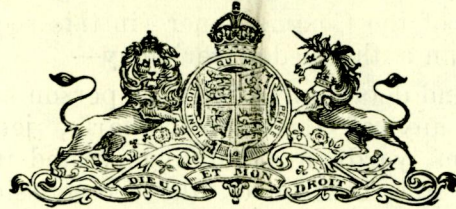


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

H. ROBBINS,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 7 June, 1951.

New South Wales.



ANNO QUINTO DECIMO

GEORGII VI REGIS.

Act No. , 1951.

An Act to amend the Government Railways Act, 1912-1950, in certain respects; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Government Railways (Amendment) Act, 1951." Short title and citation.

(2) The Government Railways Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Government Railways Act, 1912-1951.

Government Railways (Amendment).

2. The Government Railways Act, 1912-1950, is amended—

Amendment of Act No. 30, 1912.

- 5 (a) by inserting in paragraph (a) of subsection one of section one hundred and thirty-three after the word "drunk" the words "or under the influence of intoxicating liquor or any drug";
- (b) by inserting next after section 134A the following new section:—

Sec. 133. (Persons employed on railways guilty of misconduct.)

New section 134B.

10 134B. (1) Any officer authorised in that behalf under the seal of the Commissioner (in this section referred to as an authorised officer) may—

Detention, examination and search of vehicles upon railway premises.

- 15 (a) stop and detain any vehicle or person being upon any of the piers, wharfs, jetties, stations, yards, and buildings vested in or under the control of the Commissioner where any luggage, parcels or goods are received, despatched or delivered;
- 20 (b) inspect, search and examine any such vehicle or any container, bag, case, parcel or other article in or upon any such vehicle or in the possession of any such person as aforesaid;
- 25 (c) demand the production by any person whomsoever of consignment notes, delivery dockets, or other documents appertaining to the receipt, despatch, delivery, or ownership of any luggage, parcels or goods found upon such inspection, search or examination; and
- 30 (d) seize, take and retain any luggage, parcels or goods found upon such inspection, search or examination which the authorised officer reasonably suspects of having been stolen.

35 (2) The power of an authorised officer to inspect, search and examine shall include power to open by any means whatsoever any part of such vehicle or any container, bag, case, parcel or other article in or upon such vehicle or in the possession of any such person as aforesaid.

(3)

Government Railways (Amendment).

(3) (a) If any person—

- 5 (i) being the driver or person in charge of any such vehicle refuses or wilfully neglects to stop such vehicle in accordance with the directions of an authorised officer;
- 10 (ii) refuses or wilfully neglects to submit any such vehicle, or any container, bag, case, parcel or other article in or upon such vehicle or in his possession to inspection, search and examination in accordance with the directions of such authorised officer;
- 15 (iii) wilfully obstructs hinders impedes or avoids such inspection, search or examination; or
- 20 (iv) refuses or wilfully neglects to produce to such authorised officer any consignment notes, delivery dockets, or other documents appertaining to the receipt, despatch, delivery or ownership of any luggage, parcels or goods found upon such inspection, search or examination as aforesaid,

such person and all others aiding or assisting in the commission of any such offence shall forfeit to the Commissioner a sum not exceeding fifty pounds.

25 (b) If any person is discovered either in the act of or after committing any such offence all officers and other persons on behalf of the Commissioner, and all constables and gaolers, may lawfully apprehend and detain such person until he

30 can conveniently be taken before a magistrate or two justices or until he is otherwise discharged in due course of law.

35 (4) (a) Every authorised officer exercising any power conferred under this section shall be furnished with an authority under the seal of the Commissioner and shall, if required, produce such authority to any person concerned.

(b)

Government Railways (Amendment).

5 (b) Every person who forges or counterfeits any such authority or makes use of any forged, counterfeited, or false authority, or personates the officer named in such authority, or falsely pretends to be such an officer shall be guilty of an offence and shall be liable to a penalty not exceeding fifty pounds.

10 (5) No action, claim or demand whatsoever shall lie or be made or allowed by or in favour of any person whomsoever against the Commissioner or any officer or person acting or purporting to act in pursuance of this section.

No. , 1951.

A BILL

To amend the Government Railways Act, 1912-1950, in certain respects; and for purposes connected therewith.

[Mr. SHEAHAN;—17 May, 1951.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of

5 the same, as follows:—

1. (1) This Act may be cited as the "Government Railways (Amendment) Act, 1951." Short title and citation.

(2) The Government Railways Act, 1912, as amended by subsequent Acts and by this Act, may be

10 cited as the Government Railways Act, 1912-1951.

Government Railways (Amendment).

2. The Government Railways Act, 1912-1950, is amended—

Amendment
of Act No.
30, 1912.

- 5 (a) by inserting in paragraph (a) of subsection one of section one hundred and thirty-three after the word "drunk" the words "or under the influence of intoxicating liquor or any drug";
- (b) by inserting next after section 134A the following new section:—
- 10 134B. (1) Any officer authorised in that behalf under the seal of the Commissioner (in this section referred to as an authorised officer) may—
- (a) stop and detain any vehicle or person being upon any of the piers, wharfs, jetties, stations, yards, and buildings vested in or under the control of the Commissioner where any luggage, parcels or goods are received, despatched or delivered;
- 15 (b) inspect, search and examine any such vehicle or any container, bag, case, parcel or other article in or upon any such vehicle or in the possession of any such person as aforesaid;
- 20 (c) demand the production by any person whomsoever of consignment notes, delivery dockets, or other documents appertaining to the receipt, despatch, delivery, or ownership of any luggage, parcels or goods found upon such inspection, search or examination; and
- 25 (d) seize, take and retain any luggage, parcels or goods found upon such inspection, search or examination which the authorised officer reasonably suspects of having been stolen.
- 30 (2) The power of an authorised officer to inspect, search and examine shall include power to open by any means whatsoever any part of such vehicle or any container, bag, case, parcel or other article in or upon such vehicle or in the possession of any such person as aforesaid.
- 35

Sec. 133.

(Persons employed on railways guilty of misconduct.)

New section 134B.

Detention, examination and search of vehicles upon railway premises.

Government Railways (Amendment).

- 5 (3) (a) If any person—
- (i) being the driver or person in charge of any such vehicle refuses or wilfully neglects to stop such vehicle in accordance with the directions of an authorised officer;
- 10 (ii) refuses or wilfully neglects to submit any such vehicle, or any container, bag, case, parcel or other article in or upon such vehicle or in his possession to inspection, search and examination in accordance with the directions of such authorised officer;
- 15 (iii) wilfully obstructs hinders impedes or avoids such inspection, search or examination; or
- 20 (iv) refuses or wilfully neglects to produce to such authorised officer any consignment notes, delivery dockets, or other documents appertaining to the receipt, despatch, delivery or ownership of any luggage, parcels or goods found upon such inspection, search or examination as aforesaid,
- such person and all others aiding or assisting in the commission of any such offence shall forfeit to the Commissioner a sum not exceeding fifty pounds.
- 25 (b) If any person is discovered either in the act of or after committing any such offence all officers and other persons on behalf of the Commissioner, and all constables and gaolers, may lawfully apprehend and detain such person until he
- 30 can conveniently be taken before a magistrate or two justices or until he is otherwise discharged in due course of law.
- 35 (4) (a) Every authorised officer exercising any power conferred under this section shall be furnished with an authority under the seal of the Commissioner and shall, if required, produce such authority to any person concerned.

(b)

Government Railways (Amendment).

5 (b) Every person who forges or counterfeits any such authority or makes use of any forged, counterfeited, or false authority, or personates the officer named in such authority, or falsely pretends to be such an officer shall be guilty of an offence and shall be liable to a penalty not exceeding fifty pounds.

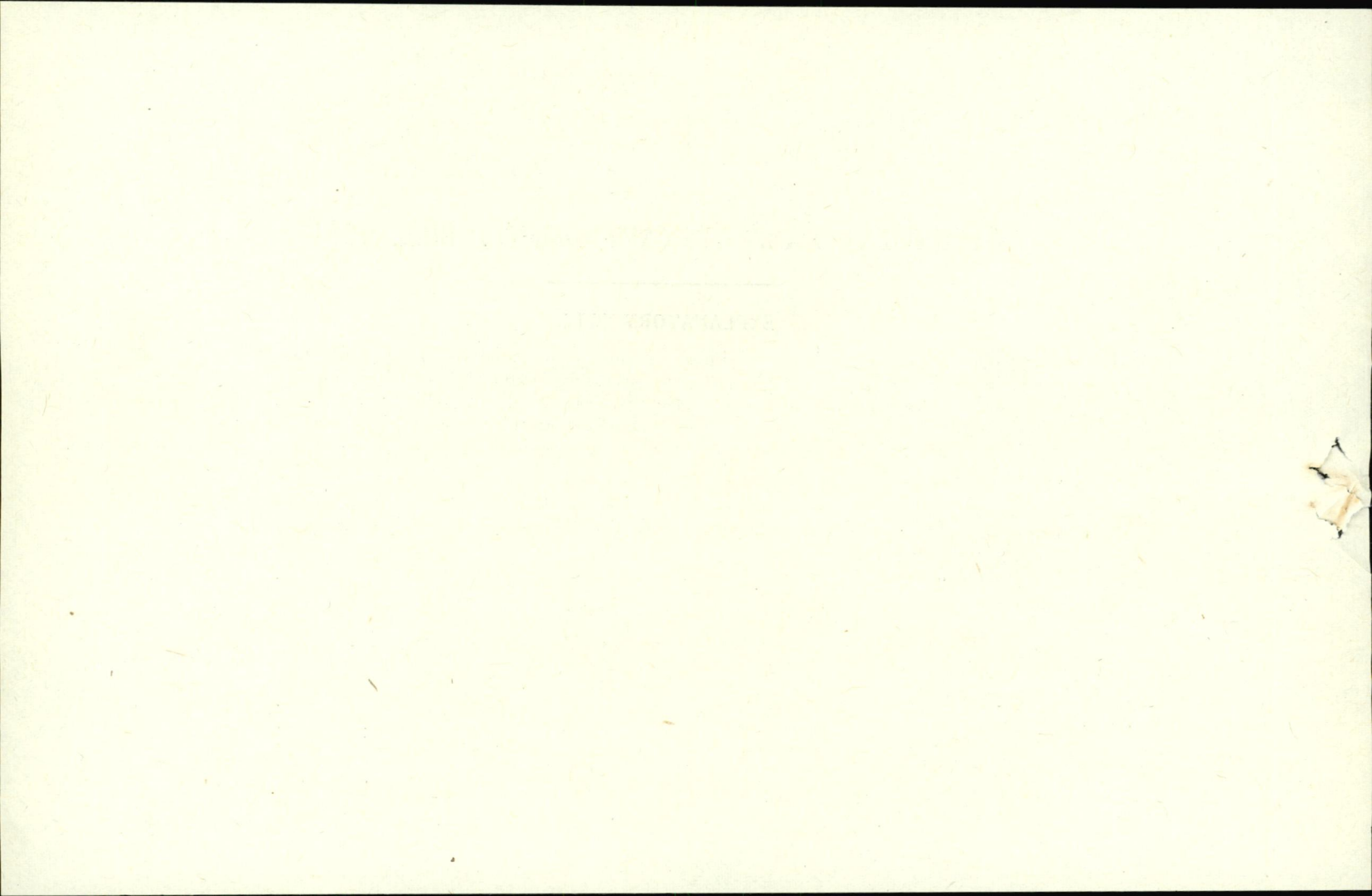
10 (5) No action, claim or demand whatsoever shall lie or be made or allowed by or in favour of any person whomsoever against the Commissioner or any officer or person acting or purporting to act in pursuance of this section.

GOVERNMENT RAILWAYS (AMENDMENT) BILL, 1951.

EXPLANATORY NOTE.

THE object of this Bill is to minimise the losses sustained by the Commissioner for Railways in respect of goods stolen from railway premises and to this end provision is made enabling authorised officers to stop and detain vehicles and persons upon railway goods yards and to inspect, search and examine such vehicles and any containers, cases and other articles in or upon such vehicles or in the possession of such persons.

The Bill also amends section 133 of the Government Railways Act, 1912, to penalise employees who are under the influence of intoxicating liquor or any drug whilst on duty.



No. , 1951.

A BILL

To amend the Government Railways Act, 1912-1950, in certain respects; [and for purposes connected therewith.

[Mr. SHEAHAN;—17 May, 1951.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of
5 the same, as follows:—

1. (1) This Act may be cited as the "Government Railways (Amendment) Act, 1951."

Short title
and
citation.

(2) The Government Railways Act, 1912, as amended by subsequent Acts and by this Act, may be
10 cited as the Government Railways Act, 1912-1951.

Government Railways (Amendment).

2. The Government Railways Act, 1912-1950, is amended—

Amendment
of Act No.
30, 1912.

- 5 (a) by inserting in paragraph (a) of subsection one of section one hundred and thirty-three after the word "drunk" the words "or under the influence of intoxicating liquor or any drug";
- (b) by inserting next after section 134A the following new section:—

Sec. 133.
(Persons
employed
on railways
guilty of
misconduct.)

New section
134B.

10 134B. (1) Any officer authorised in that behalf under the seal of the Commissioner (in this section referred to as an authorised officer) may—

Detention,
examination
and search
of vehicles
upon railway
premises.

- 15 (a) stop and detain any vehicle or person being upon any of the piers, wharfs, jetties, stations, yards, and buildings vested in or under the control of the Commissioner where any luggage, parcels or goods are received, despatched or delivered;
- 20 (b) inspect, search and examine any such vehicle or any container, bag, case, parcel or other article in or upon any such vehicle or in the possession of any such person as aforesaid;
- 25 (c) demand the production by any person whomsoever of consignment notes, delivery dockets, or other documents appertaining to the receipt, despatch, delivery, or ownership of any luggage, parcels or goods found upon such inspection, search or examination; and
- 30 (d) seize, take and retain any luggage, parcels or goods found upon such inspection, search or examination which the authorised officer reasonably suspects of having been stolen.

35 (2) The power of an authorised officer to inspect, search and examine shall include power to open by any means whatsoever any part of such vehicle or any container, bag, case, parcel or other article in or upon such vehicle or in the possession of any such person as aforesaid.

(3)

No. , 1951.

A BILL

To amend the Government Railways Act, 1912-1950, in certain respects; [and for purposes connected therewith.

[Mr. SHEAHAN;—17 May, 1951.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of
5 the same, as follows:—

1. (1) This Act may be cited as the "Government Railways (Amendment) Act, 1951." Short title and citation.

(2) The Government Railways Act, 1912, as amended by subsequent Acts and by this Act, may be
10 cited as the Government Railways Act, 1912-1951.

Government Railways (Amendment).

2. The Government Railways Act, 1912-1950, is amended—

Amendment of Act No. 30, 1912.

5 (a) by inserting in paragraph (a) of subsection one of section one hundred and thirty-three after the word "drunk" the words "or under the influence of intoxicating liquor or any drug";

Sec. 133. (Persons employed on railways guilty of misconduct.)

(b) by inserting next after section 134A the following new section:—

New section 134B.

10 134B. (1) Any officer authorised in that behalf under the seal of the Commissioner (in this section referred to as an authorised officer) may—

Detention, examination and search of vehicles upon railway premises.

15 (a) stop and detain any vehicle or person being upon any of the piers, wharfs, jetties, stations, yards, and buildings vested in or under the control of the Commissioner where any luggage, parcels or goods are received, despatched or delivered;

20 (b) inspect, search and examine any such vehicle or any container, bag, case, parcel or other article in or upon any such vehicle or in the possession of any such person as aforesaid;

25 (c) demand the production by any person whomsoever of consignment notes, delivery dockets, or other documents appertaining to the receipt, despatch, delivery, or ownership of any luggage, parcels or goods found upon such inspection, search or examination; and

30 (d) seize, take and retain any luggage, parcels or goods found upon such inspection, search or examination which the authorised officer reasonably suspects of having been stolen.

35 (2) The power of an authorised officer to inspect, search and examine shall include power to open by any means whatsoever any part of such vehicle or any container, bag, case, parcel or other article in or upon such vehicle or in the possession of any such person as aforesaid.

(3)

Government Railways (Amendment).

(3) (a) If any person—

- 5 (i) being the driver or person in charge of any such vehicle refuses or wilfully neglects to stop such vehicle in accordance with the directions of an authorised officer;
- (ii) refuses or wilfully neglects to submit any such vehicle, or any container, bag, case, parcel or other article in or upon such vehicle or in his possession to inspection, search and examination in accordance with the directions of such authorised officer;
- 10 (iii) wilfully obstructs hinders impedes or avoids such inspection, search or examination; or
- 15 (iv) refuses or wilfully neglects to produce to such authorised officer any consignment notes, delivery dockets, or other documents appertaining to the receipt, despatch, delivery or ownership of any luggage, parcels or goods found upon such inspection, search or examination as aforesaid,
- 20

such person and all others aiding or assisting in the commission of any such offence shall forfeit to the Commissioner a sum not exceeding fifty pounds.

25 (b) If any person is discovered either in the act of or after committing any such offence all officers and other persons on behalf of the Commissioner, and all constables and gaolers, may lawfully apprehend and detain such person until he

30 can conveniently be taken before a magistrate or two justices or until he is otherwise discharged in due course of law.

35 (4) (a) Every authorised officer exercising any power conferred under this section shall be furnished with an authority under the seal of the Commissioner and shall, if required, produce such authority to any person concerned.

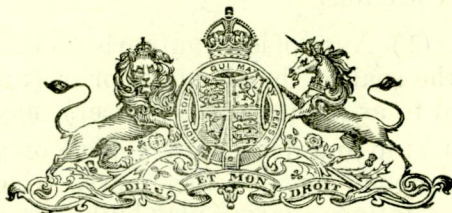
(b)

Government Railways (Amendment).

5 (b) Every person who forges or
counterfeits any such authority or makes use of any
forged, counterfeited, or false authority, or
personates the officer named in such authority, or
falsely pretends to be such an officer shall be guilty
of an offence and shall be liable to a penalty not
exceeding fifty pounds.

10 (5) No action, claim or demand whatsoever
shall lie or be made or allowed by or in favour of any
person whomsoever against the Commissioner or any
officer or person acting or purporting to act in
pursuance of this section.

New South Wales.



ANNO QUINTO DECIMO

GEORGI VI REGIS.

Act No. 15, 1951.

An Act to amend the Government Railways Act, 1912-1950, in certain respects; and for purposes connected therewith. [Assented to, 27th June, 1951.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Government Railways (Amendment) Act, 1951."

Short title and citation.

(2) The Government Railways Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Government Railways Act, 1912-1951.

Government Railways (Amendment).

Amendment
of Act No.
30, 1912.

2. The Government Railways Act, 1912-1950, is amended—

Sec. 133.
(Persons
employed
on railways
guilty of
misconduct.)
New section
134B.

- (a) by inserting in paragraph (a) of subsection one of section one hundred and thirty-three after the word "drunk" the words "or under the influence of intoxicating liquor or any drug";
- (b) by inserting next after section 134A the following new section:—

Detention,
examination
and search
of vehicles
upon railway
premises.

134B. (1) Any officer authorised in that behalf under the seal of the Commissioner (in this section referred to as an authorised officer) may—

- (a) stop and detain any vehicle or person being upon any of the piers, wharfs, jetties, stations, yards, and buildings vested in or under the control of the Commissioner where any luggage, parcels or goods are received, despatched or delivered;
- (b) inspect, search and examine any such vehicle or any container, bag, case, parcel or other article in or upon any such vehicle or in the possession of any such person as aforesaid;
- (c) demand the production by any person whomsoever of consignment notes, delivery dockets, or other documents appertaining to the receipt, despatch, delivery, or ownership of any luggage, parcels or goods found upon such inspection, search or examination; and
- (d) seize, take and retain any luggage, parcels or goods found upon such inspection, search or examination which the authorised officer reasonably suspects of having been stolen.

(2) The power of an authorised officer to inspect, search and examine shall include power to open by any means whatsoever any part of such vehicle or any container, bag, case, parcel or other article in or upon such vehicle or in the possession of any such person as aforesaid.

Government Railways (Amendment).

(3) (a) If any person—

- (i) being the driver or person in charge of any such vehicle refuses or wilfully neglects to stop such vehicle in accordance with the directions of an authorised officer;
- (ii) refuses or wilfully neglects to submit any such vehicle, or any container, bag, case, parcel or other article in or upon such vehicle or in his possession to inspection, search and examination in accordance with the directions of such authorised officer;
- (iii) wilfully obstructs hinders impedes or avoids such inspection, search or examination; or
- (iv) refuses or wilfully neglects to produce to such authorised officer any consignment notes, delivery dockets, or other documents appertaining to the receipt, despatch, delivery or ownership of any luggage, parcels or goods found upon such inspection, search or examination as aforesaid,

such person and all others aiding or assisting in the commission of any such offence shall forfeit to the Commissioner a sum not exceeding fifty pounds.

(b) If any person is discovered either in the act of or after committing any such offence all officers and other persons on behalf of the Commissioner, and all constables and gaolers, may lawfully apprehend and detain such person until he can conveniently be taken before a magistrate or two justices or until he is otherwise discharged in due course of law.

(4) (a) Every authorised officer exercising any power conferred under this section shall be furnished with an authority under the seal of the Commissioner and shall, if required, produce such authority to any person concerned.

(b)

Government Railways (Amendment).

(b) Every person who forges or counterfeits any such authority or makes use of any forged, counterfeited, or false authority, or personates the officer named in such authority, or falsely pretends to be such an officer shall be guilty of an offence and shall be liable to a penalty not exceeding fifty pounds.

(5) No action, claim or demand whatsoever shall lie or be made or allowed by or in favour of any person whomsoever against the Commissioner or any officer or person acting or purporting to act in pursuance of this section.

By Authority:

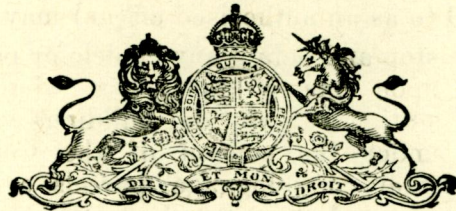
A. H. PETTIFER, Government Printer, Sydney, 1951.

[4d.]

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

H. ROBBINS,
Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 13 June, 1951.

New South Wales.



ANNO QUINTO DECIMO

GEORGI VI REGIS.

Act No. 15, 1951.

An Act to amend the Government Railways Act, 1912-1950, in certain respects; and for purposes connected therewith. [Assented to, 27th June, 1951.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Government Railways (Amendment) Act, 1951."

Short title
and
citation.

(2) The Government Railways Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Government Railways Act, 1912-1951.

2.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

G. BOOTH,
Chairman of Committees of the Legislative Assembly.

Government Railways (Amendment).

Amendment
of Act No.
30, 1912.

Sec. 133.
(Persons
employed
on railways
guilty of
misconduct.)
New section
134B.

Detention,
examination
and search
of vehicles
upon railway
premises.

2. The Government Railways Act, 1912-1950, is amended—

- (a) by inserting in paragraph (a) of subsection one of section one hundred and thirty-three after the word “drunk” the words “or under the influence of intoxicating liquor or any drug”;
- (b) by inserting next after section 134A the following new section:—

134B. (1) Any officer authorised in that behalf under the seal of the Commissioner (in this section referred to as an authorised officer) may—

- (a) stop and detain any vehicle or person being upon any of the piers, wharfs, jetties, stations, yards, and buildings vested in or under the control of the Commissioner where any luggage, parcels or goods are received, despatched or delivered;
- (b) inspect, search and examine any such vehicle or any container, bag, case, parcel or other article in or upon any such vehicle or in the possession of any such person as aforesaid;
- (c) demand the production by any person whomsoever of consignment notes, delivery dockets, or other documents appertaining to the receipt, despatch, delivery, or ownership of any luggage, parcels or goods found upon such inspection, search or examination; and
- (d) seize, take and retain any luggage, parcels or goods found upon such inspection, search or examination which the authorised officer reasonably suspects of having been stolen.

(2) The power of an authorised officer to inspect, search and examine shall include power to open by any means whatsoever any part of such vehicle or any container, bag, case, parcel or other article in or upon such vehicle or in the possession of any such person as aforesaid.

(3)

Government Railways (Amendment).

(3) (a) If any person—

- (i) being the driver or person in charge of any such vehicle refuses or wilfully neglects to stop such vehicle in accordance with the directions of an authorised officer;
- (ii) refuses or wilfully neglects to submit any such vehicle, or any container, bag, case, parcel or other article in or upon such vehicle or in his possession to inspection, search and examination in accordance with the directions of such authorised officer;
- (iii) wilfully obstructs hinders impedes or avoids such inspection, search or examination; or
- (iv) refuses or wilfully neglects to produce to such authorised officer any consignment notes, delivery dockets, or other documents appertaining to the receipt, despatch, delivery or ownership of any luggage, parcels or goods found upon such inspection, search or examination as aforesaid,

such person and all others aiding or assisting in the commission of any such offence shall forfeit to the Commissioner a sum not exceeding fifty pounds.

(b) If any person is discovered either in the act of or after committing any such offence all officers and other persons on behalf of the Commissioner, and all constables and gaolers, may lawfully apprehend and detain such person until he can conveniently be taken before a magistrate or two justices or until he is otherwise discharged in due course of law.

(4) (a) Every authorised officer exercising any power conferred under this section shall be furnished with an authority under the seal of the Commissioner and shall, if required, produce such authority to any person concerned.

(b)

4
Act No. 15, 1951.

Government Railways (Amendment).

(b) Every person who forges or counterfeits any such authority or makes use of any forged, counterfeited, or false authority, or personates the officer named in such authority, or falsely pretends to be such an officer shall be guilty of an offence and shall be liable to a penalty not exceeding fifty pounds.

(5) No action, claim or demand whatsoever shall lie or be made or allowed by or in favour of any person whomsoever against the Commissioner or any officer or person acting or purporting to act in pursuance of this section.

*In the name and on behalf of His Majesty I assent to
this Act.*

J. NORTHCOTT,
Governor.

*Government House,
Sydney, 27th June, 1951.*