGHT RELIEF:
Motion (Mr Hills) (Urgency), That the Government should immediately set up an emergency drought relief operation on the South Coast to be headed by a senior Cabinet Minister with sufficient funds and authority to make decisions to provide free road and rail freight for fodder, etc., negatived, 170.

FARES AND FREIGHT INCREASES:
Motion (Mr Kinkaid) (urgency), This House condemns the announced intention of the Government on 17 September, 1968, to increase train, bus and ferry fares and rail parcel rates, negatived, 91.

HOSPITAL SERVICES:
Motion (Mr K. J. Stewart) (pursuant to Notice, Formal Motion), That Government should (1) review its plan for the regionalization and rationalization of hospital services with special regard to the effects of the Riverina Regional Pilot Scheme, (2) give immediate consideration to the need for more local executive autonomy, the reduction in size of regional areas and wider representation of local hospital Boards, and (3) reject the recommendations of the New South Wales Consultant and Research Division of the Public Service, negatived, 140.

INVASION OF CZECHOSLOVAKIA:
Motion (Mr Sheehan) (by consent), That this House deplores the action of the major power of Soviet Russia in invading the small nation of Czechoslovakia thus endangering world peace, agreed to, 37.
MOTIONS (continued):

LAND UTILISATION COMMITTEE:
Motion (Mr Taylor) (pursuant to Notice), That, in the opinion of this House (1) The Government should give consideration to the establishment of a permanent Land Utilisation Committee, comprising an independent Chairman and representatives from the Departments of Agriculture and Lands, Forestry Commission and Water Conservation and Irrigation Commission; (2) Such Committee should have the responsibility of recommending the most desirable forms of use for all land development within the State, and debate adjourned, 188; resumed, agreed to, 327.

LIBRARY ARRANGEMENTS:
Motion (Mr Askin), That the recommendations contained in the Report of the Joint Library Committee dated 20 November, 1968, and laid upon the Table of the House on 21 November, 1968, concerning certain Library arrangements in substitution of those contained in the Report of the Library Committee dated 30th July, 1862, be now adopted by this House, agreed to, 205.

MEAT INDUSTRY:
Motion (Mr Brewer) (pursuant to Notice), That the Government inquire into and report upon certain aspects of the meat industry in New South Wales, and debate adjourned, 283; resumed amendment (Mr Crawford) to insert after "Government" word "should", agreed to, motion, as amended, agreed to, 328.

MENTAL HEALTH SERVICES:
Motion (Mr Darby) (pursuant to Notice). That in the opinion of this House a review of this State's mental health services should be made in order, inter alia, to consider (1) Sponsoring a 'watch your mental health campaign', (2) The progress being made in our advisory and rehabilitation services, (3) Possible amendments to the Mental Health Act, 1958, and debate adjourned, 171.

OAKDALE STATE COALMINE:
Motion (Mr Neilly) (Urgency), That this House condemns the decision of the Government on 20 September, 1968, to sell the Oakdale State Colliine to Clutha Development Pty Ltd, a wholly owned foreign company, negatived, 100.

RAILWAY WAGE RATES:
Motion (Mr Cox) (urgency), That this House calls upon the Minister for Transport to instruct his departmental officers to ascertain rates of pay in other government departments, semi-government and statutory bodies as well as in private industry, for employment comparable to that engaged in by members of the Australian Railways Union. That on securing that information, the Minister then confer with representatives of the Australian Railways Union to prepare a joint approach to the Commonwealth Conciliation Commissioner for a variation of the award covering members of the Australian Railways Union—such variation to establish equality of remuneration for work carried out by A.R.U. members which is comparable to that carried out by employees of other government departments, semi-government and statutory bodies and private industry, negatived, 301.

SUPREME COURT ACTION—ORSKI v. MOTE:
Motion (Mr Sheahan) (Urgency—Suspension of Standing Orders), That a full and open inquiry by a Supreme Court judge should be held into (1) All the circumstances relating to the settlement of Supreme Court action Orski v. Mote, (2) Whether G. Gavriloff and I. Drach were induced to contribute a sum of money, (3) The activities of a female law clerk named Hennessey, (4) Whether solicitor X was guilty of improper conduct, etc., withdrawn, 139.

SYDNEY HARBOUR CROSSING:
Motion (Mr Darby) (pursuant to Notice), (i) That in the opinion of this House a serious problem has already arisen regarding the present limited capacity of the Sydney Harbour Bridge. (ii) That in order to meet the expected demands resulting from a rapidly increasing population, decisions should be urgently made regarding such matters as: (a) A railway line from Manly to Newport with the appropriate reconstruction of the Manly Wharf Terminal. (b) Possible provision of further carriageways on or within the Sydney Harbour Bridge. (c) As the metropolitan suburban railway system and Highway requirements are largely interconnected and affect directly traffic over the Sydney Harbour Bridge a general survey be made of the requirements of future suburban railway development and roadway construction in the metropolitan area" and debate adjourned, 343.
MOTIONS (continued):

UNITED WATER:

Motion (Mr Mason) (pursuant to Notice), (1) The investigation of underground water should be accelerated to assist landholders who do not have access to a reliable stream to provide their own water from this source, and (2) the investigation should place emphasis on the delineation of areas which can yield quantities of water suitable for irrigation, and debate adjourned, 103; resumed and adjourned, 141, 159; resumed, amendment (Mr Booth) to add certain words to stand as paragraph (3) and debate adjourned, 295.

WHEAT STABILIZATION SCHEME:

Motion (Mr Grassby) (Urgency), (1) That House calls on Premier to advise Prime Minister that this Parliament will not pass complementary legislation needed if the new Wheat Stabilization Scheme is to be operative and (2) That he protest at arbitrary announcement of new scheme without agreement of this State, negatived, 108.

N

NOTICES OF MOTIONS (See also "BUSINESS"; also "SPEAKER'S RULINGS"): Called on by Speaker or Deputy-Speaker, 10, 23 et seq.

Taken as Formal Motion, 140.

Withdrawn, 28, 101.

O

OKDALE STATE COALMINE (See "MOTIONS").

OPENING OF SESSION (See "PARLIAMENT").

OPENING SPEECH (See "GOVERNOR").

OPPOSITION:

Election of Mr P. D. Hills as Leader and of Mr S. D. Einfeld as Deputy Leader, 7.

ORDERS OF THE DAY (See "BUSINESS").

P

PAPERS LAID UPON THE TABLE (See "MOTIONS"; also "PAPERS INDEX").

PARLIAMENT:

OPENING OF SESSION:

Clerk reads Proclamation, 1.

Usher of Black Rod delivers Message from Governor, 2.
REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

P

PARLIAMENTARY LIBRARY (See "COMMITTEES"; also "MOTIONS").

PETITIONS (Refer also to "PAPERS" INDEX):
Division on Question, That Petition be received, agreed to, 369.

POINTS OF ORDER (See "SPEAKER—RULINGS").

POLLUTION (See "MOTIONS").

PRAYER (See "SPEAKER").

PRECEDENCE OF BUSINESS (See "SESSIONAL ORDERS").

PRINTING COMMITTEE (See "COMMITTEES").

PRIVILEGE (See "SPEAKER").

PRO FORMÀ (See "BILLS").

PROCLAMATION:
Opening of Session read by Clerk, 1.

PUBLIC ACCOUNTS COMMITTEE (See "COMMITTEES").

Q

QUESTIONS (See also "SPEAKER'S RULINGS"): Called on by Speaker or Deputy-Speaker, 10, 23 et seq.

Motion, "That the Question be now put" (In House), agreed to, 43, 70, 74, 86, 91, 117, 121, 182, 183, 207, 232, 244, 245, 254, 255(2), 375, 376, 382, 389, 390, 393; (In Committee), agreed to, 431, 432, 443, 445, 446, 453, 454, 462, 463, 473, 474, 479, 509, 510, 511, 513, 516, 517, 519, 520, 521; (under Standing Order 175B), 447, 449, 450, 451.

R

RAILWAY WAGE RATES (See "MOTIONS").

REPLY:
Motion, "That Member be not further heard" when speaking in, negatived, 394.
SERJEANT-AT-ARMS:
Removes Member from Chamber, 35.

SESSIONAL ORDERS (See also "BUSINESS", also "COMMITTEES"):

HOURS OF SITTING—PRECEDENCE OF BUSINESS:

Motion (Mr Hughes) (by consent), That during the present Session, unless otherwise ordered, House shall meet for despatch of business at 2.30 p.m. on Tuesday and Wednesday and at 11 a.m. on Thursday in each week, and upon expiration of ten minutes after the motion for the adjournment has been made, Mr Speaker shall adjourn the House without question put, agreed to, 18.

Motion (Mr Willis), That during remainder of present Session, House shall sit on Tuesday and Wednesday at 2.30 p.m. and on Thursday at 11 a.m.; General Business to take precedence on Tuesday until 6 p.m.; and upon the expiration of ten minutes after motion for the adjournment of the House has been made, Mr Speaker shall adjourn the House without Question put, agreed to, 59, 283.

Motion (Mr Willis), That during the remainder of the present Session, unless otherwise ordered, Government Business shall take precedence of General Business on Tuesdays, 213.

Motion (Mr Willis), That unless otherwise ordered, Government Business shall take precedence of General Business for the present Sitting, agreed to, 364, 388.

SUSPENSION OF:

By consent:
To permit consideration of Order of the Day of General Business, 69, 94, 270.

As a matter of Urgency:
To consider motion respecting—
Bushfires, agreed to, 157.
Crime, agreed to, 65.

SPEAKER (See also "BILLS"):

Absence, unavoidable, reported, 99, 107, 115, 339.
Calls on Notices of Motions and Questions, 10, 23 et seq.
Commissions for Speaker or Deputy-Speaker to administer Oath or Affirmation of Allegiance reported, 9-10.
Directs Serjeant-at-Arms to remove Member, 35.
Directs that Order of the Day be removed from Business Paper, 341.
Enters Chamber after commencement of Sitting, 341.
Informs House of time for presenting Addresses in Reply, 42.
Lays on table copy of Governor’s Opening Speech, 18.
Lays Paper on Table, 115.
Lays on Table Warrant nominating Temporary Chairmen of Committees, 10.
Leaves Chair for period (Later Hour of Day), 2; (Another Day), 395.
Prayer, offers, 1, 9, et seq.
Reports presentation of Addresses in Reply and Answer, 50.
Resumes Chair at hour named, 2, 395.

KNIGHTHOOD CONFERRED UPON:
The Premier referred to the announcement that H.M. the Queen had been pleased to confer the honour of Knighthood upon the Speaker and congratulated Sir Kevin Ellis on the honour conferred upon him. Mr Hills also addressed the House. The Speaker thanked Honourable Members for their remarks and expressed the hope that he would continue to discharge the duties of his office with satisfaction, 273.

RULINGS:

Adjournment of House under S.O. 49:
Mr Speaker stated that a Motion to discuss the Department of Education’s request for negotiations for the sale of 24 homes in Victoria and Ireton Streets, Malabar, was neither specific nor definite and ruled the Motion out of order, 158.
Mr Speaker stated that he considered that a Motion to discuss the Leader of the Opposition’s statement concerning drought concessions for the South Coast failed to comply with the Standing Orders in a number of respects but he would allow the Member moving the Motion to make submissions. The Member having made his submissions Mr Speaker stated that he could not allow him to proceed and ruled the Motion out of order on the grounds that it would lead to a complete subversion of S.O. 49, 175.

Amendments:
Mr Punch moved, That this House:
(1) Calls upon the Premier to convene a meeting of State Premiers to protest against the Commonwealth Government’s refusal to reverse the trend of centralization of Government administration and finance in Canberra.
(2) Urges the establishment of a permanent Council of Premiers to marshal opposition to Commonwealth inroads into spheres of State administration, and to prepare for submission to the Commonwealth a structure for a new financial arrangement in Commonwealth-State relations.

(3) Demands that, in the meantime, the State of New South Wales receives a more equitable reimbursement of taxation and approval for more adequate borrowing of loan funds.

Mr Jensen moved, That the Question be amended by leaving out paragraphs (1) and (2) with a view of inserting the following paragraphs instead thereof:

"(1) This House directs the Premier to initiate the early convening of a meeting of all State Premiers and Leaders of the Opposition in each State, together with the Prime Minister, the Federal Treasurer and the Leader of the Opposition in the Commonwealth Parliament to discuss all aspects of Commonwealth-State relations, especially the trend of centralization of Government administration and finance in Canberra.

(2) That this meeting be followed by the calling of a series of National Constitutional Conventions, consisting of leading Members of each State Parliament and the Commonwealth Parliament, together with citizens representing applicable professions, industry, trade unions and other groups to review and where necessary recommend amendments to the Commonwealth of Australia Constitution Act."

The Speaker said that he felt that the first part of the amendment seemed to enlarge the scope of the original Motion while the second part went even further than the debate National Conventions, and he was inclined to rule the amendment out of order. However, he would like more time to think about the question but he felt that he might be left in the position where he would have to rule against the amendment, 61.

Upon resumption of the debate at a later date:

The Speaker, before proposing the Question, said that the original motion sought a meeting of State Premiers and the establishment of a permanent council of Premiers, whereas the amendment wanted a meeting not only of Premiers, but of Leaders of Opposition, State and Federal, the Federal Treasurer and the Prime Minister; a series of national convention conventions consisting of Members of State and Federal Parliaments, and a wide range of other representatives from the community.

Moreover, while the original motion specified certain purposes of the meetings of Premiers the amendment envisaged wider membership and purposes foreign to the motion embracing questions and considerations so wide in their scope and depth that the debate would be likely to assume a character and significance far beyond that which would be reasonably relevant to the original Motion.

Quoting Mr Speaker Cohen's ruling, V. & P., 1917–18, at p. 125, that an amendment to alter "preferential voting" to "proportional representation" was subversive of a motion affirming the desirability of inserting the former in the Electoral Act; and Mr Deputy-Speaker Booth's ruling, V. & P., 1943–44, at pp. 29 and 30, that to a motion which sought to ensure increased adequate supplies of wheat, an amendment which provided for a review of the policy and regulations governing food production was beyond the scope of the motion; and, lastly, May's Parliamentary Practice, 17th Edition, at page 47, that an amendment to add another subject to a motion seeking an inquiry into a certain matter would not be relevant; the Speaker said he was reluctantly compelled to rule the amendment out of order on three counts—Firstly, it was subversive of the principle of the original motion, secondly, it was outside the scope of the original motion and, thirdly, it was not relevant to the subject matter of the original motion, 79.

Bills:

Attention was drawn to a misprint in the 2nd copy of a Bill and submission made that once the fair print copy of a Bill has been certified by the Chairman of Committees the Chairman of Committees, the Deputy-Speaker, from taking part in Debate, voting in Divisions or moving Motions in the House.

Chairman of Committees:

Mr Mahoney, quoting from May's Parliamentary Practice, submitted that convention precluded the Chairman of Committees, the Deputy-Speaker, from taking part in Debate, voting in Divisions or moving Motions in the House.

The Speaker pointed out that the Chairman of Committees was Deputy-Speaker only when he was actually sitting in the Chair. Further, this Parliament was not bound by the conventions of the House of Commons; nor was the Chairman of Committees. When he moved Motions, voted in Divisions or moved Motions in the House, he was entirely a matter for the Chairman of Committees himself; but there was precedent in this Parliament for him to do those things.

The Speaker ruled that he could not uphold the point of order, 61.
STANDING ORDERS (See also "BILLS"; also "COMMITTEES"):  

SUSPENSION OF:

By consent, to bring in and pass Bill or Bills through all stages in one day, 82, 161, 196, 214, 266, 357.

By consent, to permit consideration of Order of the Day of General Business, 69, 94, 270.

As a matter of Urgency to consider motion relating to—

Bush Fires, agreed to, 157.

Crime, agreed to, 65.

Divorce Proceedings between Dr E. J. Trenerry and A. Trenerry, agreed to, 31.

Supreme Court Action—Orski v. Mote, agreed to, 138.

To bring in and pass Bill, or Bills, through all stages in one Day, agreed to, 175, 218.

COMMITTEE:

Sessional Order appointing, 60.

Motion (Mr Willis) for reference of whole of Standing Orders to, agreed to, 78.

SUPREME COURT ACTIONS (See "MOTIONS").

SUPPLY (See "FINANCE").

SYDNEY HARBOUR (See "MOTIONS").

SYMPATHY (See "DEATHS").

T

TEMPORARY CHAIRMEN OF COMMITTEES (See "CHAIRMAN OF COMMITTEES").

TRENERRY, DR. E. J. (See "MOTIONS").

URGENCY:

To consider motion relating to—

Bush Fires, agreed to, 157.

Colong Caves Reserve, negatived, 78.

Cotton Mesh Onion Bags, negatived, 46.

Crime, withdrawn, 57; agreed to, 65.

Dairy Authority, negatived, 316.

Divorce Proceedings between Dr E. J. Trenerry and A. Trenerry, agreed to, 31.

Drought Relief, negatived, 170.

Fares and Freight increases, negatived, 91.

Railway Wage Rates, negatived, 301.

Sale of Oakdale State Coalmine, negatived, 100.

Supreme Court Action—Orski v. Mote, agreed to, 138.

Wheat Stabilization Scheme, negatived, 108.

To suspend Standing Orders to bring in and pass Bill, or Bills, through all stages in one day, agreed to, 175, 218.
INDEX
1968-69

REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

U
USHER OF THE BLACK ROD (See "BLACK ROD").

V
VOTE (See "DIVISIONS").

W
WARD, R. E. (See "CLERK OF THE LEGISLATIVE ASSEMBLY").

WATER (See "MOTIONS").

WAYS AND MEANS (See "FINANCE").

WHEAT STABILIZATION SCHEME (See "MOTIONS").
### Papers

#### A

**ABATTOIRS** (See "AGRICULTURE").

**ABORIGINES WELFARE BOARD:**
- Report for year ended 30 June, 1968, 27

**ACQUISITION OF LAND** (See under various headings).

**AFFORESTATION** (See "FORESTRY").

**AGRICULTURE** (See also "DAIRY INDUSTRY"; also "DAIRY PRODUCTS"; also "DRIED FRUITS"):  
  - Report of Department for year ended 30 June, 1968, 140
  - Report of the New South Wales Committee on Stock Slaughtering Facilities (1966), 297

**AIR POLLUTION ADVISORY COMMITTEE:**
- Report for year ended 30 June, 1968, 143

**AMBULANCE TRANSPORT SERVICE BOARD:**
- Report for year ended 30 June, 1968, 254

**APPLIED ARTS AND SCIENCES MUSEUM** (See "MUSEUMS").

**APPRENTICESHIP SYSTEM IN NEW SOUTH WALES:**
- Report by Industrial Commission of New South Wales upon the Inquiry regarding the functioning of, 47
- Tables of Statutes and cases in supplementation of the Report, 119

**APPOINTMENTS TO PUBLIC SERVICE** (See "PUBLIC SERVICE").

**ARCHIVES AUTHORITY:**
- Statement of Expenditure for year ended 30 June, 1969, 146
- Report for 1968, 309

**ARGENTINE ANT ERADICATION ACT, 1962:**
  - Regulations under 188, 309.
# INDEX

## 1968-69

### REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

<table>
<thead>
<tr>
<th>Papers—continued</th>
<th>PAGE</th>
<th>VOL.</th>
<th>PAGE</th>
</tr>
</thead>
</table>

#### ART GALLERY OF NEW SOUTH WALES:
- Report of Trustees for 1967, 11 ........................................ 1 331
- Statements of Accounts for year ended 30 June, 1967, 92 .................. 1 343

#### ART UNIONS (See “LOTTERIES AND ART UNIONS ACT, 1901”).

#### ASSEMBLY:

##### SESSIONAL PAPERS:
- Alphabetical List of Members (Facing page 1.) .......................... 1
- Votes and Proceedings, Nos 1 to 65 ...................................... 407
- Business undisposed of at the Close of Session ......................... 407
- Proclamation proroguing Parliament ....................................... 405
- Attendances of Members in Divisions and Counts-out .................... 413
- Business of the Session .................................................... 413
- Alphabetical Register of Bills ............................................. 417
- Register of Addresses and Orders ......................................... 425
- Standing and Select Committees appointed during the Session ......... 427
- Weekly Reports of Divisions in Committee of the Whole, Nos 1 to 17 .... 429
- Reports from Printing Committee, Nos 1 to 19 ............................ 522

#### AUCTIONEERS AND AGENTS:

##### ACT, 1941, AS AMENDED:
- Regulations under, 16. .................................................. 1 349
- Report of Council for year ended 30 June, 1968, 248 ........................ 1 349

#### AUDIT ACT, 1902, AS AMENDED:
- Variation of Regulations under, 316.

#### AUDITOR-GENERAL (See “FINANCE”).

#### AUSTRALIAN MUSEUM (See "MUSEUMS").

### B

#### BANKS (See “RURAL BANK”).

#### BILLS:
- Alphabetical Register of (Sessional Paper) ................................ 417
BORDER RAILWAY ACT, 1922, AS AMENDED:
- Notification of acquisition of land under Public Works Act for purposes of, 12.

BRICKWORKS (See "STATE ENTERPRISES").

BROKEN HILL WATER AND SEWERAGE ACT, 1938, AS AMENDED:
- Notification of acquisition of land under Public Works Act for, 279.

BROKEN HILL WATER BOARD:
- Report for 1967, 174

BUDGET PAPERS (See "FINANCE").

BUILDING SOCIETIES (See "PERMANENT BUILDING SOCIETIES").

BURSARY ENDOWMENT:
- ACT, 1912, AS AMENDED:
  Regulations under, 146.
- BOARD:
  - Report for year ended 30 June, 1967, 167

BUSH FIRES:
- ACT, 1949, AS AMENDED:
  Regulations under 37, 342.
- COMMITTEE:
  - Report for year ended 30 April, 1968, 27
- FIGHTING FUND:
  - Report upon administration of Eastern and Central Division Fund for year ended 30 June, 1968, 286

BUSINESS NAMES ACT, 1912, AS AMENDED:
- Regulations under, 41.

BY-LAWS:
- Government Railways Act, 14, 92, 125, 148, 188, 242.
- Irrigation Act, 327.
- Macquarie University Act, 11, 174.
- Meat Industry Act, 16, 188, 281.
- Metropolitan Water, Sewerage, and Drainage Act, 11, 40, 388.
- Public Parks Act, 24.
- Sydney Corporation Act (deemed to be Ordinances under Local Government Act), 309.
- Technical Education and University of New South Wales Act, 11.
- University and University Colleges Act, 11, 33, 167, 174, 279, 326.
- University of Newcastle Act, 336.
- University of New England Act, 11, 174, 279.
- Wentworth Irrigation Act, 327.
### Papers—continued

<table>
<thead>
<tr>
<th>INDEX</th>
<th>XXXIX</th>
</tr>
</thead>
<tbody>
<tr>
<td>1968–69</td>
<td></td>
</tr>
</tbody>
</table>

#### REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

<table>
<thead>
<tr>
<th>PAPERS ORDERED TO BE PRINTED</th>
<th>ASSEMBLY VOLUMES</th>
<th>JOINT VOLUMES</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAGE</td>
<td>VOL.</td>
<td>PAGE</td>
</tr>
</tbody>
</table>

**C**

**CANCER COUNCIL:**
Report for year ended 30 June, 1968, 205 ............................................. 4 371

**CAPTAIN COOK'S ENDEAVOUR LIMITED:**
Directors Reports, Balance-sheets and Statements of Accounts together with Balance-sheets and Statements of Accounts of the H.M.S. Endeavour Trust Fund, 199.

**CAPTAIN COOK'S LANDING PLACE HISTORIC SITE:**
Report of Trustees (Landing Place) for year ended 30 June, 1967, 24 .............. 4 27
Report of Trustees (Historic Site) for year ended 30 June, 1968, 327 .............. 4 35

**CATTLE SLAUGHTERING AND DISEASED ANIMALS AND MEAT ACT, 1902, AS AMENDED:**
Regulations under, 16.

**CHILD WELFARE:**
Department:
Report for year ended 30 June, 1968, 247 ............................................. 1 357

**CITY AND SUBURBAN ELECTRIC RAILWAYS ACT, 1915, AS AMENDED (See "RAILWAYS").**

**CIVIL DEFENCE ORGANIZATION (See "NEW SOUTH WALES").**

**CLEAN AIR ACT, 1961, AS AMENDED:**
Regulations under, 24, 59.

**COAL AND OIL SHALE MINE WORKERS' COMPENSATION SUBSIDY FUND:**
Report by Government Actuary on Triennial Valuation of, 382 ....................... 3 1079

**COAL AND OIL SHALE MINE WORKERS' SUPERANNUATION:**
Fund:
Report by Government Actuary on Triennial Valuation of, 382 ....................... 3 1079

Tribunal:
Report for year ended 30 June, 1968, 282 ............................................. 3 1087
### Papers—continued

<table>
<thead>
<tr>
<th>Act/Title</th>
<th>Page(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>COAL MINES REGULATION ACT, 1912, AS AMENDED:</strong></td>
<td></td>
</tr>
<tr>
<td>Regulations under, 17.</td>
<td></td>
</tr>
<tr>
<td><strong>COAL MINING (See &quot;MINING&quot;).</strong></td>
<td></td>
</tr>
<tr>
<td><strong>COBAR WATER BOARD:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>COMMISSION (See also &quot;LAW REFORM COMMISSION&quot;).</strong></td>
<td></td>
</tr>
<tr>
<td><strong>COMMITTEES:</strong></td>
<td></td>
</tr>
<tr>
<td>Standing and Select Committees appointed during the Session (Sessional Paper)</td>
<td>427</td>
</tr>
<tr>
<td><strong>COUNCIL:</strong></td>
<td></td>
</tr>
<tr>
<td>Report on Canterbury Municipality (Bazentin and Persic Streets Recreation Reserve) Bill, 40</td>
<td>4</td>
</tr>
<tr>
<td>Report on Peak Hill A.I.F. Memorial School of Arts (Land Sale) Bill, 257</td>
<td>4</td>
</tr>
<tr>
<td>Report on Port Stephens Shire (Soldiers Point Public Reserve Land Sale) Bill, 363</td>
<td>4</td>
</tr>
<tr>
<td>Report on City Night Refuge and Soup Kitchen Incorporation (Amendment) Bill, 364</td>
<td>4</td>
</tr>
<tr>
<td><strong>LIBRARY:</strong></td>
<td></td>
</tr>
<tr>
<td>Report of, dated 20 November, 1968, 197</td>
<td>1</td>
</tr>
<tr>
<td><strong>PRINTING:</strong></td>
<td></td>
</tr>
<tr>
<td>Reports Nos 1 to 19, 76, 97, 118, 131, 146, 155, 168, 184, 200, 237, 256, 268, 294, 305, 323, 337, 360, 385, 396</td>
<td>525</td>
</tr>
<tr>
<td><strong>PUBLIC ACCOUNTS:</strong></td>
<td></td>
</tr>
<tr>
<td>First Report during currency of Forty-second Parliament (laid on Table of Assembly only), 105</td>
<td>2</td>
</tr>
<tr>
<td>Second Report during currency of Forty-second Parliament (laid on Table of Assembly only), 177</td>
<td>2</td>
</tr>
<tr>
<td><strong>COMMONWEALTH AND STATE MINISTERS’ CONFERENCE (See “CONFERENCES”):</strong></td>
<td></td>
</tr>
<tr>
<td><strong>COMPANIES ACT, 1961, AS AMENDED:</strong></td>
<td></td>
</tr>
<tr>
<td>Regulations under, 13.</td>
<td></td>
</tr>
<tr>
<td>Report of Inspectors appointed pursuant to section 178 (1) to investigate the ownership, acquisition and disposition since 3 June, 1968, of the shares in Mick Simmons (Holdings) Limited, 294</td>
<td>5</td>
</tr>
</tbody>
</table>
### INDEX

1968-69

**REFERENCES TO THE VOTES AND PROCEEDINGS, 42nd PARLIAMENT—SECOND SESSION**

<table>
<thead>
<tr>
<th>PAPERS ORDERED TO BE PRINTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>ASSEMBLY VOLUME</td>
</tr>
<tr>
<td>JOINT VOLUMES</td>
</tr>
</tbody>
</table>

**Papers—continued**

<table>
<thead>
<tr>
<th>C</th>
<th>PAGE</th>
<th>VOL.</th>
<th>PAGE</th>
</tr>
</thead>
</table>

**CONFERENCES:**
- Report on the Proceedings of Commonwealth and State Ministers held at Canberra on 27 and 28 June, 1968, 92

**CONSERVATION (See also "SOIL CONSERVATION").**
- Report of Department of Conservation for year ended 30 June, 1968, 253
- Report of Conservation Authority for year ended 30 June, 1968, 253
- Report of the Committee of Enquiry on differences and conflicts between interests of Parks and Conservation Authorities, Scientific bodies, and Mining interests, 242

**CONSERVATORIUM OF MUSIC:**
- Report of Board of Governors for period ended 31 December, 1967, 11

**CONSOLIDATED REVENUE FUND (See "FINANCE").**

**CONVEYANCING ACT, 1919, AS AMENDED:**
- Orders under, 16.
- Regulations under, 294.

**CO-OPERATION ACT, 1923, AS AMENDED:**
- Regulations under, 68, 213, 265.

**CO-OPERATIVE SOCIETIES:**
- Report of Registrar for year ended 30 June, 1968, 109

**CRIME:**
- Observations by Commissioner of Police to Cabinet in respect of statements by the Leader of the Opposition upon organized crime, 89.

**CROWN LANDS CONSOLIDATION ACT, 1913:**
- Regulations under, 16, 24, 140.
- Regulations for amended fees and charges of certain cemeteries, 24, 204.
- Rules and Regulations under, for management of parks and reserves, 24, 204.

**DEDICATION OF CERTAIN LANDS (SECTION 25):**
- Gazette Notices dealing with the, 24, 54, 101, 204, 248, 280, 355.

**PUBLIC PURPOSES (SECTION 24):**
- Abstracts of, intended to be dedicated for, 24, 54, 101, 204, 248, 280.

**DAIRY INDUSTRY:**

**ADVISORY COUNCIL:**
- Report by, dated February, 1969, 281
### Papers—continued

#### D

**DAIRY PRODUCTS:**

- **Board:**
  - Report for year ended 30 June, 1968, 205

**DAMS AND WEIRS (See "WATER").**

**DENTISTS ACT, 1934, AS AMENDED:**

- Regulations under, 85.

**DISTRICT COURT:**

- Rules of Court, 13, 54, 140, 188, 279.

**DIVISIONS:**

- Attendances of Members in Divisions and Counts-out (Sessional Paper) 413
- In Committee of the Whole:
  - Weekly Reports, Nos 1 to 17 429

**DOOR-TO-DOOR SALES ACT, 1967:**

- Regulations under, 101.

**DRIED FRUITS:**

- **Act, 1939, as Amended:**
  - Regulations under, 101, 342.

- **Board:**
  - Report for 1967, 68

**DUMARESQ-BARWON BORDER RIVERS COMMISSION:**

- Report for year ended 30 June, 1968, 281
## EDUCATION (See also "UNIVERSITIES"):

- Report of the Minister for 1967, 33
  - Photographs and captions in supplementation of Report of Minister for 1967, 147

## COMMISSION:

- Report of Panel of Inquiry on the establishing of an Education Commission in New South Wales, 285

## PUBLIC INSTRUCTION ACT, 1880:

- Notifications of acquisition of land and easements under the Public Works Act, for the purposes of, 33.

## ELECTORAL:

- Statistical Returns of the General Election for Legislative Assembly held on 24 February, 1968, 34

## ELECTRICITY (See also "GAS AND ELECTRICITY"):

### Authority:

- Report for year ended 30 June, 1968, 286

### COMMISSION ACT, 1950, AS AMENDED:

- Notifications of acquisition of land and/or easements under Public Works Act, for the purposes of, 14, 41, 58, 109, 174, 241, 286, 342.

### COMMISSION OF NEW SOUTH WALES:

- Report for year ended 30 June, 1968, 247

### DEVELOPMENT ACT, 1945, AS AMENDED:

- Regulations under, 58, 101, 280, 309.

### Electricity Franchise:

- Agreement between Southern Electric Authority of Queensland and Tenterfield Shire Council, 14.
- Agreement between State Electricity Commission of Victoria and Murray River County Council, 280.

### Sydney County Council:

- Statement of Accounts and Balance-sheet for 1967, 37

## EMERGENCY SERVICES (See "NEW SOUTH WALES CIVIL DEFENCE ORGANIZATION AND STATE EMERGENCY SERVICES").

## ESTIMATES (See "FINANCE").
FACTORIES, SHOPS AND INDUSTRIES ACT, 1962, AS AMENDED:

Proclamations under, 34, 129, 279.
Regulations under, 34, 115, 291.
Report of Department of Labour and Industry, on working of Part III, for 1967, 109

FERRY SERVICES (See "TRANSPORT").

FINANCE:

ESTIMATES (Budget Papers), 1968-69 (Laid on Table of Assembly only), 112

Index to Budget Papers .................................................. 2 1
Message from Governor, together with Estimates, etc., as under:
(1.) Consolidated Revenue Fund.—Estimates of Expenditure for the year 1968-69 .................................................. 2 10
(2.) Consolidated Revenue Fund.—Statement of Payments from the Vote "Advance to Treasurer" 1967-68 submitted for Parliamentary appropriation in adjustment of the Advance Vote .................................................. 2 206
(3.) Consolidated Revenue Fund.—Statement of Payments "Unauthorized in Suspense" to 30th June, 1968 .................................................. 2 216
(4.) Government Railways Fund.—Estimates of Expenditure for the year 1968-69 .................................................. 2 220
(5.) Government Railways Renewals Fund.—Estimates of Expenditure for the year 1968-69 .................................................. 2 222
(6.) Road Transport and Traffic Fund.—Estimates of Expenditure for the year 1968-69 .................................................. 2 230
(7.) Road Transport and Traffic Fund.—Statement of Payments "Unauthorized in Suspense" to 30th June, 1968 .................................................. 2 234
(8.) Metropolitan Transport Trust General Fund.—Estimates of Expenditure for the year 1968-69 .................................................. 2 236
(9.) Metropolitan Transport Trust General Fund.—Statement of Payments "Unauthorized in Suspense" to 30th June, 1968 .................................................. 2 238
(10.) Newcastle and Districts Transport Trust General Fund.—Estimates of Expenditure for the year 1968-69 .................................................. 2 239
(11.) Newcastle and Districts Transport Trust General Fund.—Statement of Payments "Unauthorized in Suspense" to 30th June, 1968 .................................................. 2 243
(12.) Maritime Services Board Fund.—Estimates of Expenditure for the year 1968-69 .................................................. 2 244
(13.) Maritime Services Board.—Statement of Payments "Unauthorized in Suspense" to 30th June, 1968 .................................................. 2 253
(14.) Maritime Services Board Renewals Fund.—Estimates of Expenditure for the year 1968-69 .................................................. 2 254
(15.) Closer Settlement Fund.—Estimates of Expenditure for the year 1968-69 .................................................. 2 255

FINANCIAL STATEMENT:
Delivered by Treasurer covering Budget for year 1968-69 (Laid on Table of Assembly only), 113

INCOME TAX, UNEMPLOYMENT RELIEF AND SOCIAL SERVICES TAX, AND SPECIAL INCOME AND WAGES TAX ACTS:

Report by the Commissioner of Taxation upon working of, for year ended 30 June, 1968, 37

LAND TAX:
Report of Commissioner for year ended 31 October, 1968, 241

LOAN ESTIMATES:
For 1968-69 (Laid on Table of Assembly only), 144
Speech (together with Appendices) (Laid on Table of Assembly only), 144
## INDEX

### 1968–69

**REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION**

### Papers—continued

#### F

**FINANCE (continued):**

**PUBLIC ACCOUNTS:**

Treasurer’s statement of the Receipts and Expenditure of the Consolidated Revenue Fund, and other accounts for the financial year ended 30 June, 1968, together with the Auditor-General’s Report thereon *(Laid on Table of Assembly only)*, 115

<table>
<thead>
<tr>
<th>Page</th>
<th>Vol.</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>115</td>
<td>2</td>
<td>341</td>
</tr>
</tbody>
</table>

**PUBLIC ACCOUNTS COMMITTEE:**

First Report during currency of Forty-second Parliament *(Laid on Table of Assembly only)*, 105

Second Report during currency of Forty-second Parliament *(Laid on Table of Assembly only)*, 177

<table>
<thead>
<tr>
<th>Page</th>
<th>Vol.</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>105</td>
<td>2</td>
<td>903</td>
</tr>
<tr>
<td>177</td>
<td>2</td>
<td>917</td>
</tr>
</tbody>
</table>

**FIRE BRIGADES:**

**ACT, 1909, AS AMENDED:**

Regulations under, 291.

<table>
<thead>
<tr>
<th>Page</th>
<th>Vol.</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>269</td>
</tr>
</tbody>
</table>

**BOARD:**

Report of Commissioners for 1967, together with Appendices, 167

<table>
<thead>
<tr>
<th>Page</th>
<th>Vol.</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>167</td>
<td>3</td>
<td>269</td>
</tr>
</tbody>
</table>

**FISHERIES:**

Report of Chief Secretary for year ended 30 June, 1967, 27

Report of Chief Secretary for year ended 30 June, 1968, 388

Report of New South Wales Fish Authority for year ended 30 September, 1968, 388

<table>
<thead>
<tr>
<th>Page</th>
<th>Vol.</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>27</td>
<td>3</td>
<td>297</td>
</tr>
<tr>
<td>388</td>
<td>3</td>
<td>313</td>
</tr>
<tr>
<td>388</td>
<td>3</td>
<td>333</td>
</tr>
</tbody>
</table>

**FISHERIES AND OYSTER FARMS ACT, 1935, AS AMENDED:**


<table>
<thead>
<tr>
<th>Page</th>
<th>Vol.</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>297</td>
</tr>
</tbody>
</table>

**FLUORIDATION OF PUBLIC WATER SUPPLIES ACT, 1957:**

Approvals, and variations of approvals, for the addition of fluorine to Water Supplies, 17, 213, 287.

Regulations under, 213.

<table>
<thead>
<tr>
<th>Page</th>
<th>Vol.</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>213</td>
</tr>
</tbody>
</table>
## References to the Votes and Proceedings, 42nd Parliament—Second Session

**Papers ordered to be printed**

### Assembly Volumes

<table>
<thead>
<tr>
<th>PAGE</th>
<th>VOL.</th>
<th>PAGE</th>
</tr>
</thead>
</table>

### Joint Volumes

<table>
<thead>
<tr>
<th>PAGE</th>
<th>VOL.</th>
<th>PAGE</th>
</tr>
</thead>
</table>

## Papers—continued

### F

#### Forestry:

**Act, 1916, as amended:**
- Notifications of acquisition of land under Public Works Act, for State forests, 12, 68, 109, 279.

#### Afforestation:
- Return showing amount expended under section 13 of the Forestry Act, 1916, as amended, for year ended 30 June, 1968, 248.

#### Commission:
- Report for year ended 30 June, 1967, 153
- Report for year ended 30 June, 1968, 253

#### Revocation of Dedication of State Forests:
- Schedule covered by Message No. 74, 256

#### Friendly Societies:
- Report of Registrar for year ended 30 June, 1968, 281

**Act, 1912, as amended:**
- Regulations under, 16.

#### Fruit Cases Act, 1912, as amended:
- Regulations under, 109.

### G

#### Gaming and Betting Act, 1912, as amended.
- Regulations under, 291, 342.

#### Geographical Names Board:
- Report for year ended 30 June, 1968, 175

#### Government Ferry Services (See "Transport").

#### Government Insurance Office of New South Wales:
- Report for year ended 30 June, 1968, 197
GOVERNMENT RAILWAYS ACT, 1912, AS AMENDED (See "RAILWAYS").
By-laws under, 14, 92, 125, 148, 188, 242.

GOVERNMENT TRANSPORT DEPARTMENT (See "TRANSPORT").

GOVERNOR, HIS EXCELLENCY THE:
Opening Speech, 18.

GRAIN ELEVATORS:
ACT, 1954, AS AMENDED:
Regulations under, 281.

Board:
Report for year ended 31 October, 1967, 15 ...........................................

HARBOUR AND TRANSPORT BOARD (See "TRANSPORT").

HARBOURS (See "SYDNEY HARBOUR TRUST").

HEALTH (See "PUBLIC HEALTH").

HIRE-PURCHASE ACT, 1960, AS AMENDED:
Regulations under, 13.

H.M.S. ENDEAVOUR TRUST FUND:
Balance-sheets and Statements of Accounts, together with Directors' Reports and
Balance-sheets, and Statements of Accounts of Captain Cook's Endeavour Limited,
199.

HOSPITALS (See also "PRIVATE HOSPITALS ACT"):  
Commission:
Report for year ended 30 June, 1968, 242 ...........................................

SYDNEY HOSPITAL:
Preliminary Report by Dr D. M. Storey on the development of Sydney Hospital on
the Randwick site together with Site Plan prepared by Government Architect, 24.
References to the Votes and Proceedings, 42nd Parliament—Second Session

Papers—continued

H

Housing:

Act, 1912, as amended:
Notifications of acquisition of land under Public Works Act, for the purposes of, 16, 24, 68, 101, 149, 168, 203, 248, 265, 303, 327, 370, 396.

Commission:
Report for year ended 30 June, 1968, 248

Hunter District Water Board:
Report for year ended 30 June, 1968, 241

Hunter District Water, Sewerage and Drainage Act, 1938, as amended:
By-laws under, 11, 101, 388.
Notifications of acquisition of land or easements under Public Works Act, for the purpose of, 12, 67, 381.

Hunter Valley Conservation Trust:
Report for 1967, 253

Hunter Valley Flood Mitigation Act, 1956, as amended:
Notifications of acquisition of land or easements under Public Works Act for purposes of, 364.

Income Tax (See "Finance").

Industrial Arbitration Act, 1940, as amended:
Regulations under, 279.
INDEX
1968-69

REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

PAPERS ORDERED TO BE PRINTED

ASSEMBLY VOLUMES JOINT VOLUMES

Papers—continued

I

INDUSTRIAL COMMISSION OF NEW SOUTH WALES:
Report of President for 1967, 34
Report by, on the Inquiry regarding the functioning of the Apprenticeship System in New South Wales, 47
Tables of Statutes and cases in supplementation of Report on Apprenticeship System, 119

INDUSTRIAL UNDERTAKINGS OF THE STATE (See "STATE ENTERPRISES").

INDUSTRIAL REGISTRAR (See "TRADE UNIONS").

INFLAMMABLE LIQUID ACT, 1915, AS AMENDED:
Regulations under, 17, 143.
Proclamations under, 282.

INSTITUTE OF PSYCHIATRY (See "PSYCHIATRY, NEW SOUTH WALES INSTITUTE OF").

INSURANCE PREMIUMS COMMITTEE (See "WORKERS' COMPENSATION").

IRRIGATION (See also "RIVER MURRAY"; also "WATER"; also "WATER CONSERVATION AND IRRIGATION"): 
Act, 1912, AS AMENDED:
Regulations under, 59, 213, 327, 347.

JOINT COAL BOARD (See "MINING").

JUSTICES ACT, 1902, AS AMENDED:
Regulations under, 294.

P 43975—4
INDEX
1968-69

REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

PAPERS ORDERED TO BE PRINTED

ASSEMBLY

VOLUME

JOINT VOLUMES

PAPERS—continued

PAGE VOL. PAGE

LABOUR AND INDUSTRY (See also "INDUSTRIAL COMMISSION"): Report of Department on working of Part III of Factories, Shops and Industries Act, 1962, for 1967, 109 ........................................... 3 719

LAND ACQUISITION (CHARITABLE INSTITUTIONS) ACT, 1946: Notifications of acquisition of lands under Public Works Act, for the purpose of, 68.

LAND AND VALUATION COURT ACT, 1921, AS AMENDED: Rules under, 279.

LANDLORD AND TENANT (AMENDMENT) ACT, 1948. AS AMENDED: Regulations under, 281.

LAND TAX (See "FINANCE").

LAND TAX MANAGEMENT ACT, 1956, AS AMENDED: Regulations under, 58.

LANDS (See also “CROWN LANDS”): Report of Department, together with Reports of Western Lands Commissioner, Prickly-pear Destruction Commissioner, the Geographical Names Board, and Surveyor-General for year ended 30 June, 1968, and Report of Chairman, Wild Dog Destruction Board, for 1967, 173 ........................................... 1 677

LA PEROUSE MONUMENTS HISTORIC SITE: Report of Trustees (Reserve) for year ended 30 June, 1967, 24 ........................................... 4 47 Report of Trustees (Historic Site) for year ended 30 June, 1968, 327 ........................................... 4 51
### LAW REFORM COMMISSION:

- Report for year ended 30 June, 1968, 247
- Report of, on Options in Leases, 148

### LEASES (See "LAW REFORM COMMISSION").

### LEGISLATIVE COUNCIL OF NEW SOUTH WALES:

**CERTIFICATE OF RETURNING OFFICER RESPECTING:**
- Election of Richmond William Manyweathers, 10.
- Election of Bernard Blomfield Riley, 58.
- Election of Louis Adrian Solomons, 341.

### LIBRARIES (See also "COMMITTEES").

- Library Board of New South Wales:
  - Report for year ended 30 June, 1968, 146

- Public Library of New South Wales:
  - Report of Trustees for year ended 30 June, 1968, 92

### LIBRARY COMMITTEE (See "COMMITTEES").

### LIQUOR ACT, 1912, AS AMENDED:
- Regulations under, 16.

### LOAN ESTIMATES (See "FINANCE").

### LOCAL GOVERNMENT (See also "ELECTRICITY", also "COMMISSIONS", also "STATE PLANNING AUTHORITY"): 

- Act, 1919, as amended: 
  - Ordinances under, 13, 23, 58, 140, 188, 197, 204, 280, 286, 342, 388.
  - Planning Scheme Ordinances under, 13, 109, 158, 280, 364, 388.
  - By-laws and/or Ordinances under Sydney Corporation Act, 1932, as amended, deemed to be Ordinances under, 140, 309.
  - Proclamations under, 41.
## Papers—continued

### LOCAL GOVERNMENT (continued):

#### BOUNDARIES COMMISSION:
- Report on a number of proposals involving boundaries of Local Government areas in the New England region, 370
- Report on a proposal to constitute a county district within the far Northwestern Slopes region for the eradication of noxious plants, 388

#### DEPARTMENT:
- Report for year ended 30 June, 1968, 204

### LOCAL GOVERNMENT AND OTHER AUTHORITIES (SUPERANNUATION) ACT, 1927, AS AMENDED:
- Regulations under, 286.

### LORD HOWE ISLAND:
- **Act, 1953, as amended:**
  - Regulations under, 23, 213, 291.

#### BOARD:
- Report for 1967, 167

### LOTTERIES AND ART UNIONS ACT, 1901, AS AMENDED (See also "STATE LOTTERIES"):  
- Balance-sheets of Art Unions, 40, 53, 66, 120, 148, 187, 293, 302, 309, 370
- Regulations under, 167.

### MACQUARIE UNIVERSITY ACT, 1964 (See also "UNIVERSITIES"):  
- By-laws under, 11, 174.

### MAIN ROADS:
- Report of Commissioner for year ended 30 June, 1968, 247

<table>
<thead>
<tr>
<th>Description</th>
<th>Page</th>
<th>Vol.</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>BOUNDARIES COMMISSION:</td>
<td>3</td>
<td>971</td>
<td></td>
</tr>
<tr>
<td>Report on a number of proposals involving boundaries of Local Government areas in the New England region</td>
<td>3</td>
<td>995</td>
<td></td>
</tr>
<tr>
<td>DEPARTMENT:</td>
<td>3</td>
<td>1007</td>
<td></td>
</tr>
<tr>
<td>Report for year ended 30 June, 1968</td>
<td>204</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LOCAL GOVERNMENT AND OTHER AUTHORITIES (SUPERANNUATION) ACT, 1927, AS AMENDED:</td>
<td>-</td>
<td>-</td>
<td>286</td>
</tr>
<tr>
<td>LORD HOWE ISLAND:</td>
<td>167</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ACT, 1953, as amended:</td>
<td>23, 213, 291</td>
<td></td>
<td></td>
</tr>
<tr>
<td>BOARD:</td>
<td>-</td>
<td>1043</td>
<td></td>
</tr>
<tr>
<td>Report for 1967</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LOTTERIES AND ART UNIONS ACT, 1901, AS AMENDED (See also &quot;STATE LOTTERIES&quot;):</td>
<td>-</td>
<td>-</td>
<td>167</td>
</tr>
<tr>
<td>Balance-sheets of Art Unions, 40, 53, 66, 120, 148, 187, 293, 302, 309, 370</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>MACQUARIE UNIVERSITY ACT, 1964 (See also &quot;UNIVERSITIES&quot;):</td>
<td>-</td>
<td>-</td>
<td>174</td>
</tr>
<tr>
<td>By-laws under, 11, 174</td>
<td>-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Report of Council for 1967</td>
<td>-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MAIN ROADS:</td>
<td>247</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Report of Commissioner for year ended 30 June, 1968</td>
<td>953</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
PAPERS ORDERED TO BE PRINTED
ASSEMBLY VOLUME

<table>
<thead>
<tr>
<th>PAPERS—continued</th>
<th>PAGE</th>
<th>VOL.</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>MARITIME SERVICES:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ACT, 1935, AS AMENDED:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regulations under, 40, 158, 285.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notification of acquisition of land under Public Works Act for purposes of, 12, 68, 279.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BOARD:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Balance-sheet and Statements of Accounts for year ended 30 June, 1968, 285</td>
<td>3</td>
<td>503</td>
<td></td>
</tr>
<tr>
<td>MARKETING OF PRIMARY PRODUCTS ACT, 1927, AS AMENDED:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MEAT INDUSTRY:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ACT, 1915, AS AMENDED:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>By-laws under, 16, 188, 281.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BOARD:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Balance-sheet and Statements of Accounts for year ended 30 June, 1968, 281</td>
<td>3</td>
<td>1051</td>
<td></td>
</tr>
<tr>
<td>MEDICAL BOARD:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Report for 1968, 287</td>
<td>4</td>
<td>363</td>
<td></td>
</tr>
<tr>
<td>MEDICAL PRACTITIONERS ACT, 1938, AS AMENDED:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regulations under, 120, 310.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>METROPOLITAN MEAT INDUSTRY ACT (See &quot;MEAT INDUSTRY&quot;).</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>METROPOLITAN TRAFFIC ACT, 1900, AS AMENDED:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regulations under, 15, 93, 281, 388.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>METROPOLITAN WATER, SEWERAGE AND DRAINAGE ACT, 1924, AS AMENDED:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>By-laws under, 11, 40, 388.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notification of acquisition of land under Public Works Act for purposes of, 12, 67, 187, 279.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regulations under, 40.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>BOARD:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Report for year ended 30 June, 1968, 265</td>
<td>5</td>
<td>273</td>
<td></td>
</tr>
<tr>
<td>PAGE</td>
<td>VOLUME</td>
<td>PAPERS ORDERED TO BE PRINTED</td>
<td></td>
</tr>
<tr>
<td>------</td>
<td>--------</td>
<td>-----------------------------</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>PAPERS—continued</td>
<td></td>
</tr>
</tbody>
</table>

**M**

MICK SIMMONS (HOLDINGS) LIMITED (See "COMPANIES ACT, 1961, AS AMENDED").

MILK:

**Board:**

Report for year ended 30 June, 1968, 254  

<table>
<thead>
<tr>
<th>PAGE</th>
<th>VOLUME</th>
<th>PAPERS ORDERED TO BE PRINTED</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>JOINT VOLUMES</td>
</tr>
</tbody>
</table>

MINE SUBSIDENCE BOARD (See "MINING").

MINE SUBSIDENCE COMPENSATION ACT, 1961, AS AMENDED:

Regulations under, 282.
Proclamations under, 17.

MINE INSPECTION ACT, 1901, AS AMENDED:

Rules under, 17, 27, 59.

MINE INSPECTION (AMENDMENT) ACT, 1968:

Proclamations under, 382.

MINING (See also "CONSERVATION").

**Act, 1874:**

Authorities to Mine issued since January, 1882, under (Returns to an Order), 17, 282.

**Act, 1906, as Amended:**

Proclamations under, 17, 27, 171.
Regulations under, 17.

JOINT COAL BOARD:

Report for year ended 30 June, 1968, 213  

### MINING (continued):

**MINE SUBSIDENCE BOARD:**
- Report for year ended 30 June, 1968, 181

**MINES DEPARTMENT:**
- Report for 1967, 149

**STATE MINES CONTROL AUTHORITY:**
- Report, Statement of Accounts, and Balance-sheet and Reports of Managers of the State Coal Mines for year ended 30 June, 1968, 197

### MINISTRY OF TRANSPORT ACT, 1912, AS AMENDED (See also "RAILWAYS"; also "TRANSPORT"):  
Notification of acquisition of land, under Public Works Act, for the purposes of, 15, 93, 125, 148, 192, 242, 248, 280, 281, 316, 326, 336, 342.

### MOTOR TRAFFIC ACT, 1909, AS AMENDED:  
Regulations under, 15, 93, 148, 281, 388.

### MOTOR TRANSPORT (See "TRANSPORT").

### MOTOR VEHICLES (THIRD PARTY INSURANCE) ACT, 1942, AS AMENDED:  
Regulations under, 15.

### MURRAY RIVER (See "RIVER MURRAY").

### MUSEUMS:

**APPLIED ARTS AND SCIENCES:**
- Report for 1967, 11

**AUSTRALIAN:**
- Report for year ended 30 June, 1968, 285

### MUSIC: (See "CONSERVATORIUM OF MUSIC")

---

**INDEX:**  
1968–69

**REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION**

<table>
<thead>
<tr>
<th>PAPERS ORDERED TO BE PRINTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>ASSEMBLY VOLUME</td>
</tr>
<tr>
<td>PAGE</td>
</tr>
</tbody>
</table>

**Papers—continued**

<table>
<thead>
<tr>
<th>MINING (continued):</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>MINE SUBSIDENCE BOARD:</strong></td>
</tr>
<tr>
<td>Report for year ended 30 June, 1968, 181</td>
</tr>
<tr>
<td><strong>MINES DEPARTMENT:</strong></td>
</tr>
<tr>
<td>Report for 1967, 149</td>
</tr>
<tr>
<td><strong>STATE MINES CONTROL AUTHORITY:</strong></td>
</tr>
<tr>
<td>Report, Statement of Accounts, and Balance-sheet and Reports of Managers of the State Coal Mines for year ended 30 June, 1968, 197</td>
</tr>
</tbody>
</table>

**MINISTRY OF TRANSPORT ACT, 1912, AS AMENDED (See also "RAILWAYS"; also "TRANSPORT"):**
Notification of acquisition of land, under Public Works Act, for the purposes of, 15, 93, 125, 148, 192, 242, 248, 280, 281, 316, 326, 336, 342.

**MOTOR TRAFFIC ACT, 1909, AS AMENDED:**
Regulations under, 15, 93, 148, 281, 388.

**MOTOR TRANSPORT (See "TRANSPORT").**

**MOTOR VEHICLES (THIRD PARTY INSURANCE) ACT, 1942, AS AMENDED:**
Regulations under, 15.

**MURRAY RIVER (See "RIVER MURRAY").**

**MUSEUMS:**

**APPLIED ARTS AND SCIENCES:**
- Report for 1967, 11

**AUSTRALIAN:**
- Report for year ended 30 June, 1968, 285
NATIONAL PARKS AND WILDLIFE ACT, 1967 (See also “CONSERVATION”):
Abstracts of Crown lands intended to be added to National Parks, etc., under Section
20, 24, 58, 161, 280.
- Notices of proposals to vest care, control and management of following parks, reserves,
etc., in Director of National Parks and Wildlife—
  Morton National Park, Barrangary State Park, Boodi State Park, Bundanoon State
  Park and La Perouse Monuments Historic Site, 29; Boodi State Park, Gloucester
  Tops State Park, 294.
- Cancellation of proposal to vest care, control and management of following parks,
  reserves, etc.—
  Boodi State Park, 34.
- Regulations under, 280.

NATIVE ANIMALS PROTECTION (See “NATIONAL PARKS AND WILDLIFE ACT, 1967”).

NAVIGATION ACT, 1901, AS AMENDED:
- Regulations under, 11, 40.

NEWCASTLE AND DISTRICT TRANSPORT TRUST (See “FINANCE”).

NEW SOUTH WALES BUSH FIRE COMMITTEE (See “BUSH FIRES”).

NEW SOUTH WALES CIVIL DEFENCE ORGANIZATION AND STATE EMERGENCY
SERVICES:
- Report for year ended 30 June, 1968, 155

NEW SOUTH WALES GOVERNMENT ENGINEERING AND SHIPBUILDING UNDER-
TAKING ACT, 1943, AS AMENDED:
- Regulations under, 294.

NEW SOUTH WALES INSTITUTE OF PSYCHIATRY (See “PSYCHIATRY, NEW
SOUTH WALES INSTITUTE OF”).

NEW SOUTH WALES STATE CANCER COUNCIL:
- Report for year ended 30 June, 1968, 205
### References to the Votes and Proceedings, 42nd Parliament—Second Session

#### Papers—continued

**N**

**NG, Mr BIU KUEN:**
Copies of statutory declaration made by, containing allegations against certain members of the Police Force and other persons, together with copies of seven supporting statutory declarations and the Report of the Commissioner of Police on the matters referred to in each of these declarations, 370.

**NURSES REGISTRATION ACT, 1953, AS AMENDED:**
Regulations under, 17, 388.

**O**

**OBSCENE AND INDECENT PUBLICATIONS ACT, 1901, AS AMENDED:**
Regulations under, 23.

**OIL-BURNING APPLIANCES ACT, 1965:**
Regulations under, 34.

**OIL SHALE MINING** (See “MINING”).

**OPERA HOUSE** (See “SYDNEY OPERA HOUSE”).

**OPTICAL DISPENSERS ACT, 1963, AS AMENDED:**
Regulations under, 17.

#### Parking Advisory Committees:

**BURWOOD MUNICIPALITY:**
Report of, for year ended 30 June, 1968, 174

**CITY OF GREATER WOLLONGONG:**
Report of, for year ended 30 June, 1968, 188

**CITY OF NEWCASTLE:**
Report of, for year ended 30 June, 1968, 188

**CITY OF SYDNEY:**
Report of, for year ended 30 June, 1968, 265

**MANLY MUNICIPALITY:**
Report of, for year ended 30 June, 1968, 174

**NORTH SYDNEY MUNICIPALITY:**
Report of, for year ended 30 June, 1968, 204

**STRATHFIELD MUNICIPALITY:**
Report of, for year ended 30 June, 1968, 174

**WAVESLEY MUNICIPALITY:**
Report of, for year ended 30 June, 1968, 174

**WOOLLAHRA MUNICIPALITY:**
Report of, for year ended 30 June, 1968, 158.

---

**PAGE** | **VOL.** | **PAGE**
---|---|---
4 | 15 | 
4 | 11 | 
4 | 7 | 
4 | 1 | 
4 | 17 | 
4 | 19 | 
4 | 23 | 
4 | 25 | 

P 43975—5
### References to the Votes and Proceedings, 42nd Parliament—Second Session

<table>
<thead>
<tr>
<th>Papers—continued</th>
<th>P</th>
<th>PAPERS ORDERED TO BE PRINTED</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PARKS</strong> (See “CONSERVATION”; also “NATIONAL PARKS AND WILDLIFE”).</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>PARLIAMENTARY LIBRARY</strong> (See “COMMITTEES”).</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>PENSIONS</strong> (See “MINING”; also “POLICE”; also “SUPERANNUATION”).</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>PERMANENT BUILDING SOCIETIES:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Report of the Registrar for year ended 30 June, 1968, 93</td>
<td>4</td>
<td>55</td>
</tr>
<tr>
<td><strong>ACT, 1967, AS AMENDED:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regulations under, 281</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>PETITIONS</strong> (Presented to Assembly only except where otherwise indicated):</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>ABORIGINAL WELFARE:</strong></td>
<td>4</td>
<td>63</td>
</tr>
<tr>
<td>Praying that all Members of the Advisory Council be elected and paid; that the Council have power to make recommendations to the Minister; that Aboriginal houses on Reserves be not deemed public places; and that Aboriginal Community Councils be established, 278</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>ANGOPHORA GUM FOREST:</strong></td>
<td>4</td>
<td>65</td>
</tr>
<tr>
<td>Praying that the mining of rutile on the subject land be prohibited; that trustees be appointed to ensure that the area is preserved in its present state of nature; and that due precautions be taken against erosion in areas of land between Noraville and The Entrance North in which rutile mining might be permitted, 204</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>FARE INCREASES:</strong></td>
<td>4</td>
<td>73</td>
</tr>
<tr>
<td>Praying that proposed fare increases be reconsidered and that further approaches be made to the Federal Government for a more equitable allocation of tax reimbursements for the State of New South Wales, 115, 145</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>FLUORIDATION</strong> (Presented to Council only):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Praying that the Legislative Council will pass a resolution for the repeal of this legislation</td>
<td>4</td>
<td>71</td>
</tr>
<tr>
<td><strong>KANANGRA/BOYD NATIONAL PARK:</strong></td>
<td>4</td>
<td>77</td>
</tr>
<tr>
<td>Praying that all leases for limestone mining in the area be revoked and restored to the National Park, 23</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>LANE COVE EXPRESSWAY:</strong></td>
<td>4</td>
<td>79</td>
</tr>
<tr>
<td>Praying that the necessary provisions be taken so that the Lane Cove Expressway shall not follow the western foreshore of the Lane Cove River, 204</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>RENTS OF COMMERCIAL PREMISES:</strong></td>
<td>4</td>
<td>81</td>
</tr>
<tr>
<td>Praying that the Government will (i) reverse its decision to decontrol rents, (ii) provide for tenant safeguards against abuses, (iii) protect the livelihood of small business people, (iv) prevent subsequent hardship which would inevitably follow the decontrol of commercial premises, 169(2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>SEWERAGE SERVICES AT WOONONA AND BULLI:</strong></td>
<td>4</td>
<td>85</td>
</tr>
<tr>
<td>Praying that the Metropolitan Water, Sewerage and Drainage Board make an immediate decision to provide sewerage facilities for these areas, 118(2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>STRIKES:</strong></td>
<td>4</td>
<td>87</td>
</tr>
<tr>
<td>Praying that legislation be passed forbidding any strike unless a secret postal ballot of the members of the union concerned has been held and to increase substantially the penalties for illegal strikes including direct penalties on the union officials concerned, 369</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>THEATRE CENSORSHIP:</strong></td>
<td>4</td>
<td>83</td>
</tr>
<tr>
<td>Praying that action be taken to have all restrictions on the performance of the segment Motel (in the play America Hurrah) removed, 145</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TRANSPORT FACILITIES AT RYDE:</strong></td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Praying that immediate action be taken to extend omnibus routes Nos 516 and 505, and to provide a more frequent service on Route 516, 341</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>YOUTH NEEDS:</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Index

**1968-69**

**REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION**

<table>
<thead>
<tr>
<th>PAPERS ORDERED TO BE PRINTED</th>
<th>ASSEMBLY VOLUME</th>
<th>JOINT VOLUMES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Papers—continued</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**P**

**PHARMACY ACT, 1964, AS AMENDED:**
- Regulations under, 59.

**PIPELINES ACT, 1967:**
- Proclamations under, 282.
- Regulations under, 282.

**PISTOL LICENCE ACT, 1927, AS AMENDED:**
- Regulations under, 34.

**PLANT DISEASES ACT, 1924, AS AMENDED:**
- Regulations under, 15.

**POISONS ACT, 1966, AS AMENDED:**
- Regulations under, 17, 41, 59, 235.
- Proclamations under, 17, 41, 171, 294.

**POLICE:**
- Report of Commissioner of Police on an investigation into payment of $7,000 to a detective sergeant attached to C.I.B. following recovery of portion of property allegedly stolen from Mr C. C. Ghayans in November, 1967, 58.
- Observations by Commissioner of Police in respect of statements by the Leader of the Opposition upon organized crime, 89.
- Report of Commissioner of Police on matters referred to in statutory declaration by Mr Ng Biu Kuen and seven supporting statutory declarations containing allegations against certain members of the Police Force, 370.

**DEPARTMENT:**
- Report for 1967, 396
- Statement of Receipts and Payments for year ended 30 June, 1968, 186

**SUPERANNUATION AND REWARD FUND:**
- Statement of Receipts and Payments for year ended 30 June, 1968, 186

**POLICE REGULATION ACT, 1899, AS AMENDED:**

**POTATO GROWERS LICENSING ACT, 1940, AS AMENDED:**
- Regulations under, 342.

**PRICKLY-PEAR DESTRUCTION COMMISSIONER:**
- Report for year ended 30 June, 1968, 175

**PRIMARY PRODUCE** (See "MARKETING OF PRIMARY PRODUCTS", also "DRIED FRUITS").
INDEX
1968-69

REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

PAPERS ORDERED TO BE PRINTED

PAPERS ORDERED TO BE PRINTED

PAPERS ORDERED TO BE PRINTED

REFERENCE TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

PAPERS—continued

PRINTING COMMITTEE (See "COMMITTEES").

PRISONS ACT, 1952, AS AMENDED:
Regulations under, 16.

PRIVATE HOSPITALS ACT, 1908, AS AMENDED:
Regulations under,

PROCLAMATIONS:
Calling Parliament together, 1.
Factories, Shops and Industries Act, 34, 129, 279.
Inflammable Liquid Act, 282.
Local Government Act, 41.
Minister Act, 17, 27, 171.
Miners’ Inspectorate (Amendment) Act, 17, 282.
Mines Subsidence Compensation Act, 17, 282.
Poisons Act, 17, 41, 171, 294.
Proroguing Parliament
State Coal Mines Act, 17, 143, 382.

PSYCHIATRIC SERVICES (See also "NEW SOUTH WALES INSTITUTE OF PSYCHIATRY"): Report of Director for year ended 30 June, 1968, 342

PSYCHIATRY, NEW SOUTH WALES INSTITUTE OF:
Report for year ended 30 June, 1968, 178

PUBLIC ACCOUNTANTS REGISTRATION ACT, 1945, AS AMENDED:
Regulations under, 13.

PUBLIC ACCOUNTS (See "FINANCE").

PUBLIC ACCOUNTS COMMITTEE (See "COMMITTEES").

PUBLIC HEALTH (See also "HOSPITALS"): Report of Director-General for 1967, 161

PUBLIC HOSPITALS ACT, 1929, AS AMENDED:
Notifications of acquisitions and resumptions of land under Public Works Act, for purposes of, 381.
### INDEX

**1968-69**

**REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION**

<table>
<thead>
<tr>
<th>PAPERS ORDERED TO BE PRINTED</th>
<th>ASSEMBLY VOLUME</th>
<th>JOINT VOLUMES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Papers—continued</td>
<td>Page</td>
<td>Vol.</td>
</tr>
</tbody>
</table>

**P**

PUBLIC INSTRUCTION (See "EDUCATION").

PUBLIC LIBRARY (See "LIBRARY").

PUBLIC PARKS ACT, 1912:
- By-laws under, 24.

PUBLIC SERVICE:
- **Act, 1902, as amended:**
  - Regulations under, 11, 140, 253, 285, 341, 388.
- **Board:**
  - Report for year ended 30 June, 1968, 241
  - Minutes relating to Appointments and/or Annulment of Appointments of Officers, 11, 37, 58, 92, 140, 158, 166, 241, 265, 285, 316, 326, 381, 388.

PUBLIC TRUSTEE:
- Report for year ended 30 June, 1967, 13
- Report for year ended 30 June, 1968, 58

PUBLIC WORKS (See also "STATE ENTERPRISES"; also "RAILWAYS"; also "LOCAL GOVERNMENT"; also "WATER"):
- **Act, 1912, as amended:**
  - Report of Department for year ended 30 June, 1968, 253

**NOTIFICATIONS OF ACQUISITION OF LAND OR EASEMENTS** (Refer also to appropriate headings in body of Index).
- Sewerage Schemes, 187, 279.
- Miscellaneous, 24, 33, 59, 187, 205, 280, 347.

PURE FOOD ACT, 1908, AS AMENDED:
- Regulations under, 161, 310.
INDEX
1968-69

REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

PAPERS ORDERED TO BE PRINTED

<table>
<thead>
<tr>
<th>ASSEMBLY VOLUME</th>
<th>JOINT VOLUMES</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAGES</td>
<td>VOL.</td>
</tr>
</tbody>
</table>

PAPERS—continued

R

RADIOACTIVE SUBSTANCES ACT, 1957, AS AMENDED:
Regulations under, 59.

RAILWAYS:

GOVERNMENT RAILWAYS ACT, 1912, AS AMENDED:
By-laws 14, 92, 125, 148, 188, 242, 281, 326, 342.
Report of Commissioner for year ended 30 June, 1968, 148...
Statements of Traffic secured under section 24 (3), (4), and (6) for the months of March and April, 1968, 14; May and June, 1968, 34; July, 1968, 92; August, 1968, 125; September, 1968, 188; October, 1968, 242; November and December, 1968, 280; January, 1969, 382.
Notifications of acquisition and/or resumption of land and easements under Public Works Act, 1912, for, 34.

MINISTRY OF TRANSPORT ACT, 1912, AS AMENDED:
Notifications of Acquisition and/or Resumption of Land or Easements under Public Works Act, 1912, for the Following Purposes:
City and Suburban Electric Railways Act, 15, 93, 125, 192, 281, 326, 342.
Confirming the Title of the Commissioner for Railways to land, 15, 93, 148, 242, 281, 342.
Maintaining Traffic on Existing Lines of Railways, 93, 125, 280, 316, 342.
Miscellaneous, 15, 93, 148, 336, 342.

REFERENDUM (See "ELECTORAL").

REGULATIONS, ORDINANCES, RULES, AND FORMS (See also "BY-LAWS"): ARGENTINE ANT ERADICATION ACT, 188, 309.
AUDIT ACT, 316.
BASURA ENDOWMENT ACT, 146.
BUS FIRE ACT, 37, 342.
BUSINESS NAMES ACT, 40.
CASTLE SLAUGHTERING AND DISEASED ANIMALS AND MEAT ACT, 16.
CLEAN AIR ACT, 24, 59.
COAL MINE REGULATION ACT, 17.
COMPANIES ACT, 13.
CONVEYANCING ACT, 16, 294.
CO-OPERATION ACT, 68, 213, 265.
CROWN LANDS CONSOLIDATION ACT, 16, 24, 140.
DENTISTS ACT, 85.
DISTRICT COURT ACT, 13, 14, 108, 188, 279.
DOOR-TO-DOOR SALES ACT, 101.
DRY FRUITS ACT, 101, 342.
ELECTRICITY DEVELOPMENT ACT, 58, 101, 280, 309.
FACTORIES, SHOPS AND INDUSTRIES ACT, 34, 115, 291.
FIRE BRIGADES ACT, 291.
REGULATIONS, ORDINANCES, RULES, AND FORMS (continued):

Fluoridation of Public Water Supplies Act, 213.
Friendly Societies Act, 16.
Fruit Cases Act, 109.
Gaming and Betting Act, 291, 342.
Grain Elevators Act, 281.
Hire-Purchase Act, 13.
Industrial Arbitration Act, 279.
Inflammable Liquid Act, 17, 143.
Irrigation Act, 23, 213, 347.
Justices Act, 284.
Land and Valuation Court Act, 279.
Landlord and Tenant (Amendment) Act, 281.
Land Tax Management Act, 58.
Liquor Act, 16.
Local Government Act, 13, 23, 38, 109, 140, 158, 188, 197, 204, 280, 286, 309, 342, 364, 388.
Local Government and Other Authorities (Superannuation) Act, 286.
Lord Howe Island Act, 23, 213, 291.
Lotteries and Art Unions Act, 167.
Maritime Services Act, 40, 158, 285.
Medical Practitioners Act, 120, 310.
Metropolitan Traffic Act, 15, 93, 281, 388.
Metropolitan Water, Sewerage, and Drainage Act, 40.
Mine Subsidence Compensation Act, 282.
Mines Inspection Act, 17, 27, 59.
Mining Act, 17.
Motor Traffic Act, 15, 93, 148, 281, 388.
National Parks and Wildlife Act, 280.
Navigation Act, 11, 40.
New South Wales Government Engineering and Shipbuilding Undertaking Act, 294.
Nurses Registration Act, 17, 388.
Obscene and Indecent Publications Act, 23.
Oil-burning Appliances Act, 34.
Optical Dispensers Act, 17.
Permanent Building Societies Act, 281.
Pharmacy Act, 59.
Pipelines Act, 282.
Pistol Licence Act, 34.
Plant Diseases Act, 15.
Poisons Act, 17, 41, 59, 235.
Potato Growers Licensing Act, 342.
Prisons Act, 16.
Public Accountants Registration Act, 12.
Public Service Act, 11, 140, 253, 285, 341, 388.
Pure Food Act, 161, 310.
Radioactive Substances Act, 59.
Scaffolding and Lifts Act, 34.
Second-hand Motor Dealers Act, 93.
Stamp Duplicates Act, 11, 285.
State Transport (Co-ordination) Act, 93.
Stock (Artificial Insemination) Act, 213.
Stock Diseases Act, 16, 101, 281.
Stock Foods and Medicines Act, 16.
Supreme Court, 13, 120, 158, 381.
Surveyors Act, 280.
Sydney Corporation Act (By-laws deemed to be Ordinances under Local Government Act), 140.
Sydney Farm Produce Market Authority Act, 281.
Sydney Harbour Trust Act, 11, 158, 388.
Taronga Zoological Park Act, 24.
Technical Education and University of New South Wales Act, 33.
Theatres and Public Halls Act, 291.
Totalizator Act, 10.
Transport Act, 15, 34, 93.
Valuation of Land Act, 13, 280, 342.
Venerable Diseases Act, 17, 59.
Veterinary Surgeons Act, 15, 59, 342.
Water Act, 59, 148.
Weights and Measures Act, 37, 167, 197.
Western Lands Act, 286.
Workers' Compensation Act, 34, 109, 167.
Workers' Compensation (Dust Diseases) Act, 34.
Workmen's Compensation (Lead Poisoning—Broken Hill) Act, 167.
### Papers—continued

<table>
<thead>
<tr>
<th></th>
<th>PAGE</th>
<th>VOL</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>R</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RIVER MURRAY COMMISSION:</td>
<td></td>
<td>5</td>
<td>123</td>
</tr>
<tr>
<td>Report for year ended 30 June, 1968, 364</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ROAD TRANSPORT (See &quot;TRANSPORT&quot;).</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ROADS (See &quot;MAIN ROADS&quot;).</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RURAL BANK OF NEW SOUTH WALES:</td>
<td></td>
<td>4</td>
<td>697</td>
</tr>
<tr>
<td>Report for year ended 30 June, 1968, 181</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>RURAL RECONSTRUCTION BOARD:</td>
<td></td>
<td>1</td>
<td>279</td>
</tr>
<tr>
<td>Report for year ended 30 June, 1968, 204</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| **S**                                                                              |      |     |      |
| SCAFFOLDING AND LIFTS ACT, 1912, AS AMENDED:                                        |      |     |      |
| Regulations under, 34.                                                               |      |     |      |
| SECOND-HAND MOTOR DEALERS ACT, 1956, AS AMENDED:                                    |      |     |      |
| Regulations under, 93.                                                               |      |     |      |
| SESSIONAL COMMITTEES (See "COMMITTEES").                                            |      |     |      |
| SEWERAGE (See "PUBLIC WORKS").                                                     |      |     |      |
| SILICA DUST DISEASES (See "WORKERS' COMPENSATION COMMISSION REPORT").              |      |     |      |
| SOIL CONSERVATION SERVICE:                                                          |      | 1   | 587  |
| Report for year ended 30 June, 1968, 253                                              |      |     |      |
### INDEX
1968-69

<table>
<thead>
<tr>
<th>References to the Votes and Proceedings, 42nd Parliament—Second Session</th>
<th>Papers Ordered to be Printed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Assembly Volume Joint Volumes</td>
</tr>
<tr>
<td></td>
<td>Page</td>
</tr>
<tr>
<td><strong>Papers—continued</strong></td>
<td></td>
</tr>
<tr>
<td><strong>S</strong></td>
<td></td>
</tr>
<tr>
<td>State Brickworks (See &quot;State Enterprises&quot;).</td>
<td></td>
</tr>
<tr>
<td>State Cancer Council (See &quot;Cancer Council&quot;).</td>
<td></td>
</tr>
<tr>
<td>State Coal Mines Act, 1912, as amended (See also &quot;mining&quot;): Proclamations under, 17, 143, 382.</td>
<td></td>
</tr>
<tr>
<td>State Enterprises: Brickworks: Statement of Accounts and Balance-sheet for the year ended 31 March, 1968, 73</td>
<td>4</td>
</tr>
<tr>
<td>State Forests (See &quot;Forestry&quot;).</td>
<td></td>
</tr>
<tr>
<td>State Mines Control Authority (See &quot;mining&quot;).</td>
<td></td>
</tr>
<tr>
<td>State Psychiatric Services (See &quot;Psychiatric Services&quot;).</td>
<td></td>
</tr>
<tr>
<td>State Superannuation Board (See &quot;Superannuation&quot;).</td>
<td></td>
</tr>
<tr>
<td>State Transport (Co-ordination) Act, 1931, as amended: Regulations under, 93.</td>
<td></td>
</tr>
<tr>
<td>Statutes Varied (See &quot;Variation of Statutes&quot;).</td>
<td></td>
</tr>
</tbody>
</table>
**PAPERS ORDERED TO BE PRINTED**

<table>
<thead>
<tr>
<th>PAPERS ORDERED TO BE PRINTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PAPERS—continued</th>
</tr>
</thead>
</table>

### STOCK (ARTIFICIAL INSEMINATION) ACT, 1948, AS AMENDED:
Regulations under, 213.

### STOCK DISEASES ACT, 1923, AS AMENDED:
Regulations under, 16, 101, 281.

### STOCK FOODS AND MEDICINES ACT, 1940, AS AMENDED:
Regulations under, 16.

### STOCK SLAUGHTERING FACILITIES (See "AGRICULTURE").

### SUPERANNUATION (See also "POLICE"; also "MINING"):  
**State Superannuation Board:**  
Report for year ended 30 June, 1968, 100

### SUPREME COURT:  
Rules of Court, 13, 120, 158, 381.

### SURVEYORS ACT, 1929, AS AMENDED:
Regulations under, 280.

### SURVEYOR-GENERAL:  
Report for year ended 30 June, 1968, 175

### SYDNEY CORPORATION ACT, 1932, AS AMENDED:  
By-laws under (deemed to be Ordinances under Local Government Act, 1919), 140, 309.

### SYDNEY COUNTY COUNCIL (See "ELECTRICITY").

### SYDNEY FARM PRODUCE MARKET AUTHORITY ACT, 1968:  
Regulations under, 281.

### SYDNEY HARBOUR TRANSPORT BOARD (See "TRANSPORT").
### Papers—continued

#### S

**SYDNEY HARBOUR TRUST** (See also "MARITIME SERVICES"; also "FINANCE"):  
**Act**, 1900, as amended:  
Regulations under, 11, 158, 388.

**SYDNEY HOSPITAL** (See "HOSPITALS").

**SYDNEY OPERA HOUSE:**  
Report of Trustees for year ended 30 June, 1968, 129

---

#### T

**TARONGA ZOOLOGICAL PARK ACT**, 1956, as amended:  
Regulation under: (deemed to be By-law under the Public Parks Act), 24.

**TAXATION** (See "FINANCE"; also "LAND TAX").

**TECHNICAL EDUCATION AND UNIVERSITY OF NEW SOUTH WALES ACT**, 1949,  
as amended:  
By-laws under, 11.  
Regulations under, 33.  
Notifications of acquisition, appropriation and/or resumption of land, 279.

**TECHNOLOGY AND APPLIED SCIENCE** (See "MUSEUMS").

**THEATRES AND PUBLIC HALLS ACT**, 1908, as amended:  
Regulations under, 291.

**TOTALIZATOR ACT**, 1916, as amended:  
Regulations under, 10.

**TOTALIZATOR AGENCY BOARD:**  
Report for year ended 30 June, 1968, 119

---

**TOTALIZATOR (OFF-COURSE BETTING) ACT**, 1964, as amended:  
Variation of Statute, 11 (4).

**TOWN AND COUNTRY PLANNING** (See "LOCAL GOVERNMENT").
TRADE UNIONS:
Report of Industrial Registrar for 1967, 129 .......................... 4 875

TRANSPORT (See also "RAILWAYS"; also "MAIN ROADS"; also "FINANCE"): TRANSPORT ACT, 1930, AS AMENDED:
Regulations under, 15, 34, 93.

GOVERNMENT TRANSPORT COMMISSIONER (OMNIBUS SERVICES):
Report for year ended 30 June, 1968, 247 .......................... 4 889

MOTOR TRANSPORT COMMISSIONER:
Report for year ended 30 June, 1968, 241 .......................... 4 1019
Report on Investigations in Great Britain, Europe, North America and Japan, 281 .......................... 5 1029

RETIREMENT BOARD:
Report for period 5 February, 1968, to 30 June, 1968, 170 .......................... 4 1141

SYDNEY HARBOUR TRANSPORT BOARD (FERRY SERVICES):
Report for year ended 30 June, 1968, 192 .......................... 4 1157

UNIVERSITIES:
MACQUARIE:
By-laws, 11, 174.

NEW ENGLAND:
By-laws, 11, 174, 279.
Report of Council for 1967, 11 .......................... 1 1843
Financial Statements for 1967, 92 .......................... 1 995

NEWCASTLE:
By-laws, 336.
Report of Council for 1967, 92 .......................... 1 969
Financial Statements for 1967, 247 .......................... 1 957

NEW SOUTH WALES:
By-laws, 11.
Financial Statements for 1966, 147 .......................... 1 1089

SYDNEY:
By-laws, 11, 33, 167, 174, 279, 326.
Report of Senate for 1967, 309 .......................... 1 1249

UNIVERSITY AND UNIVERSITY COLLEGES ACT, 1900, AS AMENDED (See also "UNIVERSITIES"): By-laws, 11, 33, 167, 174, 279, 326.

UNIVERSITY OF NEW ENGLAND ACT, 1953, AS AMENDED:
By-laws, 11, 174, 279.
<table>
<thead>
<tr>
<th>Index</th>
<th>Page</th>
<th>Vol.</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valuation of Land Act, 1916, as amended</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regulations under, 13, 280, 342.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Valuer-General:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Report for year ended 30 June, 1968, 158</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Variation of Statutes:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minutes recording, in respect of:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Totalizator (Off-course Betting) Act, 11.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Venereal Diseases Act, 1918, as amended</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regulations under, 17.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Veterinary Surgeons Act, 1923, as amended</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regulations under, 15, 59, 342.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Votes and Proceedings:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nos 1 to 65</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Act, 1912, as amended:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regulations under, 59, 148.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Notification of Acquisition of Land and/or Easements under the Public Works Act for the Following Purposes:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water, sewerage and drainage schemes, 12, 59, 67, 187, 279, 381.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dams and Weirs:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Belubula River at Carcoar, 347.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gwydir River at Copeton, 355.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Macquarie River at Burrendong, 29, 129.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paterson River at Lostock, 59, 73.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pinjarra Dam, 347.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Toonumbar Dam, 347.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wyangula Dam, 35, 59, 85, 347.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Storage—Water Supply and/or Irrigation Districts:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Berriquin, 35.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cootamundra, 15, 59, 253, 355.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tullakool, 188.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wakool, 35.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yanca No. 1, 347.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Conservation and Irrigation (See also “Conservation”; also “River Murray”; also “Water”):</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Report of Commission for year ended 30 June, 1968, 253</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Supply (See “Metropolitan Water Sewerage and Drainage Board”; also “Hunter District Water and Sewerage”; also “Broken Hill Water Board”; also “Water”).</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
INDEX
1968-69.

REFERENCES TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

PAPERS ORDERED TO BE PRINTED

PAPERS ORDERED TO BE PRINTED

REFERENCE TO THE VOTES AND PROCEEDINGS, 42ND PARLIAMENT—SECOND SESSION

W

WEEKLY REPORTS OF DIVISIONS IN COMMITTEE:
Nos 1 to 17

WEIGHTS AND MEASURES ACT, 1915, AS AMENDED:
Regulations under. 37. 167. 197.

WEIRS (See “WATER”).

WENTWORTH IRRIGATION ACT, 1890, AS AMENDED:
By-laws under, 327.

WESTERN LAND ACT, 1901, AS AMENDED:
Regulations under, 286.

WESTERN LANDS COMMISSIONER:
Report for year ended 30 June, 1968, 175

WILD DOG DESTRUCTION BOARD:
Report for 1967. 175

WORKERS’ COMPENSATION:
ACT, 1926, AS AMENDED:
Regulations under, 34, 109, 167.

(DUST DISEASES) ACT, 1942, AS AMENDED:
Regulations under, 34.
Report of Board for year ended 30 June, 1968, 212

COMMISSION:
Report, together with Report of Insurance Premiums Committee, for the year ended 30 June, 1967, 265

WORKMEN’S COMPENSATION (LEAD POISONING—BROKEN HILL) ACT, 1922:
Regulations under, 167.

WORKS (See “PUBLIC WORKS”).
1968-69

NEW SOUTH WALES

ALPHABETICAL LIST

OF

MEMBERS

OF THE

LEGISLATIVE ASSEMBLY

(SECOND SESSION OF THE FORTY-SECOND PARLIAMENT)

OPENED 7 AUGUST, 1968—PROROGUED 7 MAY, 1969
NEW SOUTH WALES

LEGISLATIVE ASSEMBLY

ALPHABETICAL LIST OF MEMBERS OF THE LEGISLATIVE ASSEMBLY

(SECOND SESSION OF THE FORTY-SECOND PARLIAMENT)

Date of Writs: 25 January, 1968.

SESSION—OPENED 7 August, 1968—PROROGUED 7 May, 1969

<table>
<thead>
<tr>
<th>No.</th>
<th>Name</th>
<th>Party</th>
<th>Electorate</th>
</tr>
</thead>
<tbody>
<tr>
<td>23</td>
<td>CROSS, Douglas Donald, Esq.</td>
<td>C.P.</td>
<td>C.P.</td>
</tr>
<tr>
<td>24</td>
<td>CUTLER, The Hon. Charles Benjamin, E.D.</td>
<td>C.P.</td>
<td>C.P.</td>
</tr>
<tr>
<td>25</td>
<td>DARDER, Evelyn Douglas, Esq., B.Ec.</td>
<td>C.P.</td>
<td>C.P.</td>
</tr>
<tr>
<td>26</td>
<td>DEANE, Bernard Sydney Llewellyn, Esq.</td>
<td>C.P.</td>
<td>C.P.</td>
</tr>
<tr>
<td>27</td>
<td>DEEGAN, Roger Charles, Esq.</td>
<td>A.L.P.</td>
<td>C.P.</td>
</tr>
<tr>
<td>28</td>
<td>DOYLE, Keith Ralph, Esq., B.Ec.</td>
<td>A.L.P.</td>
<td>C.P.</td>
</tr>
<tr>
<td>29</td>
<td>DUNBRIDGE, Maxwell John, Esq.</td>
<td>C.P.</td>
<td>C.P.</td>
</tr>
<tr>
<td>30</td>
<td>DUNBRIDGE, Rowland Albert, Esq.</td>
<td>A.L.P.</td>
<td>C.P.</td>
</tr>
<tr>
<td>31</td>
<td>DUNN, Robert Bruce, Esq.</td>
<td>C.P.</td>
<td>C.P.</td>
</tr>
<tr>
<td>32</td>
<td>DUNN, Charles Patrick, Esq., B.A.</td>
<td>C.P.</td>
<td>C.P.</td>
</tr>
<tr>
<td>33</td>
<td>EARL, Clarence Joseph, Esq.</td>
<td>C.P.</td>
<td>C.P.</td>
</tr>
<tr>
<td>34</td>
<td>EINFELD, Sydney David, Esq.</td>
<td>A.L.P.</td>
<td>C.P.</td>
</tr>
<tr>
<td>38</td>
<td>ELLIS, The Hon. Sir Francis, C.M.G., LL.B., B.Ec.</td>
<td>C.P.</td>
<td>C.P.</td>
</tr>
<tr>
<td>39</td>
<td>ELLIS, The Hon. Kenneth James, Esq.</td>
<td>C.P.</td>
<td>C.P.</td>
</tr>
<tr>
<td>41</td>
<td>ELLIS, The Hon. Kenneth James, Esq.</td>
<td>C.P.</td>
<td>C.P.</td>
</tr>
</tbody>
</table>

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Clerk of the Legislative Assembly ....... Howard Barry VIDYER
Deputy Clerk of the Legislative Assembly ....... Ronald EDWARD WARD
Second Clerk-Assistant ....... Douglas Leslie WHEELER

V. C. N. BLIGHT, Government Printer, New South Wales—1969

(1) Granted leave of absence on account of absence from the State, 7 August, 1968.
(2) Granted leave of absence on account of illness, 7 August, 1968.
(4) Elected 19 April, 1969, in room of J. B. Simpson, Esq., deceased.