

# New South Wales



ANNO DUODECIMO

## ELIZABETHÆ II REGINÆ

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### Act No. 7, 1963.

An Act to remove certain restrictions imposed by the Aborigines Protection Act, 1909–1943, upon aborigines; for this and other purposes to amend the said Act; and for purposes connected therewith. [Assented to, 29th March, 1963.]

**B**E it enacted by the Queen'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 "Aborigines Protection (Amendment) Act, 1963".

(2)

Short title  
and  
citation.

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*Aborigines Protection (Amendment).*

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(2) The Aborigines Protection Act, 1909, as amended by subsequent Acts and by this Act, may be cited as the Aborigines Protection Act, 1909-1963.

Amendment of Act No. 25, 1909. **2.** (1) The Aborigines Protection Act, 1909, as amended by subsequent Acts, is amended—

- Sec. 3.  
(Interpretation.) (a) by omitting from section three the definition of "Liquor";
- Sec. 8A.  
(Removal to reserves, etc.) (b) by omitting section 8A;
- Sec. 8B.  
(Enticing aborigine to remove from reserve.) (c) by omitting section 8B;
- Sec. 8C.  
(Removing aborigine from New South Wales.) (d) by omitting section 8C;
- Sec. 9.  
(Supply of liquor to aborigines.) (e) by omitting section nine;
- Sec. 10.  
(Wandering with aborigines.) (f) by omitting section ten;
- Sec. 12.  
(Wards absconding, etc.) (g) by omitting from paragraph (b) of subsection four of section twelve the words "; and where it decides to exercise the power referred to in paragraph (c) of subsection one or paragraph (d) of subsection two of that section, the court shall commit the child to a home constituted and established under section eleven of this Act";

(h)

*Aborigines Protection (Amendment).*

- (h) by omitting section 13B;      Sec. 13B.  
(In case of unfair treatment, board to remove aborigine.)
- (i) by omitting section 13C;      Sec. 13C.  
(Employer to pay wages to Superintendent in certain cases.)
- (j) by omitting section fourteen;      Sec. 14.  
(Power to remove aborigines camped in vicinity of townships.)
- (k) by omitting section 14A;      Sec. 14A.  
(Medical examination and treatment.)
- (l) by omitting from section eighteen the words "in the name of the board".      Sec. 18.  
(Proceedings.)
- (2) The Aborigines Protection (Amendment) Act, 1918, is amended—      Amendment of Act No. 7, 1918.  
(Consequential.)
- (a) by omitting paragraph (iii) of section two;
- (b) by omitting paragraph (vii) of the same section.
- (3) The Aborigines Protection (Amendment) Act, 1936, is amended—      Amendment of Act No. 32, 1936.  
(Consequential.)
- (a) by omitting subparagraph (ii) of paragraph (a) of subsection one of section two;
- (b) by omitting paragraph (c) of the same subsection;
- (c) by omitting paragraph (d) of the same subsection;
- (d) by omitting so much of paragraph (i) of the same subsection as inserted new sections 13B and 13C;
- (e) by omitting paragraph (j) of the same subsection.

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*Aborigines Protection (Amendment).*

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Amendment  
of Act No.  
12, 1940.  
(Consequen-  
tial.)

(4) The Aborigines Protection (Amendment) Act,  
1940, is amended—

- (a) by omitting paragraph (d) of section three;
- (b) by omitting paragraph (f) of the same section.

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BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1963

*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.*

ALLAN PICKERING,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 20 March, 1963.*

## New South Wales



ANNO DUODECIMO

## ELIZABETHÆ II REGINÆ

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### Act No. 7, 1963.

An Act to remove certain restrictions imposed by the Aborigines Protection Act, 1909–1943, upon aborigines; for this and other purposes to amend the said Act; and for purposes connected therewith. [Assented to, 29th March, 1963.]

**B**E it enacted by the Queen'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 "Aborigines Protection (Amendment) Act, 1963".

Short title  
and  
citation.

(2)

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

HOWARD T. FOWLES,  
*Chairman of Committees of the Legislative Assembly.*

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*Aborigines Protection (Amendment).*


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(2) The Aborigines Protection Act, 1909, as amended by subsequent Acts and by this Act, may be cited as the Aborigines Protection Act, 1909-1963.

Amendment of Act No. 25, 1909. **2.** (1) The Aborigines Protection Act, 1909, as amended by subsequent Acts, is amended—

- Sec. 3. (Interpretation.) (a) by omitting from section three the definition of "Liquor";
- Sec. 8A. (Removal to reserves, etc.) (b) by omitting section 8A;
- Sec. 8B. (Enticing aborigine to remove from reserve.) (c) by omitting section 8B;
- Sec. 8C. (Removing aborigine from New South Wales.) (d) by omitting section 8C;
- Sec. 9. (Supply of liquor to aborigines.) (e) by omitting section nine;
- Sec. 10. (Wandering with aborigines.) (f) by omitting section ten;
- Sec. 12. (Wards absconding; etc.) (g) by omitting from paragraph (b) of subsection four of section twelve the words "; and where it decides to exercise the power referred to in paragraph (c) of subsection one or paragraph (d) of subsection two of that section, the court shall commit the child to a home constituted and established under section eleven of this Act";
- (h)

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*Aborigines Protection (Amendment).*

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- (h) by omitting section 13B;      Sec. 13B.  
(In case of unfair treatment, board to remove aborigine.)
- (i) by omitting section 13C;      Sec. 13C.  
(Employer to pay wages to Superintendent in certain cases.)
- (j) by omitting section fourteen;      Sec. 14.  
(Power to remove aborigines camped in vicinity of townships.)
- (k) by omitting section 14A;      Sec. 14A.  
(Medical examination and treatment.)
- (l) by omitting from section eighteen the words "in the name of the board".      Sec. 18.  
(Proceedings.)
- (2) The Aborigines Protection (Amendment) Act, 1918, is amended—      Amendment of Act No. 7, 1918.  
(Consequential.)
- (a) by omitting paragraph (iii) of section two;
- (b) by omitting paragraph (vii) of the same section.
- (3) The Aborigines Protection (Amendment) Act, 1936, is amended—      Amendment of Act No. 32, 1936.  
(Consequential.)
- (a) by omitting subparagraph (ii) of paragraph (a) of subsection one of section two;
- (b) by omitting paragraph (c) of the same subsection;
- (c) by omitting paragraph (d) of the same subsection;
- (d) by omitting so much of paragraph (i) of the same subsection as inserted new sections 13B and 13C;
- (e) by omitting paragraph (j) of the same subsection.
- (4)

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*Aborigines Protection (Amendment).*

---

Amendment  
of Act No.  
12, 1940.  
(Consequen-  
tial.)

(4) The Aborigines Protection (Amendment) Act,  
1940, is amended—

- (a) by omitting paragraph (d) of section three;
- (b) by omitting paragraph (f) of the same section.

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

K. W. STREET,  
*By Deputation from  
His Excellency the Governor.*

*Government House,  
Sydney, 29th March, 1963.*



*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.*

ALLAN PICKERING,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 14 March, 1963.*

## New South Wales



ANNO DUODECIMO

## ELIZABETHÆ II REGINÆ

\*\*\*\*\*

Act No. , 1963.

An Act to remove certain restrictions imposed by the Aborigines Protection Act, 1909–1943, upon aborigines; for this and other purposes to amend the said Act; and for purposes connected therewith.

**B**E it enacted by the Queen'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 "Aborigines Protection (Amendment) Act, 1963".

Short title  
and  
citation.

(2)

*Aborigines Protection (Amendment).*

(2) The Aborigines Protection Act, 1909, as amended by subsequent Acts and by this Act, may be cited as the Aborigines Protection Act, 1909-1963.

2. (1) The Aborigines Protection Act, 1909, as amended by subsequent Acts, is amended—

- |    |  |  |
|----|--|--|
|    | (a) by omitting from section three the definition of "Liquor";   | Sec. 3.<br>(Interpretation.)                             |
|    | (b) by omitting section 8A;  | Sec. 8A.<br>(Removal to reserves, etc.)                  |
|    | (c) by omitting section 8B;  | Sec. 8B.<br>(Enticing aborigine to remove from reserve.) |
| 10 | (d) by omitting section 8C;  | Sec. 8C.<br>(Removing aborigine from New South Wales.)   |
|    | (e) by omitting section nine;  | Sec. 9.<br>(Supply of liquor to aborigines.)             |
|    | (f) by omitting section ten;   | Sec. 10.<br>(Wandering with aborigines.)                 |
| 15 | (g) by omitting from paragraph (b) of subsection four of section twelve the words "; and where it decides to exercise the power referred to in paragraph (c) of subsection one or paragraph (d) of subsection two of that section, the court shall commit the child to a home constituted and established under section eleven of this Act"; | Sec. 12.<br>(Wards absconding, etc.)                     |

(h)

*Aborigines Protection (Amendment).*

- (h) by omitting section 13B; Sec. 13B.  
(In case of unfair treatment, board to remove aborigine.)
- (i) by omitting section 13C; Sec. 13C.  
(Employer to pay wages to Superintendent in certain cases.)
- (j) by omitting section fourteen; Sec. 14.  
(Power to remove aborigines camped in vicinity of townships.)
- (k) by omitting section 14A; Sec. 14A.  
(Medical examination and treatment.)
- 5 (l) by omitting from section eighteen the words "in the name of the board". Sec. 18.  
(Proceedings.)
- (2) The Aborigines Protection (Amendment) Act, 1918, is amended— Amendment of Act No. 7, 1918.  
(Consequential.)
- (a) by omitting paragraph (iii) of section two;
- 10 (b) by omitting paragraph (vii) of the same section.
- (3) The Aborigines Protection (Amendment) Act, 1936, is amended— Amendment of Act No. 32, 1936.  
(Consequential.)
- (a) by omitting subparagraph (ii) of paragraph (a) of subsection one of section two;
- 15 (b) by omitting paragraph (c) of the same subsection;
- (c) by omitting paragraph (d) of the same subsection;
- (d) by omitting so much of paragraph (i) of the same subsection as inserted new sections 13B and 13C;
- (e) by omitting paragraph (j) of the same subsection.
- (4)

---

*Aborigines Protection (Amendment).*

---

(4) The Aborigines Protection (Amendment) Act, 1940, is amended—

Amendment  
of Act No.  
12, 1940.

(a) by omitting paragraph (d) of section three;

(Consequen-  
tial.)

(b) by omitting paragraph (f) of the same section.

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BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1963

[4d.]

No. , 1963.

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## A BILL

To remove certain restrictions imposed by the Aborigines Protection Act, 1909-1943, upon aborigines; for this and other purposes to amend the said Act; and for purposes connected therewith.

[MR. KELLY;—21 *February*, 1963.]

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**B**E it enacted by the Queen'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 "Aborigines Protection (Amendment) Act, 1963".

Short title  
and  
citation.

(2)

*Aborigines Protection (Amendment).*

(2) The Aborigines Protection Act, 1909, as amended by subsequent Acts and by this Act, may be cited as the Aborigines Protection Act, 1909-1963.

2. (1) The Aborigines Protection Act, 1909, as amended by subsequent Acts, is amended—

Amendment of Act No. 25, 1909.

- (a) by omitting from section three the definition of "Liquor";
- (b) by omitting section 8A;
- (c) by omitting section 8B;
- 10 (d) by omitting section 8C;
- (e) by omitting section nine;
- (f) by omitting section ten;
- 15 (g) by omitting from paragraph (b) of subsection four of section twelve the words "; and where it decides to exercise the power referred to in paragraph (c) of subsection one or paragraph (d) of subsection two of that section, the court shall commit the child to a home constituted and established under section eleven of this Act";

Sec. 3.  
(Interpretation.)

Sec. 8A.  
(Removal to reserves, etc.)

Sec. 8B.  
(Enticing aborigine to remove from reserve.)

Sec. 8C.  
(Removing aborigine from New South Wales.)

Sec. 9.  
(Supply of liquor to aborigines.)

Sec. 10.  
(Wandering with aborigines.)

Sec. 12.  
(Wards absconding, etc.)

(h)

*Aborigines Protection (Amendment).*

- (h) by omitting section 13B;                      Sec. 13B.  
(In case of unfair treatment, board to remove aborigine.)
- (i) by omitting section 13c;                      Sec. 13c.  
(Employer to pay wages to Superintendent in certain cases.)
- (j) by omitting section fourteen;                      Sec. 14.  
(Power to remove aborigines camped in vicinity of townships.)
- (k) by omitting section 14A;                      Sec. 14A.  
(Medical examination and treatment.)
- 5            (l) by omitting from section eighteen the words "in the name of the board".                      Sec. 18.  
(Proceedings.)
- (2) The Aborigines Protection (Amendment) Act, 1918, is amended—                      Amendment of Act No. 7, 1918.  
(Consequential.)
- 10            (a) by omitting paragraph (iii) of section two;
- (b) by omitting paragraph (vii) of the same section.
- (3) The Aborigines Protection (Amendment) Act, 1936, is amended—                      Amendment of Act No. 32, 1936.  
(Consequential.)
- 15            (a) by omitting subparagraph (ii) of paragraph (a) of subsection one of section two;
- (b) by omitting paragraph (c) of the same subsection;
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- (d) by omitting so much of paragraph (i) of the same subsection as inserted new sections 13B and 13c;
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- (4)

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*Aborigines Protection (Amendment).*

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(4) The Aborigines Protection (Amendment) Act, Amendment  
1940, is amended— of Act No.  
12, 1940.

(a) by omitting paragraph (d) of section three;

(Consequen-  
tial.)

(b) by omitting paragraph (f) of the same section.

---

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1963

[4d.]



# ABORIGINES PROTECTION (AMENDMENT) BILL, 1963.

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## EXPLANATORY NOTE.

The objects of this Bill are—

- (a) to remove the prohibition on the giving, selling or supplying of liquor to aborigines ;
- (b) to repeal certain provisions of the Aborigines Protection Act, 1909, as amended, dealing with the direction of aborigines to reserves, the enticing of aborigines away from reserves, the removing of aborigines from the State, the terminating by the Aborigines Welfare Board of the employment of an aborigine, the ordering of aborigines away from towns and reserves and requiring aborigines to submit to medical examinations ;
- (c) to omit from the said Act the provision under which the Board may direct an employer of an aborigine to pay his wages to the Superintendent of Aborigines Welfare ;
- (d) to empower a magistrate to order the committal of an absconding aboriginal ward to an institution under the Child Welfare Act, 1939, as amended, for disciplinary purposes ;
- (e) to repeal the provision requiring informations for offences against the Aborigines Protection Act, 1909, as amended, to be brought in the name of the Board ;
- (f) to make provisions incidental and ancillary to the foregoing.

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No. , 1963.

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## A BILL

To remove certain restrictions imposed by the Aborigines Protection Act, 1909-1943, upon aborigines; for this and other purposes to amend the said Act; and for purposes connected therewith.

[MR. KELLY;—21 February, 1963.]

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**B**E it enacted by the Queen'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  
5 follows:—

1. (1) This Act may be cited as the "Aborigines Protection (Amendment) Act, 1963".

Short title  
and  
citation.

(2)

*Aborigines Protection (Amendment).*

(2) The Aborigines Protection Act, 1909, as amended by subsequent Acts and by this Act, may be cited as the Aborigines Protection Act, 1909-1963.

2. (1) The Aborigines Protection Act, 1909, as amended by subsequent Acts, is amended—

Amendment  
of Act No.  
25, 1909.

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|    | (a) by omitting from section three the definition of "Liquor";   | Sec. 3.<br>(Interpretation.)                             |
|    | (b) by omitting section 8A;  | Sec. 8A.<br>(Removal to reserves, etc.)                  |
|    | (c) by omitting section 8B;  | Sec. 8B.<br>(Enticing aborigine to remove from reserve.) |
| 10 | (d) by omitting section 8C;  | Sec. 8C.<br>(Removing aborigine from New South Wales.)   |
|    | (e) by omitting section nine;  | Sec. 9.<br>(Supply of liquor to aborigines.)             |
|    | (f) by omitting section ten;   | Sec. 10.<br>(Wandering with aborigines.)                 |
| 15 | (g) by omitting from paragraph (b) of subsection four of section twelve the words "; and where it decides to exercise the power referred to in paragraph (c) of subsection one or paragraph (d) of subsection two of that section, the court shall commit the child to a home constituted and established under section eleven of this Act"; | Sec. 12.<br>(Wards absconding, etc.)                     |

(h)

*Aborigines Protection (Amendment).*

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|---|---|
| (h) by omitting section 13B;  | Sec. 13B.<br>(In case of unfair treatment, board to remove aborigine.)    |
| (i) by omitting section 13C;  | Sec. 13C.<br>(Employer to pay wages to Superintendent in certain cases.)  |
| (j) by omitting section fourteen;   | Sec. 14.<br>(Power to remove aborigines camped in vicinity of townships.) |
| (k) by omitting section 14A;  | Sec. 14A.<br>(Medical examination and treatment.)                         |
| 5 (l) by omitting from section eighteen the words "in the name of the board".                         | Sec. 18.<br>(Proceedings.)  |
| (2) The Aborigines Protection (Amendment) Act, 1918, is amended—                                      | Amendment of Act No. 7, 1918.   |
| (a) by omitting paragraph (iii) of section two;   | (Consequential.)  |
| 10 (b) by omitting paragraph (vii) of the same section.   |   |
| (3) The Aborigines Protection (Amendment) Act, 1936, is amended—                                      | Amendment of Act No. 32, 1936.  |
| (a) by omitting subparagraph (ii) of paragraph (a) of subsection one of section two;                  | (Consequential.)  |
| 15 (b) by omitting paragraph (c) of the same subsection;  |   |
| (c) by omitting paragraph (d) of the same subsection;   |   |
| (d) by omitting so much of paragraph (i) of the same subsection as inserted new sections 13B and 13C; |   |
| (e) by omitting paragraph (j) of the same subsection.   |   |

---

*Aborigines Protection (Amendment).*

---

(4) The Aborigines Protection (Amendment) Act, 1940, is amended—

Amendment  
of Act No.  
12, 1940.  
(Consequen-  
tial.)

- (a) by omitting paragraph (d) of section three;
- (b) by omitting paragraph (f) of the same section.

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BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, SYDNEY, NEW SOUTH WALES—1963