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(FOURTH SESSION OF THE FORTY-THIRD PARLIAMENT)

NEW SOUTH WALES

VOTES

AND

PROCEEDINGS

OF THE

LEGISLATIVE ASSEMBLY

DURING THE SESSION

OF

1973

WITH THE VARIOUS DOCUMENTS CONNECTED THEREWITH

IN ONE VOLUME

AND

THREE JOINT VOLUMES

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(FOURTH SESSION OF THE FORTY-THIRD PARLIAMENT)

New South Wales LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

SESSION 1973

[Opened 8th August, 1973—Dissolved 19th October, 1973]

IN ONE VOLUME

AND

THREE JOINT VOLUMES

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(FOURTH SESSION OF THE FORTY-THIRD PARLIAMENT)

LEGISLATIVE ASSEMBLY

NEW SOUTH WALES

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AND

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1973

(Opened 8 August, 1973; Dissolved 19 October, 1973)

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- Assenting to (Session 1972-73) Transferred Officers Extended Leave (Amendment) Bill, 7.

 Assenting to (Session 1972-73) Zoological Parks Board Bill, 7.

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39. Recommending Travel Agents Bill, 59.

40. Recommending Institute of Rural Studies Bill, 64.

41. Recommending Pay-roll Tax (Amendment) Bill, 79.

42. Recommending Supply Bill, 82.

43. Recommending Cudal Dam Bill, 85.

44. Recommending Farm Water Storages and Bores Subsidies Bill, 85.

45. Recommending Farm Water Storages and Bores Subsidies Bill, 85.

46. Recommending Crown Lands and Other Acts (Reserves) Amendment Bill, 105.

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50. Assenting to Cattle Compensation (Amendment) Bill, 119.

51. Assenting to Inflammable Liquid (Amendment) Bill, 119.

52. Assenting to Institute of Rural Studies Bill, 120.

53. Assenting to Local Government (Elections) Amendment Bill, 120.

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55. Assenting to Mine Subsidence Compensation and Mines Rescue (Amendment) Bill, 131.

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63. Assenting to Dairy Industry Authority (Amendment) Bill, 146.
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65. Assenting to Government Guarantees (Amendment) Bill, 146.
66. Assenting to Farm Water Supplies (Amendment) Bill, 146.
67. Recommending Land Tax (Amendment) Bill, 147.
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Adjournment of House Under 49th Standing Order:

The forecasted loss of \$140 millions in 1973-74, by public transport in New Soum Wales, negatived, 58.

The decision by the Government to approve the mining lease known as Q 8 (closed) for the mining of limestone at Bungonia Gorge, Marulan, ruled out of order, 80.

ANZAC DAY HOLIDAY:

Motion (Mr Chaffey) (Urgency), That Anzac Day be maintained as a traditional national holiday on the 25th April in every year, negatived, 15.

AUSTRALIAN RIGHTS AND FREEDOMS:

Motion (Mr Coleman) (pursuant to Notice), That this House (1) reaffirms the fundamental importance in the Australian way of life of (a) individual freedom of choice; and (b) minimum government control, and, (2) consequently condemns the rapidly increasing destruction of traditional Australian rights and freedoms by the centralist and socialist programmes of the Whitlam Federal Government, and debate adjourned, 59; resumed and agreed to, 122.

DECENTRALIZATION AND DEVELOPMENT:

Motion (Mr Day) (pursuant to Notice), (1) That a Select Committee be appointed to inquire into and report upon all aspects of decentralization and development in New South Wales with particular reference to (a) the movement of population from country areas to metropolitan areas; and (b) means of achieving balanced population and developmental spread within the State; and (2), (3) and debate adjourned, 107.

DISALLOWANCE OF BY-LAW UNDER THE METROPOLITAN WATER, SEWERAGE, AND DRAINAGE ACT, 1924:

Motion (Mr Haigh) (pursuant to Notice), That this House disallows the amendments of By-law No. 3 as set forth in the notice appearing in Government Gazette No. 62 of 11 May, 1973, a copy of which was laid upon the Table of the House on 9 August, 1973, negatived, 62.

ELECTRICITY POWER DISPUTE:

Motion (Mr Hills) (Urgency), That this House urges the Government to accept the Prime Minister's offer to arrange for a presidential member of the Commonwealth Court of Conciliation and Arbitration to preside at a conference of the parties to the current power dispute or to act as an arbitrator between them, negatived, 132.

Housing:

Motion (Mr Crabtree) (pursuant to Notice), (1) That in the opinion of this House the New South Wales Government has failed to take positive steps to deal with the housing crisis in New South Wales; (2) This House expresses concern regarding spiralling land prices and the inability of the New South Wales Housing Commission to meet the needs of homeless families in this State, and debate adjourned, 75; resumed and pursuant to S.O. 123A the motion lapsed, 151.

MEAT EXPORTS AND PRICES:

Motion (Mr Brewer) (Urgency—Suspension of Standing Orders), (1) This House expresses in the strongest terms its opposition to, (a) any restriction by the Commonwealth Government upon the export of meat from Australia by either quotas or embargoes, (b) the application of any sectional tax on the export of meat from the Commonwealth of Australia to any destination, and (2) This House asks the Premier to request the Commonwealth Government to offer incentives to producers which will encourage increased production of meat suitable for the Australian consumer as a means of reducing prices; amendment (Mr Renshaw) to insert after the word "embargoes" the words "when the supply and price of meat to the domestic market is not affected", negatived; motion, agreed to, 95-97.

MINING AT BUNGONIA GORGE:

Motion (Mr F. J. Walker) (Urgency), That this House expresses its opposition to the act of the Minister for Mines in authorizing the execution on 24 August last of a mining lease over the area known as Q8 (closed) at Bungonia Gorge and calls upon the Minister for Mines to revoke the lease over Q8 (closed) and substitute a scheme providing for rational utilization of resources and preservation of the natural beauty, negatived, 89.

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Motion (Mr McCaw) (by consent), That the Second Interim Report of Inspectors appointed pursuant to section 170 (1) of the Companies Act, 1961, to investigate the affairs of the Barton Group of Companies, laid upon the Table of the House on 10 October, 1973 (L.A. No. 363), and ordered by the Speaker to be restricted to inspection by Members of this House only, be printed, agreed to, 157.

PETROL PRICES:

Motion (Mr Hills) (Urgency), That the Government should reject any application for an increase in the price of petrol to prevent any passing on to the consumer of the increase in the excise duty, withdrawn, 45.

Motion (Mr Hills) (by consent) as above, negatived, 45.

PRICE CONTROL:

Motion (Mr Einfeld) (Urgency), That in the opinion of this House the Government must immediately introduce price control on all essential commodities and services, or refer its price control powers to the Australian Government, negatived, 72.

Motion (Mr Einfeld) (Urgency), That in the opinion of this House the Government must immediately apply a 60 day freeze of wholesale and retail prices for all consumer goods to cover the period, at least, until after the forthcoming prices referendum, negatived, 149.

PRIVILEGE—NEWSPAPER ARTICLE:

Motion (Mr K. J. Stewart) (pursuant to Notice), That the statement contained in the article written by the Honourable Member for Byron in the "Daily News", Murwillumbah, on 27 August, 1973, that "it was curious to observe the impact their speeches had on the Communist Members of the House" constituted a breach of Parliamentary privilege, and that the Honourable Member for Byron be called upon to tender a full and unreserved apology to the House for the unwarranted aspersion cast on the character of all Honourable Members, negatived, 114.

RETENTION OF TRADITIONAL TIES:

Motion (Mr Darby) (pursuant to Notice), (1) That the House, (a) reaffirms its loyalty to the Crown, and (b), (c); (2) That accordingly this House disassociates itself from (a) recent statements by Labor leaders that Australia is moving towards becoming a republic, and (b), (c); amendment (Mr K. J. Stewart) to leave out words and insert words, and debate adjourned, 133-134.

ROYAL COMMISSION—ALLEGATIONS OF ORGANISED CRIME IN CLUBS:

Motion (Mr Willis) (Urgency—Suspension of Standing Orders), (1) That the Clerk have leave to comply with a request that Papers tabled by the Premier on 22 November, 1972, be produced before the Commission, either personally or by any of the officers of his Department as may be most convenient to the business of this House, (2) That if in his opinion it becomes material, the continuance or otherwise, either in whole or in part and either conditionally or unconditionally of the order made pursuant to Standing Order 57 of this House restricting inspection of the documents mentioned in the request to Members of the Legislative Assembly only, shall be a matter within the competence of the Royal Commission to decide, and (3) That leave be given to Members of the House to attend, if they think fit. only, shall be a matter within the competence of the Royal Commission to decide, and (3) That leave be given to Members of the House to attend, if they think fit, as witnesses before the Royal Commission; amendment (Mr Hills) to insert the words "That a copy of all papers produced by the Clerk at the request of the Commissioner be made before the request is complied with and such copy remain in the records of the House", to stand as paragraph (3), agreed to; motion as amended, agreed to, 39-41.

Motion (Mr Hills) (Urgency), That the following clauses should be added to the terms of reference of the Royal Commission which the Government has decided to appoint to inquire into a number of matters affecting the conduct of clubs; and (a), (b) and (c), negatived, 41.

TOURIST INDUSTRY:

Motion (Mr Cowan) (pursuant to Notice), (1) That, in the opinion of this House, the tourist industry is of vital importance to the economic and social wellbeing of New South Wales and in particular the rural sector, (2) This House recognizes the unique problems of an industry which is in direct competition with overseas countries and calls upon the Federal Government, and (a), (b), (c); amendment (Mr. Day) to leave out words and insert words and debate adjourned 22 (Mr Day) to leave out words and insert words, and debate adjourned, 92.

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Motion (Mr Hills) (Urgency), That this House should forthwith consider Notice of Motion No. 1 of General Business on the Notice Paper for To-day, negatived, 161.

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Motion (Mr Willis) (Urgency—Suspension of Standing Orders), (1) That the Clerk have leave to comply with a request that Papers tabled by the Premier on 22 November, 1972, be produced before the Commission, either personally or by any of the officers of his Department as may be most convenient to the business of this House, (2) That if in his opinion it becomes material, the continuance or otherwise, either in whole or in part and either conditionally or unconditionally of the order made pursuant to Standing Order 57 of this House restricting inspection of the documents mentioned in the request to Members of the Legislative Assembly only, shall be a matter within the competence of the Royal Commission to decide, and (3) That leave be given to Members of the House to attend, if they think fit, as witnesses before the Royal Commission; amendment (Mr Hills) to insert the words "That a copy of all papers produced by the Clerk at the request of the Commissioner be made before the request is complied with and such copy remain in the records of the House", to stand as paragraph (3), agreed to; motion, as amended, agreed to, 39-41.

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SERJEANT-AT-ARMS:

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RULINGS (continued):

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The Speaker drew attention to the explanatory note to the Institute of Rural Studies Bill which he declared to be clearly inadequate. The Speaker observed that the purpose of the provisions of Standing Order 244, which required that an explanatory note "shall be prefixed to all Bills when presented in pursuance of leave granted", seemed obvious: that Honourable Members may become immediately aware of the objects of a Bill. The Speaker said that he did not propose to rule the Bill out of order, but that he hoped that Ministers and their officers would take note of his observations, 64.

Dissent from Ruling:

- That it was out of order to ask a question concerning the payment of secret commissions to certain officials of registered clubs in respect to the purchase of poker machines, negatived, 47.
- That the sub judice rule should apply to proceedings before a Royal Commission, negatived, 90.
- (Before calling on Mr Hills to move the motion, Mr Speaker stated that it was not to be taken as a precedent that when the Speaker replied to a question in the form of a statement for the guidance of the House it necessarily followed that the statement may be dissented from. However, in view of the great importance of the matter, Mr Speaker said that he would not restrain the Member.)
- That the Honourable Member for Heathcote was out of order in raising a matter of Privilege as that matter had not suddenly arisen, negatived, 115.

Privilege:

- Mr K. J. Stewart, as a matter of Privilege, drew attention to an article published in the "Daily News", Murwillumbah, purporting to have been written by the Member for Byron which contained the phrase "it was curious to observe the impact their speeches had on the Communist Members of the House".
- Mr Speaker said that in this case he would follow the practice which in debate flowed from the Standing Order, viz: That because the term had been applied generally and not to an individual he would rule that no prima facic case of privilege had been made out, 79.

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Mr Speaker stated that is was not to be taken as a precedent that when the Speaker replied to a question in the form of a statement for the guidance of the House it necessarily followed that the statement may be dissented from, 90.

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The Speaker said that in response to a request by the Leader of the Opposition he had given some close consideration to the application of the sub judice rule and Royal Commissions. He recited some local precedents, referred to the practice in the United Kingdom and in Victoria which, he said, confirmed his opinion that the sub judice rule should apply to proceedings before a Royal Commission, 86.

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Motion (Mr Willis), That Standing Orders 40A, 49, 57, 74, 79, 122A, 123A, 142A and the desirability of adopting Standing Orders to regulate procedure concerning Ministerial statements, be referred to the Standing Orders Committee for consideration and report; and amendment (Mr Einfeld) to leave out all words after "142A" with a view to inserting "208, 209, 395 and the desirability of adopting Standing Orders to (a) regulate procedure concerning Ministerial Statements; (b) provide for a Grievance Day; and (c) provide for the appointment of a Committee of Privileges, be referred to the Standing Orders Committee for consideration and report"; agree to, motion, as amended, agreed to, 69.

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WYONG HIGH SCHOOL (See "PETITIONS").

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ALPHABETICAL LIST OF MEMBERS OF THE LEGISLATIVE ASSEMBLY

(FOURTH SESSION OF THE FORTY-THIRD PARLIAMENT)

Date of Writs: 15 January, 1971.

Nomination Day: 22 January, 1971.

Polling Day: 13 February, 1971.

Return-of Writs: 16: March, 1971.

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