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# LEGISLATURE OF NEW SOUTH WALES

#### GOVERNOR:

(Sworn 1st August, 1957)

His Excellency LIEUTENANT-GENERAL Sir ERIC WINSLOW WOODWARD, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Commander of the Most. Excellent Order of the British Empire, Companion of the Distinguished Service Order, Knight of the Venerable Order of St. John of Jerusalem, Governor of the State of New South Wales and its Dependencies, in the Commonwealth of Australia.

#### LIEUTENANT-GOVERNOR:

The Honourable Sir Kenneth Whistler Street, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Lieutenant-Governor of the State of New South Wales and its Dependencies, in the Commonwealth of Australia.

#### THE CAHILL MINISTRY:

Premier and Colonial Treasurer (a)	THE HON. JOHN JOSEPH CAHILL, M.L.A.
Deputy Premier and Minister for Education	THE HON. ROBERT JAMES HEFFRON, M.L.A.
Attorney-General, Minister of Justice and Vice- President of the Executive Council	THE HON. ROBERT REGINALD DOWNING, LL.B., M.L.C.
Colonial Secretary and Minister for Tourist Activities (b)	THE HON. CHRISTOPHER AUGUSTUS KELLY, M.L.A
Minister assisting the Premier and Colonial Treasurer (also Acting Minister for Transport	
from 20th May to 7th September, 1959) (a)	THE HON. PATRICK DARCY HILLS, M.L.A.
Minister for Health	THE HON. WILLIAM FRANCIS SHEAHAN, Q.C., LL.B., M.L.A.
Minister for Child Welfare and Minister for Social Welfare	THE HON. FRANCIS HAROLD HAWKINS, M.L.A.
Minister for Local Government and Minister for Highways	THE HON. JOHN BROPHY RENSHAW, M.L.A.
Minister for Transport	THE HON. AMBROSE GEORGE ENTICKNAP, M.L.A.
Minister for Housing and Minister for Co-operative Societies	THE HON. ABRAM LANDA, LL.B., M.L.A.
Minister for Conservation	THE HON. ERNEST WETHERELL, M.L.A.
Minister for Agriculture	THE HON. ROGER BEDE NOTT, M.L.A.
Minister for Labour and Industry	THE HON. JAMES JOSEPH MALONEY, M.L.C.
Secretary for Mines (c)	THE HON. JAMES BRUNTON SIMPSON, M.L.A.
Secretary for Lands (c)	THE HON. JOHN MICHAEL ALFRED McMAHON, M.I.A.
Secretary for Public Works (c)	THE HON. PHILLIP NORMAN RYAN, M.L.A.

<sup>(</sup>a) "Colonial" deleted from 24th September, 1959.

<sup>(</sup>b) "Colonial" changed to "Chief" from 24th September, 1959.

<sup>(</sup>c) "Secretary" changed to "Minister" from 24th September, 1959.

# THE HEFFRON MINISTRY:

(From 28th October, 1959)

Premier and Minister for Education	THE HON. ROBERT JAMES HEFFRON, M.L.A.
Deputy Premier and Treasurer	THE HON. JOHN BROPHY RENSHAW, M.L.A.
Attorney-General, Minister of Justice and Vice- President of the Executive Council	THE HON. ROBERT REGINALD DOWNING, LL.B., M.L.C.
Chief Secretary and Minister for Tourist Activities	THE HON. CHRISTOPHER AUGUSTUS KELLY, M.L.A.
Minister for Local Government and Minister for Highways	THE HON. PATRICK DARCY HILLS, M.L.A.
Minister for Health	THE HON. WILLIAM FRANCIS SHEAHAN, Q.C., LL.B., M.L.A.
Minister for Child Welfare and Minister for Social Welfare	THE HON. FRANCIS HAROLD HAWKINS, M.L.A.
Minister for Transport	THE HON. AMBROSE GEORGE ENTICKNAP, M.L.A.
Minister for Housing and Minister for Co-operative Societies	THE HON. ABRAM LANDA, LL.B., M.L.A.
Minister for Conservation	THE HON. ERNEST WETHERELL, M.L.A.
Minister for Agriculture	THE HON. ROGER BEDE NOTT, M.L.A.
Minister for Labour and Industry	THE HON. JAMES JOSEPH MALONEY, M.L.C.
Minister for Mines	THE HON. JAMES BRUNTON SIMPSON, M.L.A.
Minister for Lands	THE HON. JOHN MICHAEL ALFRED McMahon, M.L.A.
Minister for Public Works	THE HON. PHILLIP NORMAN RYAN, M.L.A.
Assistant Minister	THE HON. NORMAN JOHN MANNIX, M.L.A.

# MEMBERS OF THE LEGISLATIVE COUNCIL

THIRTY-NINTH PARLIAMENT-SECOND SESSION

President—The Honourable William Edward Dickson

Chairman of Committees-The Honourable Ernest Gerard Wright

Temporary Chairmen of Committees-The Honourable Frank William Spicer, The Honourable Leon Samuel Snider, The Honourable Samuel Connell Williams

Ahern, The Honourable Harold Daniel, A.R.M.T.C., Mech. Elec. Eng., M.I.E. Aust., Chartered Engineer (Australia), Dip. Pub. Ad., F.R.I.P.A.

Armstrong, The Honourable Alexander Ewan. Bassett, The Honourable George Douglas (a). Begg, The Honourable Colin Elly, Q.C., LL.B. Bridges, The Honourable Arthur Dalgety, F.C.A. (Aust.).

Budd, The Honourable Harry Vincent. Cahill, The Honourable Cedric Alan Francis. Cahill, The Honourable Cyril Joseph. Carter, The Honourable John Markham,

C.B.E., M.C. Clayton, Colonel the Honourable Hector

Joseph Richard, E.D., B.A., LL.B. Cochrane, The Honourable Donald.

Honourable Francis Cockerill, The Henry (b).

Colborne, The Honourable Colin. Coulter, The Honourable William Robert. Dalton, The Honourable Christopher Alfred. Day, The Honourable Robert Lyndon. Dickson, The Honourable William Edward. Dougherty, The Honourable Tom Nicholson Pearce.

Downing, The Honourable Robert Reginald. LL.B.

Erskine, The Honourable Robert Hamilton. Eskell, Brigadier the Honourable Stanley Louis Mowbray.

Falkiner, The Honourable Otway McLaurin. FitzSimons, Major the Honourable Herbert Paton.

Gleeson, The Honourable Thomas Patrick. Grace, The Honourable Patrick Raphael. Graves, The Honourable James Joseph. Hackett, The Honourable Charles. Henley, The Hon. Herbert Sydney. Hewitt, The Honourable Frederick Maclean. Jackson, The Honourable Reginald Stanley. Joel, The Honourable Asher Alexander, O.B.E.

Kenny, The Honourable James Denis. Kenny, The Honourable John Lesley. King, The Honourable Robert Arthur (c). Love, The Honourable Christopher Augus-

Mahony, The Honourable Robert. Maloney, The Honourable James Joseph. Melville, The Honourable Mary (d).

Murray, The Honourable William Thomas. O'Dea. The Honourable Ernest Charles. Paterson, The Honourable John Guthrie. Peters, The Honourable William Charles. Playfair, Brigadier the Honourable Thomas Alfred John, D.S.O., O.B.E., V.D.

Pratten, The Honourable Frederick Graham, B.Sc.

Press, The Honourable Anne Elizabeth (e). Quinn, The Honourable Michael Thomas Leslie (f).

Roper, The Honourable Edna Sirius. Rygate, The Honourable Gerald Blake. Saddington, The Honourable Leicester Birkenhead. O.B.E.

Snider, The Honourable Leon Samuel. Sommerlad, The Honourable Ernest Lloyd, B.A., B.Ec.

Spicer, The Honourable Frank William.

Steele, Lieutenant-Colonel the Honourable Thomas.

Sutherland, The Honourable Gavin Hamilton. Thom, The Honourable James Norman. Thompson, The Honourable Richard. Walmsley, The Honourable William Arthur. Warren. The Sir

Honourable Emerton, K.B.E., C.M.G., M.S.M. Weir, The Honourable John Alexander.

Williams, The Honourable Samuel Connell. Wilson, The Honourable Robert Christian, C.M.G.

Wright, The Honourable Ernest Gerard.

<sup>(</sup>a) Granted leave of absence from 6th February to 31st March, 1960, to visit the United States of

America.

(b) Elected 10th September, 1959.

(c) Deceased 27th February, 1960.

(d) Deceased 21st August, 1959.

(e) Elected 22nd October, 1959.

(f) Elected 29th March, 1960.

# LEGISLATURE OF NEW SOUTH WALES

# MEMBERS OF THE LEGISLATIVE ASSEMBLY

#### THIRTY-NINTH PARLIAMENT-SECOND SESSION

Speaker-The Hon. Ray Septimus Maher, B.A.

Deputy Speaker and Chairman of Committees-Mr. Howard Thomas Fowles

Leader of the Opposition and Leader of the N.S.W. Liberal Party—Mr. Robin William Askin.

Deputy Leader of the Opposition and Deputy Leader of the N.S.W. Liberal Party - Mr. Eric Archibald Willis, B.A.

Leader of the N.S.W. Country Party-Mr. Charles Benjamin Cutler.

Deputy Leader of the N.S.W. Country Party-Mr. William Adolphus Chaffey.

Government Whip-Mr. Stanislaus Wyatt.

Opposition Whip-Mr. Eric Hearnshaw, M.M., B.Ec., Dip. Pub. Ad.

Askin, Robin William, Esq. Bannon, Brian Joseph, Esq. Beale, Jack Gordon, Esq. Black, Ivan Carlisle, Esq., LL.B. Booth, George, Esq. Brain, George William, Esq. Brown, James Hill, Esq. Bruxner, LieutColonel the Hon. Michael Frederick, D.S.O. Cahill, The Hon. John Joseph (a) Cahill, Thomas James, Esq. (b) Chaffey, William Adolphus, Esq. Chapman, William Leslie, Esq. Coady, Reginald Francis John, Esq. Compton, Keith Clive, Esq. (c) Connor, Reginald Francis Xavier, Esq. Cox, Geoffrey Souter, Esq., D.S.O., M.C., E.D. Crabtree, William Frederick Farrar, Esq. Crawford, Geoffrey Robertson, Esq., D.C.M. Cross, Douglas Donald, Esq. Cutler, Charles Benjamin, Esq. Dalton, Thomas William, Esq. Dalton, Thomas William, Esq. Darby, Evelyn Douglas, Esq., B.Ec. Deane, Bernard Sydney Llewellyn, Esq. Doig, Benjamin Cochrane, Esq., B.A. Downing, Francis George, Esq. Earl, Clarence Joseph, Esq. Ellis, Kevin, Esq., LL.B., B.Ec. Enticknap, The Hon. Ambrose George (d) Ferguson, Laurie John, Esq. Fife, Wallace Clyde, Esq. Fitzgerald, Raymond Leo, Esq. Fitzgerald, Raymond Leo, Esq. Fraser, Donald Stewart, Esq. Fraser, Donald Stewart, Esq. Fraser, Donald Stewart, Esq. Freudenstein, George Francis, Esq. Gollan, The Hon. William McCulloch Green, Frederick, Esq. Griffith, Ian Ross, Esq.	Neutral Bay. Kurri Kurri. Willoughby. Raleigh. Tenterfield. Cook's River. Cook's River. Tamworth. Nepean. Leichhardt. Lismore. Wollongong-Kembla. Vaucluse. Kogarah. Barwon. Georges River. Orange. Sutherland. Manly. Hawkesbury. Blacktown. Temora. Burwood. Ryde. Fairfield. Coogee. Murrumbidgee. Merrylands. Paddington-Waverley. Wagga Wagga. Gloucester. Dubbo. Illawarra. Gordon. Young. Randwick. Redfern. Cronulla.
Green, Frederick, Esq	Redfern.
Heffron, The Hon. Robert James	Maroubra.

Hills, The Hon. Patrick Darcy	Phillip.
Hughes, Davis, Esq	Armidale.
Hunter, David Benjamin, Esq	Ashfield-Croydon.
Jackson, Harold Ernest, Esq	Gosford.
Jackson, Rex Frederick, Esq	Bulli.
Jordan, Leslie Charles, Esq., LL.B.	Oxley.
Jouan, Lesite Charles, Est., L.B.	Bathurst.
Kelly, The Hon. Christopher Augustus	
Kelly, Robert Joseph, Esq.	East Hills.
Lamb, The Hon. William Henry (e)	Granville.
Landa, The Hon. Abram, LL.B	Bondi.
Lawrence, Walter Richard, Esq	Drummoyne.
Lawson, Joseph Alexander, Esq	Murray.
Lewis, Thomas Lancelot, Esq	Wollondilly.
McCartney, Robert Arthur, Esq	Hamilton.
McCaw, Kenneth Malcolm, Esq	Lane Cove.
McMahon, The Hon. John Michael Alfred	Balmain.
McManon, the Holl John Michael Africa	
Maher, The Hon. Ray Septimus, B.A	North Sydney.
Mahoney, Daniel John, Esq	Parramatta.
Mallam, Heathcote Clifford, Esq	Dulwich Hill.
Mannix, The Hon. Norman John	Liverpool.
Morris, Milton Arthur, Esq	Maitland.
Morton, Philip Henry, Esq	Mosman.
Murphy, Thomas Patrick, Esq	Concord.
Neilly, George Henry, Esq	Cessnock.
Nott, Leo Mervyn, Esq	Mudgee.
Nott, The Hon. Roger Bede	Liverpool Plains.
Padman, Dudley Gordon, Esq.	Albury.
Powell, Arthur Thomas, Esq. (f)	Bankstown.
Punch, Leon Ashton, Esq. (/)	
Puricity Levil Asimon, Esq.	Upper Hunter.
Purdue, Frank Outen Jensen, Esq	Waratah.
Renshaw, The Hon. John Brophy	Castlereagh.
Rigby, William Matthew, Esq	Hurstville.
Robinson, Ian Louis, Esq	Casino.
Robson, James Hutchins, Esq., M.M.	Hartley.
Ryan, The Hon. Phillip Norman	Marrickville.
Ryan, Thomas Vernon, Esq	Auburn.
Seiffert, John Wesley, Esq	Мопаго.
Sheahan, The Hon. William Francis, Q.C., LL.B	Burrinjuck.
Simpson, The Hon. James Brunton	Lake Macquarie.
Sloss, Albert Ross, Esq.	King.
Stephens, Stanley Tunstall, Esq.	Byron.
Stewart, John Julius Thomas, Esq.	Kahibah.
Storey, Sydney Albert Dawson, Esq	
Storey, Sydney Abert Dawson, Esq	Hornsby.
Tonge, Arthur, Esq	Canterbury.
Treatt, The Hon. Vernon Haddon, M.M., Q.C., M.A., B.C.L.	Woollahra.
Tully, Laurence John, Esq., B.A., LL.B.	Goulburn.
Wattison, William Ernest, Esq	Sturt.
Weiley, William Robert, Esq	Clarence.
Wetherell, The Hon. Ernest	Cobar.
Willis, Eric Archibald, Esq., B.A	Earlwood.
Wyatt, Stanislaus, Esq	Lakemba.

<sup>(</sup>a) Deceased 22nd October, 1959.

<sup>(</sup>b) Elected 12th December, 1959. (c) Elected 12th September, 1959.

<sup>(</sup>d) Granted leave of absence from 12th August, 1959, on account of absence from the State.
(e) Granted leave of absence from 11th November, 1959, on account of illness.
(f) Granted leave of absence from 19th November, 1959, on account of illness.

# Joint Sitting of Members of the Pegislative Council and Members of the Pegislative Assembly,

in the Tegislative Council Chamber on Mednesday, 20th April, 1960, convened pursuant to Section 5B of the Constitution Act, 1902,

### as amended.

# Members Present

. Mr. Askin, M.L.A. Mr. Bannon, M.L.A. Mr. Beale, M.L.A. Mr. Black, M.L.A. Mr. Booth, M.L.A. Mr. Brain, M.L.A. Mr. Brown, M.L.A Mr. Bruxner, M.L.A. Mr. C. A. F. Cabill, M.L.C. Mr. T. J. Cabill, M.L.A. Mr. Chaffey, M.L.A. Mr. Chapman, M.L.A. Mr. Coady, M.L.A. Mr. Cockerill, M.L.C. Mr. Colborne, M.L.C. Mr. Compton, M.L.A. Mr. Connor, M.L.A. Mr. Coulter, M.L.C. Mr. Crabtree, M.L.A. Mr. Crawford, M.L.A. Mr. Cross, M.L.A. Mr. Cutler, M.L.A. Mr. C. A. Dalton, M.L.C. Mr. T. W. Dalton, M.L.A. Mr. Day, M.L.C. Mr. Darby, M.L.A. Mr. Deane, M.L.A. Mr. Doig, M.L.A Mr. Dougherty, M.L.C. Mr. F. G. Downing, M.L.A. Mr. R. R. Downing, M.L.C. Mr. Earl; M.L.A. Mr. Ellis, M.L.A Mr. Enticknap, M.L.A. Mr. Erskine, M.L.C. Mr. L. J. Ferguson, M.L.A. Mr. W. G. Ferguson, M.L.A. Mr. Fife, M.L.A. Mr. Ford, M.L.A Mr. Fowles, M.L.A. Mr. Fraser, M.L.A. Mr. Freudenstein, M.L.A. Mr. Gollan, M.L.A. Mr. Graves, M.L.C. Mr. Green, M.L.A. Mr. Griffith, M.L.A Mr. Hawkins, M.L.A Mr. Hearnshaw, M.L.A. Mr. Heffron, M.L.A. Mr. Hills, M.L.A. Mr. Hughes, M.L.A. Mr. Hunter, M.L.A. Mr. H. E. Jackson, M.L.A. Mr. R. F. Jackson, M.L.A.

Mr. R. S. Jackson, M.L.C. Mr. C. A. Kelly, M.L.A. Mr. R. J. Kelly, M.L.A. Mr. J. D. Kenny, M.L.C. Mr. Lamb, M.L.A. Mr. Landa, M.L.A. Mr. Lawson, M.L.A. Mr. Lewis, M.L.A. Mr. Love, M.L.C Mr. McCaw, M.L.A Mr. McMahon, M.L.A. Mr. Mahoney, M.L.A. Mr. Maloney, M.L.C. Mr. Murray, M.L.C. Mr. Maher, M.L.A. Mr. Mallam, M.L.A. Mr. Mannix, M.L.A. Mr. Morris, M.L.A. Mr. Morton, M.L.A. Mr. Murphy, M.L.A. Mr. Neilly, M.L.A. Mr. L. M. Nott, M.L.A. Mr. R. B. Nott, M.L.A. Mr. O'Dea, M.L.C. Mr. Peters, M.L.C. Mr. Powell, M.L.A. Mr. Punch, M.L.A. Mr. Renshaw, M.L.A. Mr. Rigby, M.L.A. Mr. Robinson, M.L.A. Mr. Robson, M.L.A. Mrs. Roper, M.L.C. Mr. P. N. Ryan, M.L.A. Mr. T. V. Ryan, M.L.A. Mr. Seiffert, M.L.A. Mr. Sheahan, M.L.A. Mr. Simpson, M.L.A. Mr. Sloss, M.L.A. Mr. Stephens, M.L.A. Mr. Stewart, M.L.A. Mr. Storey, M.L.A Mr. Sutherland, M.L.C. Mr. Thom, M.L.C. Mr. Tonge, M.L.A. Mr. Treatt, M.L.A. Mr. Tully, M.L.A. Mr. Wattison, M.L.A. Mr. Weiley, M.L.A. Mr. Weir, M.L.C. Mr. Wetherell, M.L.A. Mr. Williams, M.L.C. Mr. Willis, M.L.A. Mr. Wright, M.L.C. Mr. Wyatt, M.L.A.

CONSTITUTION AMENDMENT (LEGISLATIVE COUNCIL ABOLITION) BILL, 1960

Hon. members convened at 11 o'clock, a.m., pursuant to messages from His Excellency the Governor.

The Hon. R. S. MAHER, M.L.A., took the chair.

THE CHAIRMAN: Pursuant to section 5B, subsection (6) of the Constitution Act, 1902, as amended, in the absence of the President of the Legislative Council I shall preside at this joint sitting. I direct the Clerk of the Parliaments to read the text of the Messages from His Excellency the Governor dated 13th April, 1960, addressed to both the Legislative Council and the Legislative Assembly convening the joint sitting, and also the Address-in-Reply to His Excellency's Message adopted by the Legislative Council.

The Clerk of the Parliaments read His Excellency's Message, and began to read the Address, in reply to His Excellency's Message, adopted by the Legislative Council.

Mr. C. B. CUTLER, M.L.A.: Mr. Chairman, on a point of order. I take the point of order under Standing Order 86 of the Legislative Council that the whole proceedings at this meeting are out of order, and that the proceedings prior to this meeting are also out of order and completely illegal under the provisions of the Constitution. Section 5B (1) of the Constitution Act provides, in effect, that a joint meeting may be convened by the Governor subject to certain conditions laid down by that subsection being fulfilled. The Constitution in providing that the Governor may convene a joint sitting envisages that the correct and legal proceedings will be carried out and that the correct and legal advice will be tendered to His Excellency by the executive Government. I take the point that in this matter that has not been done. I take this point of order on three grounds: First, that three months did not elapse, under section 5B (1) of the Constitution Act before the Government reintroduced into the Legislative Assembly the bill to abolish the Legislative Council—

The CHAIRMAN: Order! The hon, gentleman has taken a point of order contending that the provisions of a standing order of the Legislative Council have been breached. Which standing order does the hon, gentleman say has been breached?

Mr. C. B. CUTLER: I have taken the point of order that, not only have standing orders been infringed, but also that the meeting as at present constituted is illegal under the Constitution.

The CHAIRMAN: It is not for this joint sitting to determine whether or not it is illegal. That is a matter for the judges, applying their forensic skill. My task this morning is to determine whether the standing rules and orders of the Legislative Council are being complied with. If the hon, gentleman will intimate to me a particular standing order that he claims has been infringed, I can judge the point; so far he has not done so.

Mr. C. B. CUTLER: Mr. Chairman, I take the point again that the whole meeting this morning, which has been convened by His Excellency the Governor under section 5B, is illegal. (*Interruption*.)

The CHAIRMAN: Order! Let me make the position quite clear. I am not a jurist. I do not know whether today's meeting is legal or illegal; neither does the hon. gentleman. That is a matter for vital consideration by the courts to which the point might be taken. All that I have to do this morning is to see that a meeting is held as directed

by His Excellency the Governor, and that certain standing orders, as contained in the *Parliamentary Handbook* are observed. The hon, gentleman has not raised a point of order; therefore, I do not propose to hear him further. The Clerk of the *Parliaments* will continue.

The Clerk of the Parliaments concluded reading the Address-in-Reply by the Legislative Council to the Message of His Excellency the Governor.

The CHAIRMAN: I have to announce that, in compliance with section 5B (6) of the Constitution Act, 1902, the standing rules and orders of the Legislative Council shall, so far as practicable, apply to the proceedings of this joint sitting.

Mr. C. B. CUTLER: Mr. Chairman, may I ask you a question?

The CHAIRMAN: Yes, the hon. member may proceed.

Mr. C. B. CUTLER: Mr. Chairman, you ruled me out of order a moment ago when I tried to take a point of order, and you said that you were not in a position to rule whether this meeting is legal or otherwise. Will you tell me now whether you are prepared to chair the meeting though you do not know whether it is legal or not?

The CHAIRMAN: I have a direction from His Excellency the Governor on behalf of Her Majesty the Queen that the members of the lower House shall meet here today, and we have come along. Though I am clearly of the opinion that the meeting is legal, I shall not argue the question. The sole point I am making is that my purpose today is not to take sides in the issue but merely to see that the standing orders are observed. If a member rises to his feet under the guise of taking a point of order and, instead of taking a point of order, raises an abstruse, constitutional, legal, forensic point and asks me to declare that this joint sitting is out of order, I will not hear him.

The deliberation on the Constitution Amendment (Legislative Council Abolition) Bill may now commence.

The Hon. R. J. HEFFRON, M.L.A.: Every hon. member will be aware of the events that have led to this unique meeting of the members of the two Houses in one sitting. The bill which the Government has placed before Parliament proposing, with the approval of the electors, the abolition of the Legislative Council was passed by the Legislative Assembly last year on 2nd December. The Legislative Council refused to consider the bill. The Government has taken the view that this amounted to a rejection of the bill in the upper House, and that the rejection was complete, final and effective on the date of its refusal. Accordingly the bill was reintroduced in the Assembly and it passed the third-reading stage a second time in that Chamber on 6th April. The Legislative Council again refused to consider the bill.

It was made clear in the message, which accompanied the bill to the Legislative Council the second time, that these proceedings were being taken pursuant to section 5B of the Constitution, and the Council was aware that the Government was treating the situation as a deadlock between the two Houses. The Council was aware that, in this situation, section 5B would apply. The Government introduced the bill in the Legislative Assembly, with the full knowledge that, at one time, it had been claimed that a bill which affects the rights and privileges of one chamber should originate in that Chamber, but it was clear from the authorities that this was a rule of courtesy only and was never binding. It is also clear that any validity, which this rule may have had before 1933, had been abrogated by the enactment of section 5B in that year,

The section clearly contemplates that a bill for the abolition of the Legislative Council might be introduced in the Legislative Assembly and, if the deadlock provisions of the Constitution are to be used, the bill must originate in the Assembly. On the last occasion, in 1946, when a similar bill was introduced in the Legislative Council, that eminent constitutional lawyer, Sir Henry Manning, criticised the Government for introducing the bill in the upper House. He said that the deadlock provisions could work only if the bill were introduced in the Assembly. He asked why the Government did not make a certainty of holding a referendum by applying the existing law, under which it could force a referendum despite any opposition by the Council.

On the present occasion, we could not overlook the possibility of an adverse vote in the upper House and, since our intention was to have a referendum in any event, the bill was introduced in the Assembly. We have attempted to follow the steps set out in the Constitution for the referendum. Twice the bill has been passed by the lower House, and twice it has been rejected by the upper House. The next step, which the Constitution calls for, is a free conference between managers of the two Houses. The Legislative Assembly requested such a conference and appointed managers on its behalf for that purpose, but the Legislative Council has persisted in refusing to obey the terms of the Constitution.

The Government is satisfied, on the advice of its legal advisers and on the opinion of counsel which has been obtained, that the disagreement between the two Houses has created a situation which has attracted the operation of section 5B, and therefore the Legislative Assembly was in order in calling for the free conference. The Government is also satisfied, on the same advice, that all steps required by the Constitution Act have been taken to permit the Governor to convene the joint sitting. Since the purpose of the joint sitting is to attempt to effect a reconciliation between the two Houses, I should like now to put briefly the reasons why the Government considers that the upper House should concur in this bill. This legislation is intended as a fulfilment of the promise which the Labor Party made at the time of the elections in 1959. The late Mr. Cahill said:—

The Government proposes to give the people of New South Wales an opportunity, by referendum, to determine whether the Legislative Council should remain part of our Legislature.

For more than 100 years, ever since the establishment of the bicameral system in New South Wales, there has been dissatisfaction with it. On an average of once in every nine or ten years, the government of the day has made a concerted move to reform the constitution of the upper House or to abolish it, and nearly always these moves have been frustrated by the Legislative Council itself. This, I think, is sufficient to show that the people in general and their elected representatives are not satisfied with the present form of the Legislature. One of the few successful attempts to change the Council was the 1933 Reform Bill. The nature of the reform effected by that bill is well known; and it is almost equally well known that this reform has been a failure.

The Liberal Party itself recognises that the present constitution of the upper House is unsatisfactory. In his speech to the Legislative Assembly only a few short weeks ago the Leader of the Opposition—the Leader of the Liberal Party—said that his party believed in the reform of the Council on the following basis: (1) a general franchise; (2) election of members of the Legislative Council for a term substantially different from that of members of the Legislative Assembly; and (3) upper House members should be elected by a different electorate from that for lower House members. The Liberal Party was offered a reform on this very basis in 1943, and opposed it. Incidentally, the Labor Party's bill of 1943 had been part of the policy on which, two years earlier, it had been elected to office. Proposals for a referendum to abolish the

The Hon. R. J. Heffron, M.L.A.]

Council were made in the policy speeches of the Australian Labor Party in 1944 and again in 1959. Following the 1944 election an abolition bill was introduced in the Council and rejected.

Following our promise to the people last year, this bill was introduced in the Legislative Assembly, with the results that I have already outlined. One is tempted to say that the Opposition parties are not willing to say what they want in relation to the upper House. Seventeen years ago they were offered a reformed upper House along the lines they now claim to be necessary, but they rejected it. Twice the Government has promised the electorate that a referendum would be held, and twice the Liberal and Country parties have opposed it. I put it to this joint meeting that the Opposition wants no change at all. It does not want a referendum. It is not willing to seek the opinion of the people on this question. After all, this is all that the Government is seeking to do.

I should like to refer briefly to the address that the Legislative Council sent to His Excellency the Governor in reply to the message calling this joint sitting of the members of the two Houses. His Excellency called the members of the two Houses together to deliberate on this bill. If, as the majority of the members of the upper House contend, the action of the Governor was not authorised by the Constitution Act, then their attendance at the joint sitting would have no effect. It would not make constitutional an action that they claim is unconstitutional. Surely their duty, out of respect for the high office of the Governor, was to attend in response to his summons, and to argue, when the proper occasion arose, that their attendance was of no effect, and that the calling of the joint sitting and all subsequent proceedings would be a nullity. But instead they bluntly refused His Excellency's summons to attend this meeting. They informed him that the Legislative Council did not consider that any situation had arisen giving the Governor the right to invoke the provisions of section 5B, and, "for that reason, the Members of this House regard it as their duty not to attend or to participate in the joint sitting."

It is true that the Legislative Council is, at least at present, an essential part of our Legislature; but it is not entitled to interpret the laws of the Parliament of New South Wales. The Government is satisfied with the actions it took and that the advice it tendered to His Excellency was well founded, both in law and constitutional practice. If any dispute is to arise about the law, Parliament has established appropriate tribunals for settlement of these questions. It is not the function of any single House of Parliament to decide either what the law shall be or what the existing law means. This last action of the Legislative Council in usurping the functions of the courts of law makes it ever the more urgent that the people should be allowed an opportunity to say whether they wish the Legislative Council to continue in existence or not.

Mr. R. W. ASKIN, M.L.A.: As the Premier has claimed that this meeting is constitutional, I take it that I am in order in putting a contrary point of view. All the advice that I have received points to the fact that this meeting today between some members of the Legislative Assembly and the Legislative Council is unconstitutional. I shall state briefly my reasons. First, the meeting purports to be a joint sitting of the two Houses, but everyone knows from what the Clerk of the Parliaments read a moment ago, that the Legislative Council has decided not to be a party to the proceedings in this Chamber today. I call attention to section 22 (2) of the Constitution Act, which provides:

All questions arising in the Legislative Council shall be decided by a majority of the votes of the Members present other than the President . . .

If the Legislative Council has decided by a majority vote in accordance with section 22 (2) of the Constitution Act not to be represented at this meeting then, in fact, no

joint sitting is held. The fact that a minority of the members of the Legislative Council have attended without the authority of their own House, in my opinion, brings those members into contempt of their own Chamber. That must be threshed out later.

I know that section 5B of the Constitution Act provides that the Governor may, the fulfilment of certain conditions precedent, convene a joint sitting after members of the Legislative of Legislative Council and the Assembly, but I do not think any one would doubt that this means, legally, with the approval of the Houses. I am sure that no one will cavil at that. It is fundamental in our democratic system that the will of the majority shall prevail. This is a situation in which a joint sitting of the two Houses is called for, but only one Chamber is officially represented. Certainly, dissident members of the Legislative Council are present, but they have no status. Their presence alters in no way the decision of the Legislative Council, determined in accordance with the terms of section 22 (2) of the Constitution Act. I put it to you that if we are to have minorities act in this way, what would have happened had the decision of the Legislative Council been unanimous except for one dissenting member, and that member had attended this meeting today? Would his attendance have constituted a joint meeting of the two Houses of Parliament? I suggest that such a situation would be completely farcical, and that a claim that a joint sitting is now taking place in the face of the decision of the Legislative Councilby a majority vote—is untenable.

The Hon. G. A. SUTHERLAND, M.L.C.: I would not employ you as my barrister.

Mr. R. W. ASKIN: I would not employ you to clean my shoes.

The Hon. E. C. O'DEA, M.L.C.: You would make an excellent bootblack.

Mr. R. W. ASKIN: You look as if you have been blacking your own face.

The Hon. E. C. O'DEA: I have, trying to clean you up.

Mr. P. H. MORTON, M.L.A.: We are not used to this sort of conduct in the lower House.

The CHAIRMAN: Order! I think that all hon, members can agree that the purpose of our meeting today is to deliberate. We are not here to determine whether this meeting is constitutional. I have given every latitude to the hon, member because he is the leader of a political party represented in the Legislative Assembly, and I do not think it is appropriate for me to place serious restrictions upon him. However, if he proposes to take up all the time available to him in discussing a matter that is not germane to the subject and does not deliberate upon the bill, I will definitely rule him out of order. I hope that he will confine his remarks to the deliberation of this bill. That observation applies also to all subsequent speakers.

Mr. R. W. ASKIN: As my colleague from Mosman has said, we are not used to rude interjections in the lower House. We conduct ourselves there with more decorum. However, if anybody wants to give it to me I will be only too happy to return it to him. I shall finish briefly what I want to say about this meeting being unconstitutional. First, in my view, the conditions precedent to this joint sitting have not been fulfilled. Second, for the reasons given by Mr. Cutler recently in the Legislative Assembly, the Legislative Council cannot be said to have rejected or failed to pass the bill. Third, there has not been the free conference of managers prescribed as a condition precedent to a joint sitting. My view, formulated on legal advice, is that clearly these proceedings are unconstitutional.

I realise that the Constitution must be made to work, but I submit that the Government has other alternatives. The Premier mentioned that matter in his speech. Apparently he felt a little uncomfortable, as he dealt with it at some length. One alternative is that this bill could have been introduced in the Legislative Council. To do that would have tested the Government's bona fides, and there is no reason why it could not have been done.

At a meeting like this, when one speaker puts up a certain argument, it is open to another to present the opposing point of view and to answer any question raised by the first speaker. The Premier mentioned something about disrespect being shown to the Governor by the Legislative Council's refusal to attend this meeting. He said it was an affront or a word to that effect. As far as I am concerned, and I am sure that as far as all members of both Houses are concerned, there has never been the slightest intention to show any disrespect to the Governor. Let us start with that assumption.

Mr. G. Booth, M.L.A.: That is why all members of the Legislative Council are not here to-day?

Mr. R. W. ASKIN: I am attempting to put the argument in good faith. If Government supporters want to argue about it and suggest that it is disrespectful for the majority of members of the upper House to absent themselves from this sitting, I say bluntly that they are being hypocritical. Their Labor platform at page 65 provides for abolition of the office of State Governor. What heights of hypocrisy can Government supporters attain? Obviously their suggestion cannot be accepted. My colleagues and I, and people of our political persuasion, hold the Governor in high esteem. He is held in high esteem by all sections of the community.

The Premier has dealt with the proceedings leading up to this meeting, which purports to be a joint sitting. He said that the Liberal Party in the lower House has asserted that it believed in reform of the Legislative Council. That is true; we do believe in reform. I regret very much that the Government, which now, through the mouth of the Premier seems almost favourably inclined to reform of the upper House as an alternative to abolition, did not hearken to us previously when we suggested reform as an alternative to abolition. We think that reform would meet with a favourable reception by an overwhelming majority of voters. However, the former Premier peremptorily rejected my suggestion that there should be a referendum based on reform. It was mentioned that the Liberal Party in the other place had supported the idea of a referendum. I think we have proved our bona fides in that respect.

The Government brought forward a measure for a referendum on the abolition of the upper House. The Liberal Party in the lower House, for good and sufficient reasons that I gave at the time—there is no need to repeat them in detail—supported the Government's bill. It is unusual for the Liberal Party to support a Government measure. We took the view that the Government, through the press and its spokesmen, had repeatedly claimed that it had the numbers in the lower House and the upper House to put the measure through. The former Premier declared that the measure would go through in 1959 and the referendum would be held in the early part of 1960. Had that been done, it would have been all over by now and the only expense would have been in the holding of the referendum. With that in view, and believing that the ranks of Labor were solid—"solidarity for ever"—we agreed to the measure providing for a referendum. What happened then? It was proved that the ranks of the Labor Party were not solid; they were sharply divided and a big section of the party was unwilling to support the Government in its move for a referendum.

The Liberal Party is concerned with the public interest. Instead of a referendum being held in clear-cut fashion in the early part of this year, the public is now faced

with protracted litigation, which will undoubtedly finish in the Privy Council. The public will have to foot the bill for substantial legal costs, and on our advice there is no possibility of a decision's being reached during the life of this Parliament, as required by the Constitution Act. That is an entirely different situation, and we feel that we can support the Government no longer. We believe—and I think it is true—that the Government is merely going through a series of procedures designed primarily to placate its masters at the Trades Hall and to put itself in a strategic position at the approaching June conference of the Australian Labor Party. We believe—I believe it sincerely—that after the June conference we shall hear very little of these moves to force a referendum. The matter will suddenly lose much of its importance.

The Premier in his speech attempted to make considerable use of the fact that his predecessor had promised that this matter would be submitted to the people. He based much of his case on the fact that the Government had promised the people that they would be given an opportunity of deciding this question. We on this side of the House, from long and bitter experience, do not place much faith, or weight, in the Government's promises. I think it is proper, when assessing the value that we should place upon a promise to consider other promises that were given to the people: for instance, the promise of 90,000 homes for the people within three years; and the promise to provide this State with the best transport system in the world.

The Hon. W. F. SHEAHAN, M.L.A.: On a point of order. I submit that in discussing this important constitutional matter at this conference convened by the Governor, it is grossly improper to bring in side issues relating to the building of houses, the registration of dogs, or anything else, and that the hon. member is out of order.

The CHAIRMAN: The point of order that has been taken is unquestionably correct. However, I want there to be no question of any restriction being placed on the speeches that are made. I have no doubt that the hon, member is aware that I have extended to him a fair amount of latitude. Now he has digressed on to another matter. I ask the hon, member to confine his remarks to the matter before the conference.

Mr. R. W. ASKIN: The hon. member who came from my rear—which is the correct place for him—with a point of order——

The CHAIRMAN: Order!

Mr. R. W. ASKIN: He took the point of order when I had just concluded that section of my remarks.

Mr. E. A. WILLIS, M.L.A.: How about the promise of a bill of rights?

Mr. R. W. ASKIN: That was another promise.

The CHAIRMAN: Order! This sort of thing is intolerable. I have just called Mr. Askin to order for irrelevancy, but my remarks were followed deliberately by an irrelevant interjection by his deputy. This joint sitting is not going to develop into a burlesque. Let me make that abundantly clear. If any hon. member intends to make a clown of himself and of this assembly, let him stand up and be named. I will take the proper course of action to eject from the Chamber any hon. members who offend.

Mr. R. W. ASKIN: Other hon. members will wish to speak, and I have just about concluded my remarks on that aspect. We take a different view altogether from the one advanced by the Premier. In summarising the position, it is quite clear that the Opposition parties in the lower House have an entirely different view

from the Government. My belief is that these proceedings are unconstitutional. Whether they are will probably be threshed out in another place, as you, Mr. Chairman, have foreshadowed. My own belief is that we are not likely to get very far with these proceedings today. It is quite apparent that there is no hope of reconciliation. We are going through certain motions that the Government wishes to to go through: I do not believe—and I do not think anyone else will suggest—that anything we do here this morning or this afternoon is likely to affect the final issue. We are merely going through a procedure that the Government wants to follow. My colleagues and I believe that it is unconstitutional and that there is no point in doing so. We have come along to demonstrate that we are willing to co-operate up to a point, but we believe that we are not likely to get very far here today.

After those who wish to speak have expressed their views—though I do not know that any points can be raised other than those already advanced by the Premier, Mr. Cutler and me, for the matter has been discussed at length in both Chambers—the sooner the proceedings are terminated the better. In some ways there is a risk that if we are not careful this morning Parliament as an institution in this State will suffer. We all need to bear in mind that some people outside who owe their allegiance overseas are only too ready to traduce and to speak derogatively of our parliamentary institutions. Hon, members are today making parliamentary history at this meeting. They can take part in the thrust and parry of debate and look after themselves when they are attacked. However, there are certain limits and most hon, members on both sides of both Houses abide by them. I feel that I am in order in pointing out that there are people outside who want to do away with the whole lot of us—not just the Legislative Council.

The Hon. C. COLBORNE, M.L.C.: After the general elections next year a few hon. members will be missing.

- Mr. R. W. ASKIN: The hon, member would be welcome to contest the seat of Collaroy. In the past I have generally had tough opponents. I do not know whether I stung the hon, member on the quick by my reference to outside organisations. I do not know his name and I cannot tell whether he is a member of such an organisation. These proceedings so far have been quite sedate, allowing for the fact that we are all parliamentarians. Hon, members would be ill advised to allow matters to get out of hand and so play into the hands of those outside who want to destroy our institution. I do not propose to take up more time of hon, members, and conclude by saying that these proceedings from start to finish are unconstitutional.
- Mr. C. B. CUTLER, M.L.A.: The Premier, in addressing the meeting a few moments ago, said that the Opposition did not want a referendum. I invite him, even at this late stage, to call Parliament together immediately and introduce a bill for a referendum on the retention of the bicameral system in New South Wales. I pledge the support of the Country Party to that bill. If the Premier will follow that course there is no doubt that a referendum can be held in this State on that particular subject at any time the Premier wants it, with the support of those of us on the Opposition benches.

I assume that hon, members are here today to discuss this bill. This is a rather unusual procedure for no resolution is before the meeting. The Premier himself and every other hon, member in attendance must know that even this bill is unconstitutional. It is introduced pursuant to section 5B of the Constitution Act, 1902, but there is nothing whatever in that section that has to do with the prevention of the reformation of any Chamber, assembly or House other than the Legislative Assembly. The Constitution provides for a referendum following certain proceedings but, as the Premier

must know, it contains no provision for the prevention of the setting up of any other type of House. If hon, members are to discuss the bill today, I assume that they are entitled, also, to discuss its legality.

The CHAIRMAN: That has been fairly well canvassed.

Mr. C. B. CUTLER: You, sir, as the Chairman of this meeting, allowed the Premier to discuss the legality of the measure and to reply to some points taken in other places on the question whether the measure is legal. Surely, if the Premier is allowed to reply to those points I and the Leader of the Opposition are entitled to refer to them also.

The CHAIRMAN: Order! On this point let us get the correct mental approach to the bill right from the start. We have been called today to a meeting convened by His Excellency the Governor to deliberate upon a bill. If it is proposed to talk about the ætiology and the history of the bill, its causes and the reason why it did not reach certain stages, let us meet some other time for that purpose. It is obvious that a certain amount of historical background must be traversed by the Premier at the beginning of his remarks at this joint sitting, but if hon. members want to make that the sole subject of conversation today we might as well shut up shop. I do not propose to permit it. I repeat that today we are here to deliberate upon the bill. Already far too much time has been spent on the constitutional angle, which, as I have already intimated, is not for me or any hon. member to decide: it is for the courts. Today the meeting will discuss the bill itself, and if the hon. member is not willing to discuss and deliberate upon the bill, as we have been instructed to do by His Excellency the Governor, I am not willing to listen to him.

Mr. K. M. McCaw, M.L.A.: On a point of order. I respectfully point out, sir, that the Premier in his address spent much time in seeking to uphold what he alleged was the constitutionality of the steps that have been taken by the Government. Then—and this is the relevant part of my submission—he took it upon himself to criticise members of the Legislative Council in respect of the message sent to His Excellency the Governor. The Premier expressed the view that their proper and respectful course would have been to attend this meeting and here to raise the question of the constitutionality of the matters involved. I submit that the Premier, in opening the discussion in that way, has suggested, as leader of the Government, that at this meeting hon members should be able to deliberate upon those matters. I therefore submit that the effect of your ruling, Mr. Chairman, would be to frustrate the purpose that the Premier himself has laid down as a basis for this meeting.

The Hon. W. F. SHEAHAN, M.L.A.: On the point of order. I submit that this meeting has been convened by His Excellency the Governor for the purpose of discussing a bill about which there has been a dispute between the two Houses relevant to its appropriate passage. The letters patent constituting the office of Governor lay down certain procedure that must be obeyed by all persons, irrespective of who they may be. They give to the Governor powers to uphold the Constitution and to discharge duties pertaining to his office. One of the matters in which the letters patent point out precisely what should be done is contained in Article XIV, which reads:

And We do hereby require and command all Our officers and Ministers, and all other the inhabitants of the State, to be obedient, aiding, and assisting unto the Governor, or to such person or persons as may from time to time, under the provisions of these Our Letters Patent, administer the Government of the State.

I draw your attention particularly to the fact that this is the command of Her Majesty, through the Governor, not only to the officers of the State but also to the Ministers of the State and all other inhabitants. "All other inhabitants" must include the

members of the Legislative Council. Far from the Constitution being frustrated by the Message from the Governor, it is being frustrated by those who have refused to obey the Constitution and to obey the Message from the Governor. I submit that the discussion is perfectly in order, and should be confined completely and should relate only to the provisions of the bill. The reason for this convention is to hear views regarding the bill and to determine whether some compromise might be adopted by both Houses so that it can be put before the people. It is idle to argue whether it is in this platform or that platform, because those matters are not binding in law. However, the Constitution is binding in law upon every person in the community. I submit that in those circumstances, far from the standing orders' frustrating the Constitution, you, Mr. Chairman, by limiting the discussion to the provisions of the bill are upholding not only the Constitution but common sense as well.

The CHAIRMAN: Let me make the position clear. My purpose as the presiding officer of this joint sitting is to try to get some results. It is difficult to preside over a meeting of any character with diverse opinions; and to preside over a meeting of members of Parliament, who are expert in the art of presenting their views and are seldom reluctant to say a few words, particularly when they have conflicting opinions, is most exacting. Today we are asked to deliberate and I want to see this joint sitting deliberate. If we are going to allow the entire day—and probably a series of days—to be taken up with the discussion of points that are irrelevant to the bill itself, then we are to give our consent to a series of vacillations, prolongations and peregrinations which do nothing else but stonewall. I do not propose to be a party to that. If members do not wish to deliberate upon the bill, I shall have pleasure in closing the joint sitting. It is not in order for members to fritter away the valuable time of all other members, who have come from all over the State to deliberate upon this bill. It is not fair to waste time with irrelevant constitutional points, which should be determined ultimately, if necessary, in the courts.

Mr. C. B. CUTLER: Mr. Chairman, I assure you and the meeting, then, that I shall not speak for longer than five minutes. I shall say right now that the Country Party's attitude towards this bill is the same as it has always been. We are opposed to the bill; we opposed it from the moment of its introduction. We are in favour of the bicameral system of government and of the retention of the Legislative Council on its present standing. We are in favour of the retention of the bicameral system of government because almost every country in the Western world favours it. I know that hon. members can mention one or two places where the second chamber has been abolished, but in every one of those places there has been a very strong move—in New Zealand and in Queensland, and in every European country that has done away with the second Chamber—to restore it, because of the inherent dangers in single-chamber government. If anyone wants to know the views of the Country Party on this bill, I suggest that he read the speeches I have already made upon it in the Legislative Assembly. I have no intention of reiterating those speeches in this place.

I hope that you will allow me to make some reference at least to one matter that the Premier mentioned. I know that you have ruled that I cannot reply to certain submissions that have been made, but I hope you will allow me to make reference to the attendance here of members of the Legislative Council. The Government bases its case for the attendance here of individual members of the Council upon the fact that the Constitution Act says that "members" of the Legislative Assembly and "members" of the Legislative Council should attend this joint sitting. That is not completely in accordance with fact. The Constitution Act says that "the members" of the Assembly and "the members" of the Council will attend this meeting. The word "the" implies that all of the members of the Council and all of the members

of the Assembly shall attend this meeting, and "all of the members" means the particular House of Parliament concerned, the Legislative Assembly or the Legislative Council. In any case, there has been a vote in the Legislative Council, and that vote, in my knowledge of parliamentary procedure, is binding upon the members of that House. If that is not so and if it is correct for members on the Opposition side—

The Hon. C. A. F. Cahill, M.L.C.: On a point of order! The hon. member is infringing your ruling, Mr. Chairman, and is also, in my submission, infringing Standing Order 81, which provides that no member shall digress from the subject matter of the question under discussion. The question under discussion here is solely this bill.

Mr. P. H. MORTON, M.L.A.: On the point of order! I take the point of order that you allowed the Minister for Health, under the guise of taking a point of order, to debate the very question that you ruled members on this side could not debate. I take it, Mr. Chairman, that even if we remain here all day you must in fairness hear both sides of the question. If you allow a Minister under the guise of a point of order to debate an issue which you debar us from debating, I put it to you quite frankly that you are not being fair.

The CHAIRMAN: The hon. member says that I have to listen to both sides of the case. I should be happy to hear one side of it. So far members have talked about everything except what we have come here to discuss. All the points which have been raised by the Premier have been answered satisfactorily. In view of the point taken by the Hon. C. A. F. Cahill, that Standing Order 81 of the Legislative Council provides that no member shall digress from the subject matter of the question under discussion, I must rule that the subject matter here is the deliberation on this bill, and not the constitutional history of it. Therefore, anything else is out of order.

Mr. C. B. CUTLER: On the understanding that I would be given the right to refer to those points, I gave an undertaking that I would speak for no more than five minutes. I withdraw that undertaking. The bill that we have before us is one which, in the contention that I made on its original introduction in the Legislative Assembly some five months ago, has one purpose only: to abolish the Legislative Council of New South Wales. It has no other purpose. I have never believed a contention put forward by members—some on both sides of the House—that the intention of the bill is to bring about a referendum in New South Wales. If it is a referendum that is required, that referendum should be the subject of a specific motion moved by the Premier. I have already given an undertaking that the Country Party will support such a bill. I certainly do not give an undertaking that, at any subsequent referendum, the Country Party will support the contention which the Premier put forward that we should do away with the bicameral system of government in New The Country Party will oppose any suggestion along those lines as strongly as it possibly can and for as long as it can, because we firmly believe that the bicameral system of government has served this State so well for 100 years, and will, subject to the dictates of the Trades Hall, continue to serve this State well in the future.

I take the view that this is not a case of the Opposition versus the Government on a matter of policy, or even of the bicameral system of government against the unicameral system. I take the view—and I leave it at this—that this is a matter of a legality versus an illegality. If any person in this State breaks a law of this State and a charge is laid against him, that person must answer that charge in the courts of this land—courts that the Premier said this Parliament had established. Surely if that sanction applies to an individual in this community, it must apply also to the appointed representatives of the people in Parliament assembled. Surely if it is the responsibility

of an individual to obey the laws of this State, it is even more the responsibility of the Government of this State to obey the laws that it itself and past governments of New South Wales have framed. I have said that if a charge is laid against an individual, he must answer that charge in a court. I lay a charge—and it has been laid in other places—on the advice of the highest legal authorities available in this State, that the Government, in carrying out its present action is acting against the laws of this State.

The CHAIRMAN: Order! The hon, gentleman is obviously discussing the Constitution Act, 1902. Today we are discussing a bill to abolish the upper House. I will not tolerate any further discussion on the Constitution Act, 1902. The hon, gentleman is doing his best to get around my ruling. There has been ample discussion on the Constitution. If the hon, gentleman wants to continue to discuss the Constitution Act, he can do so over the week-end in Orange, but he cannot do it here this morning.

Mr. C. B. CUTLER: I thank you very much for your offer, sir. I make one final appeal to the Premier and to the Government.

The Hon. C. A. F. CAHILL, M.L.C.: What about discussing the bill?

Mr. C. B. CUTLER: What about you keeping quiet? I make one final appeal to the Government, which is, that it should allow the court to decide this issue. I must canvass your ruling, Mr. Chairman, to make my final statement on this matter.

The CHAIRMAN: Order! I have made the point abundantly clear that we are not discussing the Constitution Act, 1902. We all know what its provisions are. Any points raised, which related briefly to its history, have been answered by the hon. member for Collaroy, and further discussion is superfluous. I feel that some hon. members are deliberately stonewalling so as to prevent our carrying out the direction of His Excellency the Governor, which is to deliberate on this bill. Therefore, if the hon. gentleman tells me that he must canvass my ruling, I instruct him to sit down.

Mr. G. R. Crawford, M.L.A.: On a point of order. I should like you, as Chairman of this assembly, to rule whether we are here to discuss the cause of the deadlock. We all know the cause. I submit, with all due respect to you, that the main trouble between the two Houses at the moment is that one side believes that the action taken by the Government is unconstitutional and the other that it is constitutional. I think it is futile to debate only what is in this bill. We all either agree or disagree with what is in the bill and also violently disagree on its constitutionality. I submit that if you debar Mr. Cutler from discussing the constitutional aspect, then you are making this joint meeting completely futile and innocuous and we might as well now call off the proceedings.

The CHAIRMAN: Order! Mr. Crawford says in one breath that we all agree with the legality or the illegality of the bill and, therefore, we should discuss that. Then he says that we all agree or disagree with the introduction of the bill but that we should not discuss that.

Mr. G. R. CRAWFORD, M.L.A.: No.

The CHAIRMAN: Order! That is the point taken. My objection is that though we might all agree or disagree on its legality, what authority have we to determine it? Surely that is a matter not for us but for men who are skilled in constitutional law. We are here to discuss not the rights or wrongs of its legality but the rights or wrongs of the bill itself.

Mr. K. M. McCaw, M.L.A.: On a point of order. I rose to take a point of order when you, Mr. Chairman, yourself rose. When you took the chair this morning you declared that you presided in the absence of the President and would, as I understood you, preside impartially. At present there is a strong feeling growing among members on this side of the Chamber that you heard the Premier at some length—as we all did—on the constitutionality of what the Government is purporting to do. There is a strong feeling that you allowed the Minister for Health, Mr. Sheahan, under the guise of replying to a point of order—

The Hon. W. F. SHEAHAN, M.L.A.: I replied to your point of order.

Mr. K. M. McCaw: —under the guise of replying to my point of order to lecture hon. members and all other persons upon their duties under the Constitution. The point I am putting is that there is a growing feeling that you are allowing the Premier, the Minister for Health—and perhaps any other Government supporter who rises—to discuss the constitutionality of this bill, but that you, sir, have departed from your stated intention to be impartial and that you propose to shut up any member on this side who seeks to reply on this vital question, which is an essential element of the bill itself.

The CHAIRMAN: Order! If the suggestion that I am biased in any way came from a member of the Legislative Council, I should understand it, but I do not understand its coming from one who knows me and my behaviour so well in the lower House. I am trying to do what we have been told to do—to deliberate upon the bill. I think that every reasonable person would agree that it was necessary that the Premier should briefly—not at length, as suggested by the hon member for Lane Cove—refer to the constitutionality of the bill. His remarks have been replied to by Mr. Askin. That is as far as it need go. Is it intended now that we should discuss the constitutional aspect all day long, or do we propose to discuss and deliberate upon the bill? Some hon members are vociferous in saying, "Yes, we should discuss its constitutionality". I say, "No" In so ruling I hope that my decision will not be regarded as stemming from prejudice, partisanship or bias, which I respectfully submit is not part of my general disposition.

- Mr. C. B. CUTLER: In view of your ruling, and in view of the activities of the Government in this matter, my colleagues and I will not take any further part in the proceedings.
- The Hon. R. R. DOWNING, M.L.C.: I want to make only one or two brief remarks. It might be of assistance if I repeated the words the Premier used when referring to the absence of other members of the Legislative Council from this gathering.
  - Mr. G. R. CRAWFORD, M.L.A.: Does this deal with the bill?
- The Hon. R. R. DOWNING: These are the words the Premier used: "Surely their duty, out of respect for the high office—"
- Mr. G. R. Crawford, M.L.A.: On a point of order. Mr. Chairman, you have already ruled that all that can be discussed here today is the bill. In my opinion the Attorney-General is completely out of order.

The CHAIRMAN: Order! If the Hon. R. R. Downing proposes to discuss the bill, clearly he is in order, but if he reflects upon the loyalty or disloyalty of members who, for their own reasons, have absented themselves from this Chamber today, his remarks will be out of order.

The Hon. R. R. DOWNING: Mr. Chairman, unwittingly I may have transgressed your ruling, but what I wanted to put to the meeting were these words that the Premier uttered——

Mr. G. R. CRAWFORD, M.L.A.: Mr. Chairman, on a point of order. The Hon. R. R. Downing is deliberately flouting your ruling.

The CHAIRMAN: Order! "The devil himself knows not the thought of man". I do not know what the hon, member proposes to say.

Mr. G. R. CRAWFORD, M.L.A.: I do.

The CHAIRMAN: Not all of us are possessed of the omniscience of Mr. Crawford. I propose to hear what the Hon. R. R. Downing has to say, and then decide whether he has transgressed my ruling.

Mr. P. H. MORTON, M.L.A.: He has already said that he has.

The Hon. R. R. DOWNING: Mr. Chairman, I was saying that the Premier said that on the proper occasion certain matters could be discussed. The Premier had in mind the requirements of the statute that convenes this meeting. Section 5B of the Constitution Act provides that only matters contained in the bill presented by the Legislative Assembly to the Legislative Council shall be discussed. The Premier was careful to say that certain matters that have been canvassed here at length would be dealt with on the proper occasion. You, sir, have intimated in no uncertain manner what that proper occasion will be. I want to refer briefly to one matter only—the Government's bona fides in introducing this bill in the Legislative Assembly.

Mr. G. R. CRAWFORD, M.L.A.: Mr. Speaker, I submit again that all the Attorney-General can discuss is the bill. We do not want to hear about the Government's bona fides, why it has introduced the bill, or anything else. We want to hear what the Government is doing about this bill. I submit that the Attorney-General is deliberately flouting your ruling by discussing anything except the measure before the Chamber.

Mr. G. Booth, M.L.A.: Why don't you move the gag and have done with it?

Mr. G. R. CRAWFORD, M.L.A.: I am leaving it to the Chairman.

The CHAIRMAN: Order! I call Mr. Crawford to order for the first time.

About a minute ago Mr. Crawford took a point of order in anticipation of what the Attorney-General might say. The Attorney-General did not say what Mr. Crawford thought he would say. He is now taking another point of order on something else that he anticipates the Attorney-General will say. Unless we hear what the Attorney-General says, we shall not know what it is. We cannot anticipate it. I shall hear what he has to say and if in my opinion it is not in accordance with the standing orders, I will rule him out of order as effectively as I ruled out of order hon members on the other side of the Chamber. The difference, however, is that I have not been subjected, from the Government side, to the sort of unreasonable bombardment to which I have been subjected by Mr. Crawford.

The Hon. R. R. DOWNING: As I was saying, section 5B of the Constitution Act contemplates a meeting of the members of both Houses of Parliament in an endeavour to resolve the difficulties and differences that have arisen between both Chambers. Of necessity, this requirement must be permitted to work. One of the allegations made by the Leader of the Opposition was that the Government did not have a bona fide desire to submit an abolition bill to the people by way of referendum. Mr. Chairman, you can tell me if I am transgressing your ruling, but, as I understood it, the Leader of

the Opposition contended that the Government was not acting bona fide in introducing the bill. I suggest that the Government is sincere in endeavouring to have the abolition bill brought before the people of this State. Its sincerity can be tested. It is acting on the advice that Sir Henry Manning gave in the Legislative Council on two earlier occasions—first, when a bill for the reform of the Legislative Council was introduced in this Chamber, and, second, when a bill for abolition was introduced. The Hon. Sir Henry Manning was one of the architects of the provision in the Constitution Act under which we are meeting today, and also, I believe, one of the architects of section 7A, which requires the holding of a referendum. It must be clearly understood that section 7A states the powers, functions and—

Mr. T. L. LEWIS, M.L.A.: Mr. Chairman, on a point of order. Mr. Crawford took a point of order that the Attorney-General is dealing with the Constitution Act. The Attorney-General has started to quote sections of that Act. In view of your previous ruling I submit that the Attorney-General is out of order.

The CHAIRMAN: The Attorney-General is merely discussing the bill, and the motives of the framers of the bill. He is about to quote what Sir Henry Manning had to say on why a particular section, which we are discussing here this morning, was included in the Constitution Act. Clearly the Attorney-General is right on the beam. The point of order is dismissed.

The Hon. R. R. DOWNING: All I want to do is to establish that the Government has every intention of proceeding to a referendum. This is a matter that should be considered by hon. members at a meeting such as this. Differences have arisen between the Legislative Council and the Legislative Assembly, and this meeting has been called to resolve them. As the Government's sincerity has been questioned by Mr. Askin, the Leader of the Opposition in the Legislative Assembly, its sincerity should be demonstrated by someone on its behalf. The Government has displayed its sincerity by following the advice given to it on a previous occasion by the Hon. Sir Henry Manning. I put it no higher than that. If by quoting from Sir Henry's discourse on this point I am infringing your ruling, Mr. Chairman, I shall say no more than that it is the Government's bona fide desire to have the matter determined by referendum. When the bill to abolish the Legislative Council was before the members of this Chamber in 1946, this is what the Hon. Sir Henry Manning said—

Mr. K. M. McCaw, M.L.A.: Hon. members are supposed to talk only about this bill, not the earlier one.

The Hon. R. R. DOWNING: I am talking about this bill and the need to resolve the differences between the two Houses. I want to show that the Government is acting on the advice of the Hon. Sir Henry Manning, who is recorded in *Hansard*, Volume 182, page 514, as having said:

Why was it not introduced in the Legislative Assembly, if it was the intention of the Government earlier in the year to take this line of action? Why were not the "deadlock" sections of the Constitution resorted to? The matter was entirely in the hands of the Legislative Assembly. It was entirely under the control of the Government of the day, and no power on earth, neither this House nor any other body, could have prevented the Government from doing that thing if it wanted to do it. The Government did not want to do it. It wanted to put a bill before this House, knowing that there was a possibility and even perhaps a probability of its being rejected by this House, so that it could go to the people and say that this House would not allow them to decide a matter of this kind. No more unjustifiable statement could possibly be made.

The Hon. Sir Henry Manning went on to say:

I thought it necessary to make these observations because if the Minister's casual remarks about one Chamber being able to stop this referendum, and all that sort of nonsense, are allowed to go uncontradicted, the people of New South Wales will be left under an entire misapprehension as to the provisions of the Constitution under which we work.

If the bill is not discussed on its merits, as you, Mr. Chairman, have ruled it should be, and we do not deliberate upon it, then the terms of the Constitution Act are being deliberately frustrated. Unless that is accepted, we cannot make the Constitution Act work. No doubt, section 5B was inserted to make the statute work, but this can be done only with the co-operation of members who will deliberate upon the bill, as last presented by the Legislative Assembly to the Legislative Council for its concurrence. Hon. members are doing it—though with some interruptions. Having taken this action the position is that the Constitution Act must be made to work. Can anyone suggest that the framers of the Constitution Act put into it a number of deadlock provisions unless the aim was to solve deadlocks rather than to perpetuate them. I could go further to substantiate that statement but it would be against the ruling that you, Mr. Chairman, have already given.

Mr. E. A. WILLIS, M.L.A.: Everything that the Hon. R. R. Downing has said is against the ruling.

The CHAIRMAN: Order!

The Hon. R. R. DOWNING: All I have said shows how sincere and bona fide the Government is in attempting to put this bill before the people. If hon. members want to look again at the reasons that actuated the Government they might look at volume 172 of Hansard when the first Constitution (Legislative Council Reform) Bill was before the Legislative Council. They might there read and heed the remarks of the Hon. Sir Henry Manning in which he said definitely that anyone who suggested that the provisions of the Constitution Act could be frustrated by the action of any one Chamber was a lunatic. Those were his words. I suggest that hon. members of either House would qualify for certification in the terms suggested by the Hon. Sir Henry Manning if they attempted to prevent the holding of a referendum.

Mr. E. D. DARBY, M.L.A.: May I first say how much I regard it as a privilege to address the first joint meeting of the Legislative Assembly and Legislative Council, called under the provisions of section 5B of the Constitution Act. I am here by request of the Governor of New South Wales and I respect the invitation he extended to me to be present. It may be that some people would say that the Governor was unwise in summoning this meeting.

The CHAIRMAN: Order! The hon, member must not cast aspersions on the representative of the Crown.

Mr. E. D. DARBY: I was not doing so.

The CHAIRMAN: Order! The hon member said that some people might say he was unwise. Such a statement is definitely out of order.

Mr. E. D. DARBY: I would say that some people might challenge the wisdom of those who gave advice to His Excellency, but that aspect I do not propose to discuss. I therefore reserve the right at a later date to say that I was here at the invitation of the Governor and not necessarily at a meeting legally summoned under section 5B of the Constitution Act. In such a spirit I propose to look at the problem before us. I am willing to accept the assurance of the Hon. R. R. Downing that the Government is sincere in seeking the abolition of the Legislative Council and that, having done everything it could according to its lights to achieve that object, it has now reached the stage when it feels it necessary to advise the Governor to call this joint sitting.

We have the problem before us of persuading ourselves to change the position of deadlock without recourse to a referendum. I want to examine what can be done. Apparently those vitally concerned are those members of the Legislative Council who disappointed the Government in refusing to vote for the measure and to agree to its

passage. They are not here, and therefore I cannot ask any of them to change their attitude, or to use their persuasive powers to convince the Legislative Council otherwise. However, I can address my remarks to the Premier of New South Wales and the leader of the Government in the Legislative Council

The Hon. J. B. Renshaw, M.L.A.: The hon. member should address his remarks to the Chair.

The CHAIRMAN: Order!

Mr. E. D. DARBY: I address my remarks to the Premier and the Hon. R. R. Downing in the hope that they may be able to use their ingenuity to overcome the deadlock. They want abolition; they have said so for many years. The Labor Party wants to abolish the office of State Governor, and seeks the abolition of both the Legislative Council and the Legislative Assembly. On this occasion they want the abolition of the Legislative Council. The Premier gave two reasons for abolition: first, that he, or the former Premier, had promised it in a policy speech. The other reason was that objections had been raised to the Legislative Council since its inception and a series of attempts had been made—most of them abortive—to amend its constitution. Those were the two reasons, but they were not vital. The Premier did not say that because the Legislative Council was holding up the progress or prosperity of this State or was interfering with the freedom of New South Wales it must be abolished. He has not said that this deadlock must be resolved or otherwise in three months' time grave tragedy will threaten New South Wales.

He has not said, either, that this is a matter of vital urgency. He has given no indication that the Legislative Council has failed to fulfil its functions or that New South Wales suffers by comparison with any other State. On the contrary, the Premier will give an assurance that New South Wales is the most progressive State in Australia. Ministers of the Crown will travel overseas at public expense to inspire the New York Times to produce supplements insisting that New South Wales is the finest State in Australia and that the most magnificent opportunity for investment may be had in New South Wales. They tell people living in foreign countries that New South Wales offers a better life for immigrants than any country in the world.

I find myself at a loss in seeking a reason for the vital and urgent necessity for the Government's proceeding with its plan. So I ask the Premier, what is the vital urgency about this matter? What has New South Wales to gain and what have the people of this State to gain if the Legislative Council is abolished? It is not of vital urgency to the ordinary man and woman in the street. It has not been the subject of correspondence in the newspapers, neither have I read reports of any meetings held to discuss it. No petition has been presented to either House of Parliament praying for the abolition of the Legislative Council.

I have not received one letter from a constituent asking me to make certain above all else that something should be done about the Legislative Council. In fact, I have not received one letter from any constituent on the present deadlock. I believe that I am fair in saying that there are very few persons at this meeting who have received a request from any constituent, or from any other person in New South Wales, for something urgently to be done to resolve this deadlock.

If my contention is correct my point is well made when I say again to the Premier: "What is all the hurry about?" There are many things that the Premier would like to have, but whose fault is it that he cannot get what he wants? It is not my fault, as everybody knows that I have been against this proposal from its inception. It is not the fault of the Opposition that the Premier has not got what he wanted, or the fault of the Legislative Assembly. It is his own fault.

The Premier made one of the most amazing political errors of judgment that has ever been made in the history of New South Wales. He thought that he had the numbers, but when the numbers went up he was well and truly an "also-ran". It is the Premier's fault that he has not got what he wants, but he has not convinced the members present here, or the people of the State, that what he wants is vital and urgent. Therefore, before he tries to get what he wants, would it not be more sensible for the Premier to bide a while and wait till the political climate is more favourable, until he can trust a few more of his colleagues and until he convinces us that what he wants is vitally necessary.

[Interruption.]

Mr. E. D. DARBY: I shall pause until the interruptions cease, as this matter is unique in the political history of New South Wales and I, for one, will not transgress what I regard to be the traditional method of holding such a conference. If some members feel that they have a right to distort what I consider to be the right way of conducting a meeting of this kind, I for one will maintain my dignity even in the face of repeated interruption. I have only just started my speech, because it is my intention to canvass all the possible ways in which we can resolve this deadlock.

I realise that the people of New South Wales have their eyes upon us, and if we cannot use what brains and ability we have to resolve this deadlock, we shall betray the trust placed in us by those who elected us. Thirty thousand people in the electorate of Manly chose me to represent them, and I am doing what I consider to be my duty by pointing out to the Premier what he could do to resolve this deadlock. Prior to the interruption I had said that the Premier had only himself to blame for the deadlock that has arisen, as somehow or other he was unable to control his own party. Since there is no evidence that the matter is vital or urgent, I suggest to the Premier that he might well restrain his persistence until some other time.

Then arises the question, what other time would that be? Well, he could wait until advice has been received that the Legislative Council is willing to pass the bill without raising any constitutional point, whether it is or is not correct—or whether it is consistent with what Sir Henry Manning said twenty years ago. The Premier knows that the Constitution Act, incorporating an amendment of 1933, made it possible for the character of the Legislative Council gradually to change so that if the Government found itself faced with a hostile upper House the character of that House could be altered in the course of years or months to give a different viewpoint. suggest that the Premier could well wait until there are sufficient members of the Legislative Council willing to assist him. That would solve whatever problems are facing him in the immediate future. What would be the result if he restrained himself until that time? There is certainly no evidence that New South Wales would suffer in any way from the continued existence of the Legislative Council. In the fifteen years that I have been a member of the Legislative Assembly there has been no other instance in which the Legislative Council has so opposed the will of the Assembly that section 5B of the Constitution-had to be invoked. On the other hand, the Legislative Council has done many virtuous things for which my constituents are particularly grateful. Had it not been for the Legislative Council, Manly would have been incorporated into a Greater Sydney local-government area or into the Warringah Shire. Since I have been the member for Manly, the local residents have been grateful for the existence of the Legislative Council. Therefore, the people of Manly would not express trepidation or dismay if the intentions of the Government were delayed for a few years until it could constitutionally gain control of the upper House, in exactly the same way as it took control of the upper House in the ten years between 1941 and 1951. If Government supporters are irresponsible and unreliable, the fault lies not with us here today but with the Premier himself. He has that responsibility.

xx Addendum

The Premier could do something else: he could forget it altogether. A man who essays with a lance of reed, finding that he cannot effectively strike his opponent's armour, let alone pierce his visor, might well be regarded as prudent if he refrains from further foolish attempts. It may be a good idea for the Premier to forget the whole incident. The Treasurer, if consulted, might well persuade him to do so. The Treasurer will point out to him, if he has not done so already, that the State of New South Wales may spend thousands of pounds in litigation before the referendum can be held. What good will this do New South Wales? Will we be nearer to the completion of the opera house, the solution of the housing problem, the improvement of transport services or the construction of a railway to Manly? No. That money will be squandered and doubtless the Treasurer will advise the Premier accordingly. The Treasurer might add that the Premier, in spending untold thousands of pounds, would have no guarantee of getting his money's worth and getting the bill through. It may well be that the decision of the Privy Council on one of any number of questions that could be raised would restore the status quo.

Why does the Premier not forget it? Is it because he is actuated by pique and that, if he cannot get what he wants one way, he will tear up pieces of paper till he gets it some other way? Is he suffering from desperation? I do not know. However, I suggest that he could well forget the problem. If he does, no person in New South Wales would be vitally concerned. In his own words, there would be no upsurge or difference in the prosperity of New South Wales and no difference in the context of our law. In all my remarks I have been arguing from the Premier's point of view. I have not endeavoured to point out to him that I firmly believe that abolition of the Legislative Council would adversely affect our prosperity and wealth and the wisdom of our laws. I have tried merely to argue from his point of view and to suggest what he can do when this joint sitting concludes. He could wait until the Legislative Council meets again—it has set down a date for resumption—and ascertain what would happen if the bill were introduced in that Chamber. He may decide that this course would be futile as it would provide an opportunity for further delaying tactics. It might even be suggested that the Legislative Council, by its resolution of a few days ago and its absence here this afternoon, is not particularly sincere.

The last thing the Premier could do—I put it seriously—is to go back to the Legislative Assembly and refrain from trying to do everything at once. Suppose he introduced into the Legislative Assembly a more moderate bill designed to alter the constitution of the Legislative Council and to alter section 5B of the Constitution Act to enable easier resolution of a deadlock. If this meeting strongly suggests this course to the Premier, and he acts along these lines, the deadlock might be resolved. This would save a tremendous amount of litigation and unjustified expenditure of public money and give the people of New South Wales an opportunity to express their views on the matter. If the Premier withdraws this bill and introduces another that is infinitely more modest but designed to resolve deadlocks more easily than they can be resolved at the moment, amending section 5B of the Constitution Act and possibly amending the method of election of members to the Legislative Council to ensure that they will be more responsive to changes in public opinion, I believe that the new bill would be seriously discussed in both Chambers and perhaps would be acceptable. Then there would be no deadlock and the issue could be referred to the people. There is no urgency for such a bill, but this meeting could well consider this alternative as a proper, sensible and intelligent way of resolving the deadlock with which we are now faced.

The CHAIRMAN: Order! The deliberations having concluded, I declare the meeting closed.

The sitting concluded at 12.50 p.m.

# PARLIAMENT PROROGUED

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#### THIRTY-NINTH PARLIAMENT—SECOND SESSION

(Gazette No. 79)

#### **PROCLAMATION**

New South Wales, to wit.

(L.S.)

K. W. STREET, by Deputation from His Excellency the Governor. By His Excellency Lieutenant-General Sir Eric Winslow Woodward, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Companion of the Most Honourable Order of the Bath, Commander of the Most Excellent Order of the British Empire, Companion of the Distinguished Service Order, Knight of the Venerable Order of St. John of Jerusalem, Governor of the State of New South Wales and its Dependencies, in the Commonwealth of Australia.

WHEREAS the Legislative Council and Legislative Assembly of the State of New South Wales now stand adjourned to Tuesday, the fifth day of July, 1960: Now I, Lieutenant-General Sir Eric Winslow Woodward, in pursuance of the power and authority in me vested as Governor of the said State, do hereby prorogue the said Legislative Council and Legislative Assembly to Thursday, the fourth day of August, 1960.

Given under my Hand and Seal at Sydney, this twenty-ninth day of June, one thousand nine hundred and sixty, and in the ninth year of Her Majesty's Reign.

By His Excellency's Command,

R. J. HEFFRON.

GOD SAVE THE QUEEN!

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TO

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Explanation of Abbreviations: Address, Address-in-Reply; adj., Motion for Adjournment; ad. rep., Adoption of Report; Com., Committee; cons. amdts., Consideration of Amendments; cons. mes., Consideration of Message; est., Estimates; int., Introduction; loan est., Loan Estimates; m., Motion; mes., Message; min. stmt., Ministerial Statement; m.s.o., Motion for Suspension of Certain Standing or Sessional Orders; pers. expl., Personal Explanation; p.o., Point of Order; q., Question; 1r., 2r., 3r., First, Second, Third Reading; recom., Recommittal; recons. admts., Reconsideration of Amendments; supply, Committee of Supply; urgency, Motion of Urgency; ways, Committee of Ways and Means.

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It is the duty of all hon, members to be present in Committee, 2205.

# ASSEMBLY, LEGISLATIVE (continued):

DEPUTY SPEAKER AND CHAIRMAN OF COM-MITTEES (H. T. FOWLES, ESQ.), RULINGS, OBSERVATIONS AND OPINIONS (continued):

Debate: The Chairman, after putting the question, may restate it for the benefit of an hon. member who did not hear it, 1641.

An hon, member may not move the gag under Standing Order 175 when there is no question before the Committee, 1717; or when notice of a guillotine motion under Standing Order 175B has been given, 1718.

There is no right of reply in Committee, and when a Minister speaks he does not close the debate, 1818.

When the motion for the second reading of a bill is carried, the House automatically resolves itself into Committee without any further resolution, 1871: Point of order dismissed, 1872.

The Minister may fully explain the bill in his second-reading speech, 2116.

Upon the Committee agreeing to an amendment to a bill the Chairman shall put the question that the clause as amended stand part of the bill, 2204.

There can be no debate or point of order on the motion that the question be now put, 1549, 2385, 3730; or on the question that the resolution covering the Estimates as printed and circulated be agreed to, 1552.

Following the passing of motions of urgency and for suspension of certain standing orders the House does not have to reach a decision on the substantive motion forthwith, and the debate may be adjourned in accordance with sessional orders not suspended, 2654.

Hon. members should keep the debate on a high plane, 2717; and they should not be frivolous, 2734.

In Committee once the Chairman has declared the question carried an hon. member may not speak on it, 3275.

Once the closure has been moved it must be put, irrespective of anything else, 3730.

Divisions: If the division bells break down owing to a defect, the attendants may be directed to walk about the House ringing handbells, 2205.

The Chairman decides whether the division bells have rung correctly, 2205.

An hon. member who wishes, in a division, to move dissent will be given every opportunity to do so when the division has been completed, 1550.

Guillotine: The application of the guillotine is in order when the Committee has dealt with the last amendment, has no further amendment before it and when none has been declared from the Chair, 1549,

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# **ASSEMBLY, LEGISLATIVE** (continued):

DEPUTY SPEAKER AND CHAIRMAN OF COM-MITTEES (H. T. FOWLES, ESQ.), RULINGS, OBSERVATIONS AND OPINIONS (continued):

2385; and when the Leader of the Opposition has received notice in writing, as required by Standing Order 175B, though some days beforehand, 1550.

Hon. Members Warned: Hon. Member for Cronulla, 1372; hon. member for Georges River, 1320; hon. member for Hornsby, 1503, 1507; hon. member for Lane Cove, 3914; hon. member for Wollondilly, 2122, 2713.

Imputations, Aspersions and Offensive Remarks: An hon. member may not attack a judge, though he may discuss and criticise a judgment, 240.

A Minister's statement of his opinion that an hon. member is deceiving the House is one that is heard frequently in the Chamber, and it is not an imputation against the hon. member, 1209; and a Minister may give an opinion that is offensive to an hon. member. Whether it is correct or incorrect, the hon. member has the right to refute it, 2499.

An hon, member may be required to withdraw and to apologise for any words objectionable or offensive to another hon, member, 1713, 1716, 1812, 1817, 1819, 2242, 2286, 2498, 2734; and to do so without qualification, 1817.

Any offensive remark made in the House or in Committee is disorderly, 1817; the truth may still be offensive to an hon. member, 2498.

An hon. member, by using the forms of the House to object to remarks offensive to him, should not be unreasonable and make the position ridiculous, 1819.

Point of order disallowed, that the word "extortion" was offensive to an hon. member, 2734.

Interjections and Interruptions: Maiden speeches are heard in silence, 289.

The Chair will give an hon member all the protection necessary against interjections and interruptions, 888; and is reluctant to call specific hon members to order, 1809.

Numerous interjections are disorderly, 956, 959, 1028, 1212, 2126, 2275, 2282, 2742; their answering may take up a considerable amount of the time allotted to an hon. member, 2023; hon. members should ignore irrelevant interjections, 2495.

An hon. member is entitled to be heard in silence, 959, 1028, 1142, 1299, 1370, 1372, 1406, 1408, 1718, 1820, 2035, 2115,

# ASSEMBLY, LEGISLATIVE (continued):

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An hon. member is entitled to put his opinion and his points, whether right or wrong. Hon. members who disagree with him will have their opportunity to advance their arguments, 1536, 1811, 1819, 2119.

Hon. members should refrain from obstructing the business of the House by numerous interjections, 3714.

A Minister may answer without interruption all the remarks in the debate on his own estimate, 1370.

Points of Order: Points of order must be taken at the appropriate time, 1215, 1731: the Chairman cannot take cognisance of a point which should have been taken, not in Committee, but in the House, 1730.

A point of order cannot be taken while the Chairman is on his feet, 1550; or after debate has concluded, until the Chairman has put the question, 1731.

An hon, member cannot speak to a point of order when none has been taken, 1817.

An hon member who wishes to speak to a point of order must seek the call as soon as the hon. member who has taken it has resumed his seat, 2490.

A point of order on the closure n:ay be dealt with only after the division, 3730.

Personal Explanation: A personal explanation may not be made under the guise of a point of order, 2716.

Questions without Notice: An hon. member should allow a Minister to answer the question that he has asked him, 2742; and the Minister may answer as he desires, 2745.

Relevance: An hon. member must confine his remarks to matters relevant to the motion being debated, 888, 957, 1023, 1299, 1511, 1517, 1814, 1815, 2058, 2733, 3104, 3201, 3503, 3796; though a passing reference is in order, 1518.

In debate on the budget an hon, member may not deal with matters of administration, which may be debated in a discussion on the Estimates, 1064; he may deal in the budget debate only with matters mentioned in the financial statement, 1067, 1215, 1216.

In committee of supply an hon. member may not speak generally to an Estimate until an amendment has been disposed of, 1306.

#### 12th August, 1959, to 29th June, 1960.

# ASSEMBLY, LEGISLATIVE (continued):

DEPUTY SPEAKER AND CHAIRMAN OF COM-MITTEES (H. T. FOWLES, ESQ.), RULINGS, OBSERVATIONS AND OPINIONS (continued):

An hon, member has every right to put his points, whether they are right or wrong, 2243.

A Minister may give his own opinion, which can be refuted by any other hon member if he so desires, 2731; and an hon member who has moved a motion may reply, within reason, to the remarks of the Minister, 2733.

Words and Expressions required to be withdrawn:

"The silly magistrate", 240.

"The garrulous former Minister for Local Government and Minister for Highways, who often says things that he regrets later, thus not only making himself look foolish but also upsetting——", 1713.

"In the matter of road finance he (the Minister) is a complete no-hoper", 1812.

"The Government's communist friends", 1816.

"There were some good contributions to the debate until the hon. member for South Coast rose", 1818.

"I want to keep the debate on a clean plane", 1819.

"The hon. member would know about this because his union is affiliated with the communist World Federation of Trade Unions", 2241.

"He (the hon member) represents the opposition to the Labor movement and does not like trade unionists", 2285.

"An up-and-coming whippersnapper like the hon member", 2285.

"He did not attend this House", 2498.

"The hon. member attended ninety-nine divisions out of 222", 2498.

A point of order taken by an hon, member is "stupid, inadmissible, frivolous or merely vicious and malicious", 2734.

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SPEAKER, MR. (THE HON. R. S. MAHER), RULINGS, OBSERVATIONS AND OPINIONS:

Amplifying System: Adjustment may be necessary from time to time, 933, 1236.

All hon, members should use the system if it is possible for them to do so, 2621.

Adjournment: While the motion for the adoption of the Address-in-Reply is before the House, debate on the motion for the adjournment of the House is restricted to matters that might need urgent attention and cannot be expected to wait until the hon. member has another chance to speak, 41, 100, 170, 173; but they should not be such as would promote a general debate, 203, 3941; unless discussion in the ordinary

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# ASSEMBLY, LEGISLATIVE (continued):

SPEAKER, MR. (THE HON. R. S. MAHER), RULINGS, OBSERVATIONS AND OPINIONS (continued):

course of events might be too late to correct any wrong, 1764. This rule applies with added emphasis if the hon member has been speaking on the motion for the adoption of the Address-in-Reply on the same day, 173.

A Minister is entitled to comment, with reasonable restriction, upon a matter of urgency concerning the reputation of a gentleman in an hon. member's electorate referred to by him on the motion for the adjournment of the House, 453.

It is not necessary, but it is sometimes advisable, that an hon. member who wishes to speak on the motion for the adjournment of the House should notify Mr. Speaker of his intention, 463.

An hon member speaking to the motion for the adjournment of the House is restricted to matters affecting his own electorate, 839, 2262; he may not debate an attitude taken by the Premier previously, 1231; and he may not be provocative, 1269; in his own interest the hon member should restrict his quotation from lengthy documents, giving only significant particulars, 2917.

Mr. Speaker is bound by a sessional order that Government business shall take precedence over general business after 6 p.m. on Tuesday, 2653; and debate on a motion for the adjournment of the House under Standing Order 49 cannot take place after that time on that day, 2654.

On the last sitting day of a session hon. members should be reasonably brief in their observations on the motion for the adjournment of the House, 3939.

Chair: It is a reflection upon the Chair to suggest that there has been any disorder in the House, 73; or to make audible comments while another hon. member is speaking, 1240; hon. members should not behave like petulant schoolgirls when Mr. Speaker is obviously trying to be impartial, 1242.

Mr. Speaker has a duty to maintain decorum on both sides of the House, 1972; despite the fact that after a long sitting tempers become frayed and dispositions a little irascible, 2260, 2261.

An hon member may protest in the press against any statement made by Mr. Speaker outside the House, but the forms of the House provide means by which an hon member may express his approval or disapproval of incidents that occur within the House, 123, 203.

# ASSEMBLY, LEGISLATIVE (continued):

SPEAKER, MR. (THE HON. R. S. MAHER), RULINGS, OBSERVATIONS AND OPINIONS (continued):

Mr. Speaker is the custodian of the undoubted rights and privileges of hon. members, 172, 3520. His function is to arbitrate upon standing orders, 3919; and not upon matters contained in the Constitution Act, 3557.

A combination of unprecedented circumstances may not allow time to give proper and adequate consideration to the multifarious implications of the action, and Mr. Speaker may be guided by the precedent that he considers most fitting: the omission of one insignificant step in procedure does not endanger members' rights and privileges, or render nugatory any legislation under consideration, for the House is the sole judge of the lawfulness of its own proceedings, 1866.

Hon. members will remain seated and refrain from interjecting while Mr. Speaker is addressing the House, 786, 1791; hon. members should wait until he resumes his seat before rising to their feet, 1737.

Mr. Speaker may leave the Chair for a short time if most Ministers have been delayed by urgent public business, 979; or when the resumption of proceedings is contingent on the receipt of documents from another place, 2611.

Hon. members should address the Chair properly and refer to Ministers by their titles, 1387, 2630, 2995.

Hon. members may not attempt to evade or canvass a ruling of the Chair, 1585, 3519.

When Mr. Speaker directs a question to an hon. member another hon. member should not interrupt and attempt to answer the question, 1793.

Mr. Speaker's control of the House is not subject to party discipline. He may not be more sympathetic to members on one side than the other. He is subject fully to the control of his party in matters of his political loyalty and principles, but only to the House, whose servant he is, in his control of the proceedings, 2370.

Mr. Speaker has the duty to protect the rights and interests of his constituents, 3920.

Committee Proceedings: The passing of a motion for the recommittal of a bill is sufficient authority for Mr. Speaker to leave the Chair and the proper constitution of the Committee, 1736, 1791; but in future Mr. Speaker will insist on the formal motion calling for him to vacate the Chair and for the House to resolve itself into a Committee of the Whole, 1866.

#### 12th August, 1959, to 29th June, 1960.

# ASSEMBLY, LEGISLATIVE (continued): |

Speaker, Mr. (The Hon. R. S. Maher), Rulings, Observations and Opinions (continued):

Any matter that occurs in Committee may be conveyed to Mr. Speaker officially only by a report from the Chairman, 1736, 1737.

The motion for the recommittal of a bill must accord with the wording set down in the Standing Rules and Orders of the Legislative Assembly, and no debate is permissible on it, 2167. If the motion is carried immediately before the House disperses on one day, when the Clerk reads the relevant order of the day at a subsequent sitting of the House, Mr. Speaker may leave the Chair without repetition of the motion, 2203.

Debate: A Minister who has the call has the right to speak, notwithstanding that he may be closing the debate, 453, 462; but it hon. members desire to continue the debate Mr. Speaker may give the call to another hon. member so that the debate may continue, 3520.

Following the passing of motions of urgency and for suspension of certain standing orders the House does not have to reach a decision on the substantive motion forthwith, and the debate may be adjourned in accordance with sessional orders not suspended, 2654.

A motion that an hon member be not heard lapses if not seconded, 453.

An hon. member who did not move the original motion may not reply to the debate, 468.

No motion, question without notice, or other form of procedure may anticipate the debate on a motion that is on the business paper, 203, 1860, 1975; or on a bill before the House, 2271.

An hon. member may, at any stage of the debate, even in the middle of a sentence, move that the question be now put, whereupon the question must be put without further discussion, 1728.

Mr. Speaker may at any stage of the proceedings rule whether a question without notice, point of order or motion is in order, 1792.

In the parliamentary sense "resolve" does not necessarily mean that a motion has to be moved, 1793.

An hon. member may not speak unless he has received the call, 1856; it is not the intention of the standing orders that the same hon. member should have the call all the time, 1861.

#### ASSEMBLY, LEGISLATIVE (continued):

SPEAKER, MR. (THE HON. R. S. MAHER), RULINGS, OBSERVATIONS AND OPINIONS (continued):

An hon, member may not trifle with the House, 2165; or waste its time, 2167.

Standing orders provide for only one debate at a time, 3240.

An hon. member may rebut an allegation that the Legislative Council has treated with contempt a message from the Legislative Assembly, but he may not treat the allegation as an infringment of the standing orders of the Legislative Assembly, 3843.

In debate on a bill on which there is a marked divergence of opinion hon. members should adopt a restrained approach, 3508, 3589.

Dissent: An hon. member who moves dissent from Mr. Speaker's ruling has to show that, according to the standing orders and procedures of the House, the ruling was wrong, and may make a statement of the details of the subject matter leading up to the ruling, 201.

No reply is permitted after the time allowed for debate on a motion of dissent has expired, 207.

A motion of dissent is the correct procedure for an hon. member who disagrees with a ruling given or the procedure laid down by Mr. Speaker, 632; and it will be dealt with at the proper time, 3512.

In debate on a motion of dissent, hon, members are not obliged to refer specifically to standing orders mentioned by the mover, and they may refer to any standing order, 3558.

Divisions: Hon. members should clearly indicate whether they are calling for a division, 786, 3614.

Tellers who take an inordinate time in their task may be dismissed and replaced, 2653.

Felicitations: Seasonal, 2613; Lt.-Colonel M. F. Bruxner, Member for Tenterfield, 3149.

Hon. Members Ordered from Chamber: Hon. member for Earlwood, 1915; hon. member for King, 2261.

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# ASSEMBLY, LEGISLATIVE (continued):

Speaker, Mr. (The Hon. R. S. Maher), Rulings, Observations and Opinions (continued):

Imputations, Aspersions and Offensive Remarks: An hon. member may not impute motives to the Commonwealth Government, 405; and he may not cast aspersions or make objections on an occasion when apologies have been sought or submitted, 452.

An hon. member may not pursue a line of remarks offensive to another hon. member, 278; and he should keep within the scope of parliamentary language, 935.

The imputation of improper motives is disorderly, 1121, 2373, 2587, 2636, 3514, 3611; the rule applies to hon. members on both sides of the House, but is not applicable unless an hon. member has been specifically named, 1180.

A Minister or an hon. member may be required to withdraw and to apologise for any words objectionable or offensive to another hon. member, 1388, 1915, 1972, 2262, 2580, 2585; his withdrawal must be without qualification, 1972; an apology to the hon. member seeking it is implicit in an apology to the House, 1972.

The standing orders do not preclude a Minister from saying that at a Public Service Board inquiry a member of the public service is always given the opportunity of representation by counsel, 1488; or from saying that an hon member is addressing his remarks to some outside body of people, 2587.

An hon. member may not say that another hon. member is deliberately misrepresenting the facts, though there might be some legitimate misunderstanding of them, 2144.

Hon. members should not be over-sensitive, but it is distinctly unparliamentary and disorderly to cast a slur on any member of the fighting services, 2389. However, no exception can be taken to a statement of fact that men who were unemployed joined the army, 2389.

There can be no imputation of improper motives against a Minister who, while a colleague is speaking, comments "keep it going until six", 2636.

An hon. member's reference to Government supporters as "boneless" reflects no credit upon himself or upon the Chamber, 3603.

Hon. members should refrain from personal recriminations, 3919.

#### ASSEMBLY, LEGISLATIVE (continued):

SPEAKER, MR. (THE HON. R. S. MAHER), RULINGS, OBSERVATIONS AND OPINIONS (continued):

Point of order dismissed, that a question without notice imputed improper motives to an hon. member, 632, 2587.

Incorrect Statements: Hon. members should keep as much as possible to proven facts, 2645.

Interjections and Interruptions: Interjections are not particularly objectionable, but they should be reasonable, 42, 261, 1431, 1851; and kept on a high plane, 281, 1424; and not unseemly, 1914; or inane and unnecessary, 2310, 2600, 2606; and they should not show discrimination against one side, 2606; and should not be designed deliberately to provoke an hon member so that he might be accused of being irrelevant, 2629, 2632.

Hon. members should restrain their personal conversation at the conclusion of question time when Ministers are tabling papers and making important pronouncements, 65, 464; and when an hon. member or Minister is speaking, 223, 1443, 1989, 2868; or asking a question, 1057, 1236.

Interjections are, in their nature, very brief and call for only a short answer, 73, 2581; they should be pertinent so that they can be answered, 167, 2627; and not tediously repeated, 167, 2650.

In debate on a motion of dissent, an hon. member who protests against a legitimate point of order being taken by a Minister should not interrupt the Minister when he is speaking, 204.

An hon. member is entitled to be heard in reasonable silence, 275, 453, 464, 597, 881, 1188, 1269, 1270, 1330, 1451, 1611, 1904, 1916, 1989, 2260, 2586, 2600, 3508, 3582, 3779; but he should not provoke interjections. 1876.

A spate of conversion in the House is discourteous when an hon. member is making his maiden speech, 360; or when an hon. member has obviously taken pains to prepare his speech, 2299, 2515.

Hon. members who have matters to discuss with one another should do so outside the Chamber and not in an undertone inside it, 3326.

The Premier should not be interrupted on matters of detail, 597; he is entitled to make his speech in his own way, 724; and it is not reasonable to expect him to put up with a barrage of interjections, 1916.

A Minister who has intimated that he proposes to proceed without interruption should be permitted to do so, 1190.

#### 12th August, 1959, to 29th June, 1960.

# ASSEMBLY, LEGISLATIVE (continued):

SPEAKER, MR. (THE HON. R. S. MAHER), RULINGS, OBSERVATIONS AND OPINIONS (continued):

In debate on a motion of censure pertinent interjections cannot be avoided, 1425.

An hon, member who has been called to order should desist from making further interjections, 1914.

Hon. members spoil their speeches by giving a foretaste of them by way of interjertion, 2092, 2601, 3192, 3583, 3926.

A Minister should be allowed to reply to the second-reading debate on a bill without interruption, for hon. members have a further opportunity to speak on it at the Committee stage, 2324.

Joint Sitting of Members: It is not for hon. members but for the judiciary to determine the legality or illegality of the joint sitting of members. The Chairman's task is only to ensure that the standing rules and orders of the Legislative Council are observed, addendum, ii, vi, xiii, and he will not consider any abstruse legal point that asks for a declaration that the joint sitting is out of order, addendum, iii.

At the joint sitting it is not appropriate for the Chairman to place serious restrictions on the leader of a political party represented in the Legislative Assembly, but he cannot take up all his time in discussing a matter that is not germaine to the subject under consideration, addendum, vi. There should be no question of any restriction being placed on the speeches, but hon. members should confine their remarks to the matter before the conference, addendum, viii; they should not deal with the historical background of the bill but deliberate upon the the bill itself, addendum, x, xi, xii, xiii, xiv, xvi; and they should not fritter away the valuable time of all other members with irrelevant constitutional points, addendum, xi.

An hon member may not reflect upon the loyalty or disloyalty of hon members who, for their own reasons, have absented themselves from the Chamber, addendum, xiv; and he may not cast aspersions on the representative of the Crown or suggest that some people might say the Governor was unwise, addendum, xvii.

Hon. member for Barwon warned, addendum, xv.

The Chairman will hear an hon, member before deciding whether he is conforming with the standing orders, addendum, xv.

Ministerial Statements: The Chair may rule whether a Minister's reply to a ques-

# ASSEMBLY, LEGISLATIVE (continued):

SPEAKER, MR. (THE HON. R. S. MAHER), RULINGS, OBSERVATIONS AND OPINIONS (continued):

tion without notice or his statement to the House is a ministerial statement, 493, 1585, 1702.

Some ministerial statements may not be debated, 1585.

Ministers: It is customary for due courtesy to be paid to Ministers, even in other Parliaments, and they should be referred to by their titles, 1387, 2647.

Motions by Consent: A Minister in submitting a motion by consent without notice is merely asking for the consent of the House to submit it without giving prior notice of it, 1610; if objection to this course is taken by an hon. member the mover must proceed under Standing Order 395 and move for the suspension of standing orders by way of urgency so that his proposed motion may come before the House, 1707, 3845.

Parliament House: Proposed handrail for front steps, 121.

Personal Explanation: An hon. member may make a personal explanation in regard to something of a personal nature that refers to him, 207, 3434; or on some general matter having special facets applicable to him alone, 459; but he has no licence, under the guise of making a personal explanation, to continue a debate that has already closed, 207; nor may he make a personal explanation involving a factual statement about which no exception could be taken, 2389.

Except with the indulgence of the House, a personal explanation may be made only when no other business is before the House, 1456.

In a personal explanation an hon, member may not persist with an allegation to which an unqualified and categorical denial has been given, 1861.

If every hon, member sought by making a personal explanation to give reasons why he had asked a question without notice the situation would be intolerable, 1917.

A personal explanation of the relationship between an hon. member and his leader is unnecessary, for hon. members know that the most harmonious attitude, comity and amity exist among members, 1918.

After the motion for the adjournment of the House has been put an hon. member seeking to make a personal explanation must await the next sitting day, 2262.

#### ASSEMBLY, LEGISLATIVE (continued):

SPEAKER, MR. (THE HON. R. S. MAHER), RULINGS, OBSERVATIONS AND OPINIONS (continued):

A personal explanation culminating in a request that an hon member make an apology and withdraw a remark should be deferred if possible until the hon member is present in the Chamber, 2374.

When the time for asking questions has expired an hon. member may not, under the guise of a personal explanation, say that he meant something else and was misunderstood, 3435.

Point of order disallowed that a Minister was exceeding his personal explanation by debating a matter, 1457.

Points of Order: No point of order may be taken on the question that the question be now put, 450; or on an hon. member who is speaking to a point of order, 452, 3436, 3437; or on the comments of an hon. member who has completed his speech, 2262.

A point of order must be taken promptly, 1736, 1866, 3843; and an hon member may not permit the debate to run its full gamut and then suddenly take a point of order that he should have taken half an hour before, 3845.

A point of order taken against an hon. member who has exhausted his time need not be decided, 1991.

One point of order must be disposed of before another may be taken, 2262.

Mr. Speaker may decide a point of order at any time, 2262; it is not proper for an hon. member to rise halfway through the taking of a point of order by another hon. member to tell Mr. Speaker what he should do, 3434; Mr. Speaker is the sole arbiter, 3435.

A point of order against the introduction of a bill may not be taken at the giving of notice of intention to introduce it, which the Chair must accept, 3437.

An hon member against whom a point of order has been taken should resume his seat while it is being put, 2585.

A valid point of order cannot be a misrepresentation of the position, 1488.

Press: An hon. member when asking a question without notice may refer briefly to the title and contents of a newspaper article, but he may not quote verbatim sentences and phrases therefrom, 120, 198: Reference to a newspaper article requires only an assurance by the hon. member that the article appeared in the press, without his being required to vouch for its truth, 120.

#### ASSEMBLY, LEGISLATIVE (continued):

SPEAKER, MR. (THE HON. R. S. MAHER), RULINGS, OBSERVATIONS AND OPINIONS (continued):

An hon. member may make his protest in the press if he is offended by a statement made by Mr. Speaker outside the House, 123; but he should refrain from making any press statement whenever a ruling or action of the Chair is called into question, 203.

Private Members' Motions: Only when Mr. Speaker is going through the business paper, may an hon. member move that the order of the day standing in his name be postponed, 3305.

A private member's motion is unacceptable to the Chair when it appears on the notice paper, 3512.

Procedure: Only the House by formal motion, and not Mr. Speaker, may refer any well-established rule of procedure to the Standing Orders Committee for review, 632.

Though it is usual for the House to follow May's Parliamentary Practice, it is not obligatory upon it to do so. In matters affecting members of another place, as a matter of courtesy, the bill is allowed to originate in that Chamber when it infringes their rights and privileges; but any point of order on this aspect should be pressed in that place: There is some quality in the suggestion that a bill dealing with constitutional reform should originate in the House that is responsible to the people: The Governor has obligations in regard to measures that require expenditure, which must originate in the House; and a bill authorising a referendum on the question of the abolition of the Legislative Council, if recommended by His Excellency, may be introduced in the Legislative Assembly, 1985.

All hon, members are entitled to deduce from the Premier's motion seeking leave to reintroduce a bill that it is the opinion of the Government that it is entitled to do so under section 5B of the Constitution Act, 3511

It is not within the province of Mr. Speaker to give an opinion as to whether the action of the Legislative Council amounted to the rejection of a bill or failure to pass it. That point must be resolved by the decision of the House when it votes on the motion for leave to reintroduce the bill, 3512, 3518, 3557.

Standing Order 187, which provides that no question shall be proposed which is the same in substance as any question which during the same session has been resolved in the affirmative or negative, specifically excludes

#### ASSEMBLY, LEGISLATIVE (continued): 1

SPEAKER, MR. (THE HON. R. S. MAHER), RULINGS, OBSERVATIONS AND OPINIONS (continued):

any bill to be again initiated and passed in accordance with section 5B of the Constitution Act, and apparently the standing order cannot be used against such a bill at the stage when leave is sought to reintroduce it, 3511.

Mr. Speaker should not be called upon to give an opinion on whether it is competent for the Government to reintroduce and pass a bill under the provisions of section 5B of the Constitution Act until an interval of three months has elapsed after the date on which the message on the original bill was received in the Legislative Assembly. The point is governed by the provisions of the Constitution Act and not by parliamentary practice, 3512, 3557.

A message from the Legislative Council that it has declined to take a bill into consideration is to be regarded as putting the bill in the same category as a bill that has been defeated in the Legislative Council, in respect of which a message is not sent back to the Legislative Assembly; or a bill that has been defeated in the Legislative Assembly, which simply goes off the business paper, 3557.

Public Accounts Committee: Though the Audit Act requires that a Minister shall within thirty days after the commencement of the first session of every Parliament, deliver to the Speaker a nomination of five members for election and appointment as members of the Public Accounts Committee, the question may come before the House for determination later: Any point of order relating to the time limit for the making of nominations must be taken when the nominations are made, 1058.

Though no debate is allowed in the election of members of the Public Accounts Committee, an hon member may ask that his nomination be withdrawn. This does not constitute debate, and the House may agree to the withdrawal of the nomination, 1058.

Questions without Notice: Hon. members should make their questions reasonably brief and not expect a Minister to carry in his mind a multitude of statistics, 193, 3306, 3489; unduly long questions, those that obviously require research, or those involving a wealth of picayune detail, should be placed on the Questions and Answers paper, 29, 544, 1051, 1176, 1700, 3234, 3362; thereby making more time available for other hon. members' questions, 1051.

#### ASSEMBLY, LEGISLATIVE (continued):

SPEAKER, MR. (THE HON. R. S. MAHER), RULINGS, OBSERVATIONS AND OPINIONS (continued):

Supplementary questions are permissible, 3233; but they must relate to the subject-matter of the original question, 31, 407, 708, 783, 982, 1237, 1705, 1856, 2082, 2372, 2568, 2685, 2795, 2863, 2940, 3121, 3124, 3168, 3309, 3432; housing is a subject that prompts a multitude of questions that are not necessarily supplementary, 191; mere affinity to the subject does not make a question supplementary, 335; a question about additional water board representation for one area does not give rise to a supplementary question on similar action elsewhere, 3121.

Mr. Speaker decides whether a question is supplementary, 635; and if so, whether it is in order, 2686; debating a point that was raised by the Minister in reply to a question does not constitute a supplementary question, 3239.

When a supplementary question emanates from the side of the House from which the original question was asked, the Chair will restore the balance by allowing two questions from the alternate side of the Chamber, 121, 195.

A second supplementary question may not be asked on the one subject, 597; and a supplementary question may not be asked when the time for asking questions has expired, 1242.

A Minister is entitled to answer a question in his own way, 122; and without a barrage of interjections, 407, 597, 1488, 1854, 1912, 3233; it is disorderly and undignified for an hon. member to dispute or deny a Minister's answer to his question, 708, 1488, 1979, 3833; simple questions do not always involve a simple answer, 3233.

A question without notice may not seek a Minister's opinion, for the House is interested only in facts, 197, 339, 632, 2686, 3168, 3428; to ask whether certain facts mean something is not seeking an opinion, 405.

A question without notice may not be unnecessarily prolix, 409; it must seek and not give information, 1178, 1387; though in eliciting information an hon. member sometimes gives the appearance of giving information, 338, 1978.

No question without notice may be asked for the sole purpose of political propaganda. However, every hon. member could argue that all questions asked have some political import and the Chair decides the issue, 405.

#### ASSEMBLY, LEGISLATIVE (continued):

SPEAKER, MR. (THE HON. R. S. MAHER), RULINGS, OBSERVATIONS AND OPINIONS (continued):

A Minister may not, in answering a question without notice, debate a speech made earlier and containing the same subject-matter; though he is entitled to elaborate upon his answer. 463.

Questions without notice must relate to the scope and authority of the Minister, 712, 3234; and should be addressed to the appropriate Minister, for it is asking too much of the Premier to expect him to have a detailed knowledge of what is happening in the various departments, 3239.

Mr. Speaker is not in a position to judge the question of irresponsibility, a quality that may be thought to be in the mind of the questioner. A sincere question designed to elicit information and to correct a state of injustice may be asked by an hon. member, 1055.

A parliamentary institution is not the place for the recital of prowess of school teams in basketball, vigoro or any other forms of sport, and an hon. member's question about a school may not include references to its competitive success in these fields, 1127.

It is customary at question time to call the Leader of the Opposition when it is the Opposition's turn to ask a question without notice, but he cannot get the call if Opposition members ask in succession a number of supplementary questions, 1241; or if he does not behave in a manner consistent with the dignity of his position, 1242.

Mr. Speaker may allow an hon. member to complete his question before deciding whether it is in order, 1394, 1978.

An hon. member who has the call but who, due to interruption by points of order and personal explanations, is unable to ask his question before the time for asking questions has expired may be given an early call at question time the following day, 1918; but an hon. member who has begun to ask his question may complete it and is entitled to an answer, 1981.

A question without notice may not be asked by way of interjection, 1330, 1488; and it need not be prefaced by the words "Is it a fact that", 1978.

If an hon, member has asked questions without notice that contain suggestions and innuendoes, another hon, member may ask a question along those lines, 1980.

#### ASSEMBLY, LEGISLATIVE (continued):

SPEAKER, MR. (THE HON. R. S. MAHER), RULINGS, OBSERVATIONS AND OPINIONS (continued):

A question without notice does not constitute a statement by the hon. member, 1980.

The words "the hon. member made it perfectly clear" in a question without notice do not seek an expression of opinion, 1981.

The tendency for private members to attempt to answer questions which the Minister is answering is disorderly, 2265, 2272, 2934; the Minister should be better qualified than anybody else to answer the question, 3714

It is objectionable to preface a question without notice by the words "I ask the Minister whether he will examine his conscience", 3170.

A question without notice should be answered on the floor of the House. If the Minister has not sufficient information to do so, an hon. member should put his question on the Questions and Answers paper, 3715.

An hon, member acts wisely if he gives to the Minister a full statement of the detailed information he requires before he asks a question without notice, 3835.

A Minister may refer to copious notes in his answer to an involved question, on the details of which he wishes to be most definite, 3836.

Points of order disallowed: That a Minister in answering a question was debating the issue, 1488; that a question without notice was designed to achieve the same purpose as the hon. member's motion which was defeated on the previous day, 2270.

Relevance: An hon. member or Minister must confine his remarks to matters relevant to the motion before the House, 71, 73, 205, 513, 569, 800, 935, 1434, 1876, 1883, 2138, 2139, 2604, 2627, 2630, 3515, 3581, 3584, 3603, 3843, 3919; or link his remarks to such matters, 2628, 3328; and he may not deal with a question that has been decided, 1615; but an hon. member may answer an analogy drawn by a previous speaker between legislation of the Australian Labor Party and the policy of the Communist Party, 1944; he may not fritter away the time of the House by voicing a protest against the procedure adopted, 2164.

In debate on the resumption of an estate, an hon. member may speak briefly and in general terms of closer settlement, but he must devote himself mainly to the terms of the resumption of the particular estate, 476.

#### ASSEMBLY, LEGISLATIVE (continued): 1

SPEAKER, MR. (THE HON. R. S. MAHER), RULINGS, OBSERVATIONS AND OPINIONS (continued):

Appointments to the trust are not under discussion when the House is dealing with the dedication of some land, 806.

An hon. member may not, under the guise of extending congratulations, make this a source of criticism of the Government, 1584.

Repetition: Mr. Speaker decides whether an hon member is guilty of tedious repetition, 2628.

Tiring speeches do not come from only one side of the House, 3328.

Statements and Documents: An hon. member may not quote from a document that has not been officially tabled, 274.

Though an hon. member may not read page after page from a book, he may quote the opinions of well-qualified world authorities on the subject when dealing with the general principles of a bill, 2311.

Sub judice: No comment may be made or question asked by an hon. member about a matter that is sub judice, 338. In doubtful cases, in view of possible damage to the party concerned, the question may be ruled out of order, 1860.

The ramifications of the Industrial Arbitration Act are so diverse that it would be virtually impossible to find a time at which some proceedings were not before the Courts. Consideration of an amending bill would be postponed sine die if the sub judice rule were applied, 2374.

So long as a dispute is merely in the hands of a conciliator it is not sub judice, 2688; but hon members should bear in mind the principle behind the sub judice rule, that no statement should be made publicly that might be interpreted, even remotely, as influencing the minds of judges or tribunals so as to prejudice one side or the other, 2689.

Tabling of Papers: At the conclusion of question time, when Ministers are tabling papers, hon. members who wish to leave the Chamber should do so as quietly as possible, 3313, 3368.

Votes and Proceedings: Motion alleging inaccuracy ruled out of order, 1791, 1866.

Words and Expressions Required to be Withdrawn:

"That is where men of principle differ from the Premier", 272.

"The Leader of the Opposition is endeavouring to make a serial out of this matter and at the same time, by innuendo, sug-

#### **ASSEMBLY, LEGISLATIVE** (continued):

SPEAKER, MR. (THE HON. R. S. MAHER), RULINGS, OBSERVATIONS AND OPINIONS (continued):

gestion and downright statement in the House, to imply dishonesty against all people associated with this matter", 1121.

"Your name is 'Top-off' Murphy", 1268.

"He has made unfounded and untrue charges against the Hospitals Commission of New South Wales, so much so that the newspapers now fail to take any notice of the hon member", 1388.

"If you get any joy out of libelling or defaming a high public servant, you are entitled to it", 1914, 1972.

"All I can say is—Ned Kelly rules again", 1915, 1972.

"I should not be any more (a rabble) than you would be, Mr. Speaker", 2261.

"Guttersnipe", 2262.

"The hon member, more than any other hon member, seems to take a delight in casting some aspersion or some reflection on the young people of this State", 2373.

"Is it proposed that . . . we should divide the spoils . . .", 2580.

"The stupid hon. members who are interjecting", 2585.

"Corrupt" (describing an hon. member of another place), 3611.

SPECIAL ADJOURNMENT, m., 636, 1395, 1556, 1642, 2611, 3304, 3937, 4049.

STANDING ORDERS:

Notices of Motion, 2820.

TABLING OF PAPERS:

Maintenance of Silence, q., 3313.

TEMPORARY CHAIRMAN OF COMMITTEES (L. M. NOTT, ESQ.), RULINGS, OBSERVATIONS AND OPINIONS:

Chair: An hon. member should address the Chair, and he should not engage in a verbal interchange with the Minister, 1196, 2029, 2031.

Private Members' Day: A motion that Government business shall take precedence over general business does not eliminate private members' day, 1960.

Relevance: An hon. member may not anticipate discussion of a matter set down for consideration, 1960.

In debate on the Loan Estimates only brief reference may be made to matters of detail, 1960, 2027; there may be no discussion of the administration of a department, 1963, 2029, 2030; or on how the

#### ASSEMBLY, LEGISLATIVE (continued):

TEMPORARY CHAIRMAN OF COMMITTEES (L. M. NOTT, ESQ.), RULINGS, OBSERVATIONS AND OPINIONS (continued):

total amount of the Loan Estimates was calculated, 2026; or on the proceedings of the Loan Council, though a passing reference is in order, 2029; or on the need for legislation to deal with a matter omitted from the Loan Estimates, though an hon member may suggest that some items are too low and that more money should be provided, 2029.

Duplication of debate is not permissible, 1963.

Hon. members must confine themselves to the clause under consideration, 3735; or to the motion being debated, though brief references, of about one or two sentences, which can be linked up, are permissible, 2027.

An amendment must be within the scope of the bill, 3221.

Words and expressions required to be withdrawn: "I would not trust the hon. member with anything", 3731.

TEMPORARY CHAIRMAN OF COMMITTEES (L. J. TULLY, ESQ.), RULINGS, OBSERVATIONS AND OPINION:

Conversation: Hon. members should refrain from excessive conversation while a Minister is speaking, 3790.

TEMPORARY CHAIRMAN OF COMMITTEES (W. E. WATTISON, ESQ.), RULINGS, OBSERVATIONS AND OPINIONS:

Chair: An hon. member may not convass a ruling of the Chair, 1338; and may not cast a reflection on the Chair, 1340.

Interjections: Constant interjections are disorderly, 1600, 2489.

Offensive Remarks: An hon. member may be required to withdraw and to apologise without qualification for any words objectionable to another hon. member, 2489.

Point of order disallowed, that Minister's remarks were offensive, 3907.

Relevance: In Committee of Supply an hon. member must confine his remarks to the administration of the departments covered by the Estimate under consideration, 1338; he may not deal generally with Government railways on the Estimate for the Minister for Transport, 1339, 1340.

An hon. member must confine his remarks to matters relevant to the resolution before the Committee, 1806, 1808; though he may make brief reference to the remarks of other speakers in the debate, 1808.

## ASSEMBLY, LEGISLATIVE (continued):

TEMPORARY CHAIRMAN OF COMMITTEES (W. E. WATTISON, ESQ.), RULINGS, OBSERVATIONS AND OPINIONS (continued):

Words and Expressions required to be withdrawn: "Some hon members are given licence in one direction and others are stopped all along the line", 1340.

"When he should have been here in the Chamber to record his vote he was never to be found here", 2489.

VACANCY, 1708.

Votes and Proceedings, urgency, 1791.

#### Atomic Energy:

Power Stations, address, 429. Value, address, 429.

# Auctioneers, Stock and Station, Real Estate and Business Agents Act:

Amendment, q., 2748.

#### Auditor-General's Report:

Availability, q., 62, 500; budget, 937, 949, 950, 959, 1101, 1063; Tabling, 1128. Interim Reports, q., 1274, 1585. Treasury Balances, q., 2865.

#### Australian Constitution:

Joint Committee's Report, q., 410, 540, 863, 2746.

#### Australian Labor Party:

Appointments to Trusts, q., 260.

Cahill Regime, address, 87.

Caucus Decisions, address, 266.

Communism, address, 278,

Conference, address, 279.

Criticism by Deputy Leader of the Opposition, address, 372.

Dissension, censure, 3010.

Election Successes, address, 345.

"Golden Age", address, 78.

Government Policy, q., 24.

Industrial Groups, address, 345.

Industrial Legislation, address, 362, 398.

Labor Council of New South Wales, address,

Newcastle Trades Hall Council, q., 2374, 2465.

Platform, address, 208.

Policy, address, 18, 36, 87, 150, 857.

#### Australian Labor Party (continued):

Record, address, 241, 277, 278.

Socialist Enterprises, loan est., 1953.

Socialist Objective, address, 268.

Social Legislation, address, 290.

Statements by Mr. F. H. Campbell, address, 75.

#### Automation and Mechanisation:

Advantages, address, 429, 433. Commission of Inquiry, address, 138, 429, 431, 437. Effects, address, 288.

Employment, address, 321. Introduction, address, 353.

#### Baby Health Centres:

Finance, est., 1368; loan est., 1948. Staff Shortages, est., 1368.

# Banking (See also "Finances and Investment"):

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Commonweath Bank, Closer Settlement Schemes, budget, 1248.

Government Savings Bank, q., 1175.

Policy, loan est., 2028; p.o., 2029; loan est., 2030.

Rural Bank of New South Wales:

Advances to Rural Industry, loan est., 2025; p.o., 2026.

Policy, loan est., 2025, 2031.

Rural Credits, loan est., 2027, 2030.

Trading Hours, q., 2268, 3364.

#### Bankruptcy Act:

Amendment, q., 3062.

#### Basic Wage and Margins:

Average Male Wage, address, 325.

#### BILLS:

#### APPROPRIATION BILL:

Assembly: Int. and 1R., 1553; remaining stages, 1611; mes., 1883; assent, 2094.

Council: 1R. and m.s.o., 1643; 2R., 1643, 1768, 1824; Com., ad. rep. and 3R., 1838; assent, 2062.

#### **BILLS** (continued):

AUSTRALIAN PINES AND PRODUCTS AFFORESTA-TION CONTRACTS BILL:

Council: Petition, 3523; int., 1R. and select com., 3631.

# Banking (Interpretation of References) Bill:

Assembly: Int., 2272; 1R., 2273; 2R., 2487; Com., ad. rep. and 3R., 2488; mes., 2595; assent, 2620.

Council: 1R. and m.s.o., 2451; 2R., Com., ad. rep. and 3R., 2523; assent, 2773.

#### BERMAGUI HARBOUR WORKS BILL:

Assembly: Int., 522; 1R., 525; 2R., 758, 787; Com. and ad. rep., 798; 3R., 865; mes., 1050; assent, 1270.

Council: 1R., 840; 2R., 902; Com. and ad. rep., 904; 3R., 964; assent, 1575.

#### BURRENDONG DAM (AMENDMENT) BILL:

Assembly: Int., 2874; 1R., 2879; 2R., 3097, 3127; Com., 3135; ad. rep., 3136; 3R., 3198; mes., 3360; assent, 3543.

Council: 1R. and m.s.o., 3226; 2R., 3227; Com. and ad. rep., 3231; 3R., 3288; assent, 3523.

# CENTENARY CELEBRATION (AMENDMENT) BILL:

Assembly: Int., 520; 1R., 521; 2R., 803; Com. and ad. rep., 805; 3R., 865; mes., 1270; assent, 1424.

Council: 1R., 840; 2R., Com. and ad. rep., 1083; 3R., 1233; assent, 1575.

#### CLEAN AIR BILL:

Assembly: Int., 3927; 1R., 3933.

#### COAL INDUSTRY (AMENDMENT) BILL:

Assembly: Int., 3397; 1R., 3398; 2R., 3785; Com., ad. rep. and 3R., 3787; mes., 3861; assent, 4012.

Council: 1R., m.s.o. and 2R., 3711; Com. and ad. rep., 3712; 3R., 3797.

## COAL MINES REGULATION (AMENDMENT) BILL:

Assembly: Int., 3395; 1R., 3397; 2R., 3783; Com., ad. rep. and 3R., 3785; mes., 3861; assent, 4012.

Council: 1R., m.s.o. and 2R., 3709; Com. and ad. rep., 3711; 3R., 3797.

#### **BILLS** (continued):

#### COMPANIES (AMENDMENT) BILL, 1959:

Assembly: Int., 1756; 1R., 1757; 2R., 1884, 2002; Com., ad. rep. and 3R., 2004; mes., 2500; assent, 2620.

Council: Contingent notice m.s.o., 1838; 1R. and m.s.o., 2062; 2R., 2063; Com. and adrep., 2075; 3R., 2398, 2400; assent, 2773.

#### COMPANIES (AMENDMENT) BILL, 1960:

Assembly: Int., 3316; 1R., 3320; 2R., 3747; Com., 3779; ad. rep. and 3R., 3783; mes. and cons. amdts., 3935; ad. rep., 3936; assent, 4012.

Council: 1R., m.s.o. and 2R., 3690; Com., 3706; ad. rep., 3708; recom., 3942; ad. rep. 2°., 3943; 3R., 3982.

#### COMPANIES (RECEIVER AND MANAGER) BILL:

Assembly: m.s.o. and int., 988; 1R. and 2R., 989; Com., 999; ad. rep. and 3R., 1000; mes., 1118; cons. amdt., 1151; ad rep., 1152; assent, 1174.

Council: 1R., 979; 2R., 1034; Com., 1042; ad. rep. and m.s.o., 1047; 3R., 1049; assent, 1233.

# CONSTITUTION AMENDMENT (LEGISLATIVE COUNCIL ABOLITION) BILL, 1959:

Assembly: Int., 1982; amdt., 1989; 1R., 2002; 2R., 2086, 2500, 2596; Com., ad. rep. and 3R., 2611; mes., 2620.

Council: mes., 2549.

# CONSTITUTION AMENDMENT (LEGISLATIVE COUNCIL ABOLITION) BILL, 1960:

Assembly: Notice of motion, 3436; int., 3507; 1R., 3523; dissent, 3552; 2R., 3586; Com. and ad. rep., 3615; 3R., 3722; mes., 3742, 3838, 3861, 3936, 4012; joint sitting of Members, 4012; referendum, 4012, 4038.

Council: Mes., 3631, 3797, 4003; dissent, 4005; address, 4007.

Joint Sitting of Members: Addendum, i-xx.

CONSTITUTION (REFERENDUM) BILL:

Council: Int. and 1R., 3419; 2R., 3801.

## CONVEYANCING (STRATA TITLES) BILL: Assembly: m.s.o., 2395; int., 2395, 2466; 1r., 2475.

#### CO-OPERATION (AMENDMENT) BILL:

Assembly: Int., 2885; 1R., 2888; 2R., 3074; Com., ad. rep. and 3R., 3090; mes. 3275; assent, 3486.

Council: 1R. and m.s.o., 3059; 2R., 3156; Com. and ad. rep., 3162; 3R., 3226; assent, 3523.

#### **BILLS** (continued):

#### CORONERS BILL:

Assembly: Int., 1755; 1R., 1756; 2R., 2656; Com. and ad. rep., 2675; 3R., 2737; mes., 2988; assent, 3360.

Council: 1R., 2780; 2R., 2850; Com., 2860; ad. rep., 2861; 3R., 2918; assent, 3341.

# COUNTRY WATER SUPPLIES ADMINISTRATION AND STATE BRICKWORKS (AMENDMENT) BILL:

Assembly: Int., 3070; 1R., 3073; 2R., 3284, 3328, 3398; Com., 3402; ad. rep., 3403; 3R., 3438; mes., 3738; assent, 4012.

Council: 1R., 3419; 2R., 3536; Com. and ad. rep., 3539; 3R., 3631.

#### CROWN EMPLOYEES APPEAL BOARD (AMEND-MENT) BILL:

Assembly: Int., 2870; 1R., 2871; 2R., 3275; Com. and ad. rep., 3277; 3R., 3316; mes., 3486; assent, 3838.

Council: 1R., 3288; 2R., 3341; Com. and ad. rep., 3342; 3R., 3418; assent, 3828.

#### CROWN LANDS (AMENDMENT) BILL:

Assembly: Int., 3439; 1R., 3444; 2R., 3787, 3846; Com., 3856; ad. rep. and 3R., 3861; mes., 3935; assent, 4012.

Council: 1R. and m.s.o., 3828; 2R., 3944; Com., ad. rep. and 3R., 3947.

# CROWN LANDS (REMOVAL OF RESTRICTION ON TRANSFER) BILL:

Assembly: Int., 1754; 1R., 1755; 2R., 1876; Com. and ad. rep., 1883; 3R., 1919; mes., 2132; assent, 2366.

Council: Contingent notice m.s.o., 1838; 1R., 1906; m.s.o. and 2R., 1907; Com. and ad. rep., 1908; 3R., 2062; assent, 2342.

# DESERTED WIVES AND CHILDREN (AMENDMENT) BILL:

Assembly: Int., 2890; 1R., 2893; 2R., 3258; Com. and ad. rep., 3271; 3R., 3316; mes., 3486; assent, 3835.

Council: 1R., 3288; 2R., 3342; Com. and ad. rep., 3353; 3R., 3418; assent, 3941.

#### FACTORIES AND SHOPS AND LOCAL GOVERN-MENT (AMENDMENT) BILL:

Assembly: Int., 2906; 1R., 2907; 2R., 3271; Com. and ad. rep., 3275; 3R., 3316; mes., 3486; assent, 3838.

Council: 1R., 3288; 2R., 3353; Com. and ad. rep., 3356; 3R., 3419; assent, 3828.

#### **BILLS** (continued):

FARM PRODUCE AGENTS (AMENDMENT)
BILL:

Assembly: Int., 518; 1R., 520; 2R., 2763; Com. and ad. rep., 2766; 3R., 2821; mes., 3010; assent, 3360.

Council: 1R., 2847; 2R., 2920; Com. and ad. rep., 2922; 3R., 2969; assent, 3341.

#### FILLED MILK BILL:

Assembly: Int., 510; 1R., 516; 2R., 827, 870, 1762, 2488; Com., 2488; ad. rep. and 3R., 2500; mes., 2888; assent, 3175.

Council: 1R., 2451; 2R., 2780; Com. and ad. rep., 2788; 3R., 2848, 2849; assent, 3150.

FISHERIES AND OYSTER FARMS (AMEND-MENT) BILL:

Assembly: Int., 737; 1R., 739; 2R., 2766, 2822; Com., 2829; ad. rep., 2833; 3R., 2872; mes., 3010; assent, 3360.

Council: 1R., 2847; 2R., 2926; Com. and ad. rep., 2932; 3R., 2969; assent, 3341.

GAMING AND BETTING (POKER MACHINES)
AMENDMENT BILL:

Assembly: Int., 2149; 1R., 2150; 2R., 2477; Com., 2482; ad. rep., 2484; 3R., 2500; mes., 2611; assent, 2620.

Council: 1R. and m.s.o., 2451; 2R., 2524; Com., ad. rep and 3R., 2530; assent, 2773.

GAMING AND BETTING (POKER MACHINES)
TAXATION AMENDMENT BILL:

Assembly: Urgency, m.s.o. and ways, 2484; resolution reported, 1R., and 2R., 2485; Com., 2486; ad. rep. and 3R., 2487; mes., 2611; assent, 2620.

Council: 1R. and m.s.o., 2451; 2R., Com., ad. rep. and 3R., 2530; assent, 2773.

GENERAL LOAN ACCOUNT APPROPRIATION BILL:

Assembly: All stages, 2061; mes., 2258; assent, 2457.

Council: Contingent notice m.s.o., 1838; 1R., and m.s.o., 2062; 2R., 2075; Com. and ad. rep., 2077; 3R., 2170; assent, 2398.

HIDE AND LEATHER INDUSTRIES (REPEAL) BILL:

Assembly: Int., 486; 1R., 487; 2R., 623; Com. and ad. rep., 625; 3R., 658; mes., 1050; assent, 1270.

Council: 1R., 686; 2R., 893; Com. and ad. rep., 894; 3R., 964; assent, 1575.

#### **BILLS** (continued): .

#### HIRE-PURCHASE BILL:

Assembly: Int., 3391; 1R., 3395; 2R., 3866; Com., 3889; ad. rep. and 3R., 3892; mes., 3935; assent, 4012.

Council: 1R. and m.s.o., 3942; 2R., 3951; Com., 3980; ad. rep. and 3R., 3982.

#### HOUSING (AMENDMENT) BILL:

Assembly: Int., 2883; 1R., 2885; 2R., 2946; Com., 2964, 3042, 3073; ad. rep. and 3R., 3074; mes., 3275; assent, 3486.

Council: 1R. and m.s.o., 3046; 2R., 3150; Com. and ad. rep., 3156; 3R., 3225; assent, 3523.

INDUSTRIAL ARBITRATION (AMENDMENT)
BILL:

Assembly: Int., 2021; 1R., 2025; 2R., 2110, 2206, q., 2270; 2R., 2273; Com., 2324, 2374; ad: rep., 2387; 3R., 2388; mes., 2451, assent, 2620.

Council: 1R., 2342; m.s.o., 2343; 2R., 2343, 2400; Com., 2446; ad. rep., 2457; 3R., 2518; assent, 2773.

INTERSTATE DESTITUTE PERSONS RELIEF (AMENDMENT) BILL:

Assembly: Int., 3495; 1R., 3496; 2R., 3923; Com., ad. rep. and 3R., 3925; mes., 3935; assent, 4012.

Council: 1R. and m.s.o., 3942; 2R., 3982; Com. and ad. rep., 3983; 3R., 3984.

LAND TAX MANAGEMENT (AMENDMENT) BILL:

Assembly: Int., 3738; 1R., 3739; 2R., 3861; Com., ad. rep. and 3R., 3866; mes., 3935; assent, 4012.

Council: 1R. and m.s.o., 3828; 2R., 3947; Com., ad. rep. and 3R., 3951.

LAW OF EVIDENCE BILL (formal):

Assembly: 1R., 31. Council: 1R., 12.

LEGAL PRACTITIONERS (AMENDMENT) BILL:

Assembly: Int., 3207; 1R., 3208; 2R., Com. and ad. rep., 3328; 3R., 3391; mes., 3738; assent, 4012.

Council: 1R., 3419; 2R., 3535; Com. and ad. rep., 3536; 3R., 3631.

LEGISLATIVE ASSEMBLY MEMBERS SUPER-ANNUATION (AMENDMENT) BILL:

Assembly: m.s.o., 2572; int., 1R. and 2R., 2592; Com., ad. rep and 3R., 2595; mes., 2611; assent, 2620.

Council: 1R., m.s.o. and 2R., 2545; Com., ad. rep. and 3R., 2549; assent, 2773.

#### **BILLS** (continued):

#### LIBRARY (AMENDMENT) BILL:

Assembly: Int., 488; 1R., 490; 2R., 591, 602; Com. and ad. rep., 620; 3R., 658; mes., 1050; assent, 1270.

Council: 1R., 686; 2R., 894; Com. and ad. rep., 898; 3R., 964; assent, 1575.

## LOCAL GOVERNMENT (AMENDMENT) BILL, 1959:

Assembly: Int., 1457; 1R., 1465; 2R., 1498, 1611; Com., 1633, 1708; report, 1726; recom., 1730; report 2°, 1736; ad. rep. 2°, 1737; 3R., 1737; assent, 1846.

Council: 1R., m.s.o. and 2R., 1659; Com., ad. rep. and 3R., 1699; assent, 1824.

# LOCAL GOVERNMENT (AMENDMENT) BILL, 1960:

Assembly: Int., 3322; 1R., 3328; 2R., 3412, 3444; Com., 3482, 3496; ad. rep., 3507; 3R., 3576; mes., 3861; cons. amdts., 3906; ad. rep., 3913; assent, 4012.

Council: 1R. and m.s.o., 3631; 2R., 3643; Com., 3669; ad. rep., 3675; 3R., 3797.

# LOCAL GOVERNMENT AND OTHER AUTHORITIES (SUPERANNUATION) AMENDMENT BILL:

Assembly: Int., 481; 1R., 484; 2R., 526; Com. and ad. rep., 533; 3R., 547; mes., 827; cons. amdt., 869; ad. rep., 870; assent, 1118.

Council: 1R., 625; 2R., 687; Com. and ad. rep., 692; 3R., 763; assent, 1082.

# LOTTERIES AND ART UNIONS (AMENDMENT) BILL:

Assembly: Int., 2873; 1R., 2874; 2R., 3092; Com. and ad. rep., 3097; 3R., 3127; mes., 3275; assent, 3486.

Council: 1R. and m.s.o., 3150; 2R., 3162; Com. and ad. rep., 3166; 3R., 3226; assent, 3523.

# MAIN ROADS AND LOCAL GOVERNMENT (AMENDMENT) BILL:

Assembly: Int. and 1R., 486; 2R., 569; Com. and ad. rep., 573; 3R., 602; mes., 827; assent, 1118.

Council: 1R., 625; 2R., 692; Com. and ad. rep., 693; 3R., 763; assent, 1083.

#### MEAT INDUSTRY (AMENDMENT) BILL:

Assembly: Int., 516; 1R., 518; 2R., 2677, 2749; Com. and ad. rep., 2763; 3R., 2820; mes., 3010; assent, 3360.

Council: 1R., 2847; 2R., 2922; Com. and ad. rep., 2926; 3R., 2969; assent, 3341.

#### **BILLS** (continued):

#### MINISTERS OF THE CROWN BILL:

Assembly: Int. and 1R., 470; 2R., 565; Com. and ad. rep., 569; 3R., 602; mes., 827; assent, 1118.

Council: 1R., 625; 2R., 693; Com. and ad. rep., 694; 3R., 763; assent, 1083.

## MOTOR VEHICLES (TAXATION) AMENDMENT BILL:

Assembly: Ways, 1758, 1795; urgency and m.s.o., 1869; ways, 1869; resolution reported, 1R., 2R. and Com., 1871; ad. rep. and 3R., 1872; mes., 1940; assent, 2191.

Council: 1R. and m.s.o., 1838; 2R., 1839; Com. and ad. rep., 1842; 3R., 1904; assent, 2170.

# NATIONAL TRUST OF AUSTRALIA (NEW SOUTH WALES) BILL, THE:

Assembly: Int., 1747; 1R., 1753; 2R., 2833, 2907; Com., 2911; ad. rep., 2913; 3R., 2941; mes., 3198; assent, 3360.

Council: 1R., 2918; 2R., 2974, 3047; Com., 3054; ad. rep., 3055; 3R., 3150; assent, 3341.

## NURSES REGISTRATION (AMENDMENT) BILL:

Assembly: Int., 2942; 1R., 2943; 2R., 3222, 3244; Com. and ad. rep., 3247; 3R., 3316; mes., 3486; assent, 3838.

Council: 1R., 3288; 2R., 3356; Com. and ad. rep., 3360; 3R., 3419; assent, 3828.

# PARLIAMENTARY ALLOWANCES AND SALARIES BILL:

Assembly: m.s.o., int., 1R. and 2R., 2572; Com., ad. rep. and 3R., 2592; mes., 2611; assent, 2620.

Council: 1R., 2530; m.s.o. and 2R., 2531; Com., ad. rep. and 3R., 2545; assent, 2773.

# PARLIAMENTARY ELECTORATES AND ELECTIONS (AMENDMENT) BILL:

Assembly: Urgency, m.s.o., int., 1R. and 2R., 66; Com., ad. rep and 3R., 74; mes., 99; assent, 120.

Council: 1R., m.s.o. and 2R., 44; Com., ad. rep. and 3R., 46; assent, 101.

# PHYSIOTHERAPISTS REGISTRATION (AMEND-MENT) BILL:

Assembly: Int., 480; 1R., 481; 2R., 658; Com., 669, 801; ad. rep., 803; 3R., 865; mes., 1270; cons. amdt., 1334; ad. rep., 1335; assent, 1424.

Council: 1R., 840; 2R., 964, 1084; Com., 1092; ad. rep., 1107; 3R., 1233; assent, 1575.

#### **BILLS** (continued):

#### PUBLIC HEALTH (AMENDMENT) BILL:

Assembly: Int., 2900; 1R., 2906; 2R., 3136, 3208; Com., 3218; ad. rep., 3221; 3R., 3244; mes., 3574; cons. amdt., 3933; ad. rep., 3934; assent, 4012.

Council: 1R., 3226; 2R., 3288; Com., 3301; ad. rep., 3303; recom., 3419; ad. rep. 2°, 3420; 3R., 3523.

#### PUBLIC HOSPITALS (AMENDMENT) BILL:

Assembly: Int., 798; 1R., 801; 2R., 2004, 2017, 2094, 2132, 2150; Com., 2158; report, 2164; recom., 2166, 2203; ad. rep. 2° and 3R., 2206; mes., 2457; assent, 2620.

Council: 1R., m.s.o., and 2R., 2176; Com. and ad. rep., 2189; 3R., 2342; assent, 2773.

PUBLIC SERVICE AND OTHER STATUTORY BODIES (EXTENDED LEAVE) BILL:

Assembly: Int., 469; 1R., 470; 2R., 562; Com. and ad. rep., 565; 3R., 602; mes., 827; assent, 1118.

Council: 1R., 625; 2R., 694; Com. and ad. rep., 697; 3R., 763; assent, 1083.

# PUBLIC SERVICE AND POLICE REGULATION (AMENDMENT) BILL:

Assembly: Int., 2871; 1R., 2872; 2R., 3278; Com. and ad. rep., 3284; 3R., 3316; mes., 3574; assent, 3935.

Council: 1R., 3288; 2R., 3420; Com. and ad. rep., 3423; 3R., 3523; assent, 3941.

#### PUBLIC TRUSTEE (AMENDMENT) BILL:

Assembly: Int., 2888; 1R., 2890; 2R., 3247; Com. and ad. rep., 3257; 3R., 3316; mes., 3574; assent, 3935.

Council: 1R., 3288; 2R., 3423; Com. and ad. rep., 3427; 3R., 3523; assent, 3941.

# PUBLIC WORKS (LIVERPOOL LANDS DISPOSAL) BILL:

Assembly: Int., 3321; 1R., 3322; 2R., 3403; Com. and ad. rep., 3412; 3R., 3438; mes., 3738; assent, 4012.

Council: 1R., 3419; 2R., 3539; Com. and ad. rep., 3541; 3R., 3631.

#### RACING (AMENDMENT) BILL:

Assembly: Int., 1753; 1R., 1754; 2R., 1874; Com. and ad. rep., 1876; 3R., 1919; mes., 2132; assent, 2366.

Council: 1R., m.s.o. and 2R., 1904; Com. and ad. rep., 1906; 3R., 2062; assent, 2342.

#### **BILLS** (continued):

REORGANISED CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS TRUST PROPERTY BILL:

Assembly: Int. and 1R., 478; 2R., 675; Com. and ad. rep., 679; 3R., 739; mes., 1050; assent, 1270.

Council: 1R., 763; 2R., 898; Com. and ad. rep., 900; 3R., 964; assent, 1575.

# ROMAN CATHOLIC CHURCH TRUST PROPERTY (AMENDMENT) BILL:

Assembly: Int., 1757; 1R., 1758; 2R., 2675; Com. and ad. rep., 2677; 3R., 2737; mes., 2988; assent, 3360.

Council: 1R., 2780; 2R., 2849; Com. and ad. rep., 2850; 3R., 2918; assent, 3341.

# SCAFFOLDING AND LIFTS (AMENDMENT) BILL:

Assembly: Int., 620; 1R., 623; 2R., 2914, 2943; Com. and ad rep., 2946; 3R., 3042; mes., 3198; assent, 3360.

Council: 1R. and m.s.o., 3046; 2R., 3055; Com. and ad. rep., 3059; 3R., 3150; assent, 3341.

#### STATE COAL MINES (AMENDMENT) BILL:

Assembly: Int. and 1R., 490; 2R., 748; Com., 756; ad. rep., 758; 3R., 787; mes., 1050; assent, 1270.

Council: 1R., 763; 2R., 900; Com. and ad. rep., 902; 3R., 964; assent, 1575.

#### STATUTORY SALARIES ADJUSTMENT BILL:

Assembly: Int., 2821; 1R., 2822; 2R., 2893; Com. and ad. rep., 2900; 3R., 2941; mes. 3092; cons. amdts. and ad. rep., 3126; assent, 3360.

Council: 1R., 2918; 2R., 2970; Com. and ad. rep., 2972; 3R., 3046; assent, 3341.

#### SUITORS' FUND (AMENDMENT) BILL, 1959:

Assembly: Int., 479; 1R., 480; 2R., 679, 740; Com. and ad. rep., 747; 3R., 787; mes., 1270; cons. amdt., 1335; ad. rep., 1337; assent, 1424.

Council: 1R., 763; 2R., 1107; Com., 1115; ad. rep., 1116; 3R., 1233; assent, 1575.

#### SUITORS' FUND (AMENDMENT) BILL, 1960:

Assembly: Int., 2655; 1R., 2656; 2R., 2913; Com. and ad. rep., 2914; 3R., 2942; mes., 3092; assent, 3360.

Council: 1R., 2918; 2R., 2972; Com. and ad. rep., 2974; 3R., 3046; assent, 3341.

#### **BILLS** (continued):

#### SUPERANNUATION (AMENDMENT) BILL:

Assembly: Int., 3739; 1R., 3742; 2R., 3893; Com., ad. rep. and 3R., 3906; mes. 3935; assent, 4012.

Council: 1R. and m.s.o., 3942; 2R., 3984; Com., ad rep. and 3R., 3993.

#### SUPPLY BILL:

Assembly: Supply, 865; remaining stages, 869; mes., 1050; assent, 1174.

Council: 1R., 840; 2R., 892; Com. and ad. rep., 893; 3R., 964; assent, 1233.

#### SWINE COMPENSATION TAXATION BILL:

Assembly: Ways, 1761; resolution reported, 1762; 1R., 1762; 2R., 1872; Com., ad. rep. and 3R., 1874; mes., 1940; assent, 2191.

Council: 1R., 1842; m.s.o. and 2R., 1843; Com. and ad. rep., 1845; 3R., 1904; assent, 2170.

# SYDNEY HARBOUR BRIDGE (FURTHER WORKS) AND MAIN ROADS (AMENDMENT) BILL:

Assembly: Int., 3576; 1R., 3585; 2R., 3914; Com., 3922; ad rep. and 3R., 3923; mes., 3935; assent, 4012.

Council: 1R. and m.s.o., 3942; 2R., 3995; Com., ad. rep. and 3R., 4002.

#### SYDNEY OPERA HOUSE BILL:

Assembly: Int., 3199; 1R., 3207; 2R., 3615, 3722; Com., 3730; ad. rep. and 3R., 3738; mes., 3861; assent, 4012.

Council: 1R., m.s.o. and 2R., 3678; Com., 3689; ad. rep., 3690; 3R., 3797.

SYDNEY SPORTS GROUND AND SYDNEY CRICKET GROUND AMALGAMATION (AMENDMENT) BILL:

Assembly: Int., 521; 1R., 522; 2R., 805; Com. and ad. rep., 809; 3R., 865; mes., 1050; assent, 1270.

Council: 1R., 840; 2R., Com. and ad. rep., 905; 3R., 964; assent, 1575.

Sydney University Settlement Incorporation Bill:

Assembly: Int., 487; 1R., 488; 2R., 586; Com. and ad. rep., 591; 3R., 602; mes., 1049; cons. amdt. and ad. rep., 1152; assent, 1326.

Council: 1R., 625; 2R., 697; Com. and ad. rep., 699; recom., 891; ad. rep., 892; 3R., 964; assent, 1575.

University and University Colleges (Amendment) Bill:

Assembly: Int. and 1R., 487; 2R., 574; Com., 584; ad. rep., 586; 3R., 602; mes., 827; assent, 1118.

Council: 1R., 626; 2R., 699; Com. and ad. rep., 705; 3R., 763; assent, 1083.

#### **BILLS** (continued):

VALUATION OF LAND AND LOCAL GOVERN-MENT (AMENDMENT) BILL:

Assembly: Int. and 1R., 2206; 2R., 2389, 2475; Com., ad. rep. and 3R., 2477; mes., 2595; assent, 2620.

Council: 1R., m.s.o. and 2R., 2451; Com. and ad. rep., 2457; 3R., 2518; assent, 2773.

#### WALGETT WATER SUPPLY BILL:

3360; assent, 3543.

Assembly: Int., 525; 1R., 526; 2R., 933; Com. and ad. rep., 936; 3R., 987; mes., 1151; assent, 1326.

Council: 1R., 964; 2R., 1047; Com., 1048; ad. rep., 1049; 3R., 1083; assent, 1575.

WEIGHTS AND MEASURES (AMENDMENT) BILL:

Assembly: Int., 2872; 1R., 2873; 2R., 3090;

Com. and ad. rep., 3092; 3R., 3127; mes.,

Council: 1R. and m.s.o., 3150; 2R., 3226; Com. and ad. rep., 3227; 3R., 3288; assent, 3523.

WELLINGTON SHOW GROUND (AMENDMENT)
BILL:

Assembly: Int., 3320; 1R., 3321; 2R., 3926; Com., ad. rep. and 3R., 3927; mes., 3935; assent, 4012.

Council: 1R. and m.s.o., 3942; 2R., 3993; Com., ad rep. and 3R., 3994.

WILD FLOWERS AND NATIVE PLANTS PROTEC-TION (AMENDMENT) BILL:

Assembly: Int., 484; 1R., 486; 2R., 533, 548; Com., 561; ad. rep., 562; 3R., 602; mes., 932; assent, 1118.

Council: 1R., 626; 2R., 763, 840; Com., 853; ad. rep., 856; 3R., 891; assent, 1083.

Workers' Compensation (Amendment) Bill:

Assembly: Int., 3438; 1R., 3439; 2R., 3743; Com., ad. rep. and 3R., 3747; mes., 3861; assent, 4012.

Council: 1R. and m.s.o., 3675; 2R., 3676; Com. and ad. rep., 3678; 3R., 3797.

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# Crawford, Mr. G. R., D.C.M. (continued):

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# Hospitals:

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# Crawford. Mr. G. R., D.C.M. (continued):

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#### Railways:

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# Crawford, Mr. G. R., D.C.M. (continued):

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#### Water:

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# Cross, Mr. D. D. (Georges River):

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#### Milk:

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#### Railways:

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# Cross, Mr. D. D. (continued):

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# Cutler, Mr. C. B. (Orange):

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# Decentralisation:

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#### Education:

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# Deane, Mr. B. S. L. (Hawkesbury):

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