**INDEX**

**TO**

**PARLIAMENTARY DEBATES**

(HANSARD)

27th April, 1988, to 3rd August, 1988

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**INDEX TO SUBJECTS**

*Explanation of Abbreviations: adj., Motion for Adjournment; ad. rep., Adoption of Report; Com., Committee; Com. and ad. rep., Committee and Adoption of Report; cons. amdts, Consideration of Amendments; cons. mes., Consideration of Message; int., Introduction; m., Motion; mes., Message; mem. stmt, Private Member's Statement; min. stmt, Ministerial Statement; m.s.o., Motion for Suspension of Standing or Sessional Orders; pers. expl., Personal Explanation; q., question; 1R., 2R., 3R., First, Second, Third Reading; recom., Recommittal; recons. amdts, Reconsideration of Amendments; select com., Select Committee; spec. adj., Special Adjournment; urgency, Motion of Urgency.*

<table>
<thead>
<tr>
<th>Subject</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Abattoirs</strong> (See “Meat Industry”)</td>
<td></td>
</tr>
<tr>
<td><strong>Aborigines:</strong></td>
<td></td>
</tr>
<tr>
<td>Aboriginal Corporation for Homeless and Rehabilitation Services, q., 968.</td>
<td></td>
</tr>
<tr>
<td>Aboriginal Land Rights Act: Disallowance of Regulation, m.s.o., 145; m., 146, 360.</td>
<td></td>
</tr>
<tr>
<td>Criminal Justice, q., 2368.</td>
<td></td>
</tr>
<tr>
<td>Homes on Aboriginal Land Program, q., 1878, 2193.</td>
<td></td>
</tr>
<tr>
<td>Land Grants, q., 623.</td>
<td></td>
</tr>
<tr>
<td>Land Rights, m., 108.</td>
<td></td>
</tr>
<tr>
<td>Lizzie Dulcie Ropeyarn, q., 1617, 1880.</td>
<td></td>
</tr>
<tr>
<td>Toomelah Aboriginal Mission, q., 1986.</td>
<td></td>
</tr>
<tr>
<td><strong>Abortion:</strong></td>
<td></td>
</tr>
<tr>
<td>Clinics, q., 1259.</td>
<td></td>
</tr>
<tr>
<td>Laws, q., 382; m., 1253.</td>
<td></td>
</tr>
<tr>
<td><strong>Advertising:</strong></td>
<td></td>
</tr>
<tr>
<td>Government, q., 133.</td>
<td></td>
</tr>
<tr>
<td>Premiers Conference, q., 922.</td>
<td></td>
</tr>
<tr>
<td><strong>Aged Persons</strong> (See “Social and Welfare Services”)</td>
<td></td>
</tr>
<tr>
<td><strong>Ambulance Services:</strong></td>
<td></td>
</tr>
<tr>
<td>South Coast, q., 1062.</td>
<td></td>
</tr>
<tr>
<td><strong>Animals:</strong></td>
<td></td>
</tr>
<tr>
<td>Cruelty, q., 2336.</td>
<td></td>
</tr>
<tr>
<td>Desexing of Cats, q., 2336.</td>
<td></td>
</tr>
<tr>
<td>Vivisection, q., 2339.</td>
<td></td>
</tr>
<tr>
<td><strong>Arts and Culture:</strong></td>
<td></td>
</tr>
<tr>
<td>Biennale Art Exhibition, q., 2182, 2183.</td>
<td></td>
</tr>
<tr>
<td><strong>Asia and Asian Affairs:</strong></td>
<td></td>
</tr>
<tr>
<td>Liberal Party Immigration Policy, q., 2185, 2186.</td>
<td></td>
</tr>
<tr>
<td><strong>Assembly, Legislative</strong> (See also “Government, State” and “Parliament”):</td>
<td></td>
</tr>
<tr>
<td>Administration of Oath or Affirmation of Allegiance, 10, 126.</td>
<td></td>
</tr>
<tr>
<td>Audio-visual Recording of Proceedings, 1375.</td>
<td></td>
</tr>
<tr>
<td><strong>Business of the House:</strong></td>
<td></td>
</tr>
<tr>
<td>Days and Hours of Sitting, m., 671.</td>
<td></td>
</tr>
<tr>
<td><strong>spec. adj.</strong>, 70.</td>
<td></td>
</tr>
<tr>
<td>Chamber Seating, 126.</td>
<td></td>
</tr>
<tr>
<td>Committee Documents, m., 1070.</td>
<td></td>
</tr>
<tr>
<td>Assembly, Legislative <em>(continued)</em>:</td>
<td></td>
</tr>
<tr>
<td>--------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Days and Hours of Sitting, <em>m.</em>, 671.</td>
<td></td>
</tr>
<tr>
<td>Deputy Government Whip, 18.</td>
<td></td>
</tr>
<tr>
<td>Deputy Leader of the Opposition, 18.</td>
<td></td>
</tr>
<tr>
<td>Deputy Opposition Whip, 18.</td>
<td></td>
</tr>
<tr>
<td>Distinguished Visitors, 790.</td>
<td></td>
</tr>
<tr>
<td>Editor of Debates, <em>spec. adj.</em>, 1573.</td>
<td></td>
</tr>
<tr>
<td>Election of Chairman of Committees, <em>m.</em>, 22.</td>
<td></td>
</tr>
<tr>
<td>Election of Speaker, <em>m.</em>, 10.</td>
<td></td>
</tr>
<tr>
<td>Former Minister for Housing, <em>adj.</em>, 1513, 1588</td>
<td></td>
</tr>
<tr>
<td>Government Whip, 18.</td>
<td></td>
</tr>
<tr>
<td>Hansard, <em>spec. adj.</em>, 1573.</td>
<td></td>
</tr>
<tr>
<td>Issue of Writ: Vaucluse, 787.</td>
<td></td>
</tr>
<tr>
<td>Joint Committees:</td>
<td></td>
</tr>
<tr>
<td>Road Safety, <em>m.</em>, 189; <em>mes.</em>, 191, 557; <em>m.</em>, 1071.</td>
<td></td>
</tr>
<tr>
<td>Regulation Review, <em>m.</em>, 187; <em>mes.</em>, 188, 557.</td>
<td></td>
</tr>
<tr>
<td>Leader of the Government, 18.</td>
<td></td>
</tr>
<tr>
<td>Leader of the House for the Opposition, 18.</td>
<td></td>
</tr>
<tr>
<td>Leader of the Opposition, 18.</td>
<td></td>
</tr>
<tr>
<td>Leave of Absence, <em>m.</em>, 22.</td>
<td></td>
</tr>
<tr>
<td>Members:</td>
<td></td>
</tr>
<tr>
<td>Albury:</td>
<td></td>
</tr>
<tr>
<td>Election, 10.</td>
<td></td>
</tr>
<tr>
<td>House Committee, Member, 186.</td>
<td></td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Printing Committee, Member, 186.</td>
<td></td>
</tr>
<tr>
<td>Ashfield:</td>
<td></td>
</tr>
<tr>
<td>Election, 10.</td>
<td></td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Auburn:</td>
<td></td>
</tr>
<tr>
<td>Election, 10.</td>
<td></td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Ballina:</td>
<td></td>
</tr>
<tr>
<td>Election, 10.</td>
<td></td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Balmain:</td>
<td></td>
</tr>
<tr>
<td>Election, 10.</td>
<td></td>
</tr>
<tr>
<td>Leave of Absence, <em>m.</em>, 238.</td>
<td></td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Bankstown:</td>
<td></td>
</tr>
<tr>
<td>Election, 10.</td>
<td></td>
</tr>
<tr>
<td>House Committee, Member, 186.</td>
<td></td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Barwon:</td>
<td></td>
</tr>
<tr>
<td>Administration of Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Appointment to Ministry, 17.</td>
<td></td>
</tr>
<tr>
<td>Election, 10.</td>
<td></td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Assembly, Legislative <em>(continued)</em>: Members <em>(continued)</em>:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bass Hill:</td>
</tr>
<tr>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Bathurst:</td>
</tr>
<tr>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Bega:</td>
</tr>
<tr>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Blacktown:</td>
</tr>
<tr>
<td>Appointment as Leader of the House for the Opposition, 18.</td>
</tr>
<tr>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Bligh:</td>
</tr>
<tr>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Blue Mountains:</td>
</tr>
<tr>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Broken Hill:</td>
</tr>
<tr>
<td>Appointment as Opposition Whip, 18.</td>
</tr>
<tr>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Burrangorang:</td>
</tr>
<tr>
<td>Election, 10.</td>
</tr>
<tr>
<td>House Committee, Member, 186.</td>
</tr>
<tr>
<td>Joint Standing Committee upon Road Safety, Member, 189.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Burrinjuck:</td>
</tr>
<tr>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Cabramatta:</td>
</tr>
<tr>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Camden:</td>
</tr>
<tr>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Campbelltown:</td>
</tr>
<tr>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Canterbury:</td>
</tr>
<tr>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Printing Committee, Member, 186.</td>
</tr>
<tr>
<td>Carlingford:</td>
</tr>
<tr>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Castlereagh:</td>
</tr>
<tr>
<td>Appointment as Temporary Chairman of Committees, 25.</td>
</tr>
<tr>
<td>Election, 10.</td>
</tr>
</tbody>
</table>
### Assembly, Legislative (continued):
#### Members (continued):

- **Joint Standing Committee upon Road Safety**, Member, 189.
- Oath or Affirmation of Allegiance, 10.

- **Cessnock**:
  - Election, 10.
  - Oath or Affirmation of Allegiance, 10.

- **Charlestown**:
  - Appointment as Temporary Chairman of Committees, 25.
  - Election, 10.
  - Oath or Affirmation of Allegiance, 10.
  - Regulation Review Committee, Member, 187.

- **Clarence**:
  - Appointment to Ministry, 17, 2208.
  - Election, 10.
  - Oath or Affirmation of Allegiance, 10.

- **Coffs Harbour**:
  - Appointment to Ministry, 17.
  - Election, 10.
  - Oath or Affirmation of Allegiance, 10.
  - Parliamentary Contributory Superannuation Fund, Trustee, 188.

- **Coogee**:
  - Election, 10.
  - Oath or Affirmation of Allegiance, 10.

- **Cronulla**:
  - Election, 10.
  - Oath or Affirmation of Allegiance, 10.
  - Printing Committee, Member, 186.

- **Davidson**:
  - Appointment to Ministry, 17.
  - Election, 10.
  - Oath or Affirmation of Allegiance, 10.

- **Drummoyne**:
  - Election, 10.
  - Oath or Affirmation of Allegiance, 10.
  - Public Accounts Committee, Member, 172.

- **Dubbo**:
  - Appointment to Ministry, 17.
  - Election, 10.
  - Oath or Affirmation of Allegiance, 10.

- **Earlwood**:
  - Election, 10.
  - Oath or Affirmation of Allegiance, 10.
  - Printing Committee, Member, 186.

- **East Hills**:
  - Election, 10.
  - Library Committee, Member, 186.
  - Oath or Affirmation of Allegiance, 10.

- **Eastwood**:
  - Council of the Macquarie University, Representative, 671.

### Assembly, Legislative (continued):
#### Members (continued):

- Election, 10.
- Library Committee, Member, 186.
- Oath or Affirmation of Allegiance, 10.

- **Fairfield**:
  - Election, 10.
  - Oath or Affirmation of Allegiance, 10.

- **George River**:
  - Election, 10.
  - Oath or Affirmation of Allegiance, 10.
  - Public Accounts Committee, Member, 172.

- **Gladesville**:
  - Election, 10.
  - Oath or Affirmation of Allegiance, 10.

- **Gordon**:
  - Appointment to Ministry, 17.
  - Council of the University of New South Wales, Representative, 672.
  - Election, 10.
  - Oath or Affirmation of Allegiance, 10.

- **Gosford**:
  - Election, 10.
  - Oath or Affirmation of Allegiance, 10.

- **Goulburn**:
  - Administration of Oath or Affirmation of Allegiance, 126.
  - Appointment as Chairman of Committees, 22.
  - Election, 10.
  - Oath or Affirmation of Allegiance, 10.

- **Granville**:
  - Election, 10.
  - Oath or Affirmation of Allegiance, 10.

- **Hawkesbury**:
  - Administration of Oath or Affirmation of Allegiance, 126.
  - Election, 10.
  - Election as Speaker, 10; spec. adj., 1573.
  - House Committee, Member, 186.
  - Library Committee, Member, 186.
  - Oath or Affirmation of Allegiance, 10.

- **Heathcote**:
  - Election, 10.
  - Oath or Affirmation of Allegiance, 10.

- **Heffron**:
  - Election, 10.
  - Joint Standing Committee upon Road Safety, Member, 189.
  - Oath or Affirmation of Allegiance, 10.

- **Hornsby**:
  - Appointment to Ministry, 17.
  - Election, 10.
  - Oath or Affirmation of Allegiance, 10.
Assembly, Legislative (continued):
Members (continued):
Hurstville:
- Election, 10.
- Oath or Affirmation of Allegiance, 10.
- Regulation Review Committee, Member, 187.
Illawarra:
- Election, 10.
- Oath or Affirmation of Allegiance, 10.
Keira:
- Election, 10.
- Oath or Affirmation of Allegiance, 10.
Kiama:
- Election, 10.
- House Committee, Member, 186.
- Oath or Affirmation of Allegiance, 10.
Kogarah:
- Election, 10.
- Joint Standing Committee upon Road Safety, Member, 189.
- Oath or Affirmation of Allegiance, 10.
Ku-ring-gai:
- Administration of Oath or Affirmation of Allegiance, 10.
- Appointment to Ministry, 17.
- Election, 10.
- Oath or Affirmation of Allegiance, 10.
Lachlan:
- Appointment to Ministry, 17.
- Election, 10.
- Oath or Affirmation of Allegiance, 10.
Lake Macquarie:
- Appointment as Temporary Chairman of Committees, 25.
- Election, 10.
- House Committee, Member, 186.
- Oath or Affirmation of Allegiance, 10.
Lakemba:
- Election, 10.
- Oath or Affirmation of Allegiance, 10.
- Parliamentary Contributory Superannuation Fund, Trustee, 188.
Lane Cove:
- Appointment to Ministry, 17.
- Election, 10.
- Oath or Affirmation of Allegiance, 10.
Lismore:
- Election, 10.
- Oath or Affirmation of Allegiance, 10.
Liverpool:
- Election, 10.
- Oath or Affirmation of Allegiance, 10.
Assembly, Legislative (continued):
Members (continued):
Londonderry:
- Election, 10.
- Oath or Affirmation of Allegiance, 10.
Macquarie Fields:
- Election, 10.
- Library Committee, Member, 186.
- Oath or Affirmation of Allegiance, 10.
Maitland:
- Election, 10.
- Oath or Affirmation of Allegiance, 10.
- Public Accounts Committee, Member, 172.
Manly:
- Appointment to Ministry, 17.
- Election, 10.
- Oath or Affirmation of Allegiance, 10.
Manning:
- Election, 10.
- Oath or Affirmation of Allegiance, 10.
- Public Accounts Committee, Member, 172.
Maroubra:
- Election, 10.
- Election as Leader of the Opposition, 18.
- Oath or Affirmation of Allegiance, 10.
Marrickville:
- Election, 10.
- Election as Deputy Leader of the Opposition, 18.
- Oath or Affirmation of Allegiance, 10.
McKell:
- Election, 10.
- Library Committee, Member, 186.
- Oath or Affirmation of Allegiance, 10.
Middle Harbour:
- Administration of Oath or Affirmation of Allegiance, 10.
- Appointment to Ministry, 17.
- Election, 10.
- Oath or Affirmation of Allegiance, 10.
Minchinbury:
- Election, 10.
- Joint Standing Committee upon Road Safety, Member, 189.
- Oath or Affirmation of Allegiance, 10.
Miranda:
- Appointment as Government Whip, 18.
- Election, 10.
- Oath or Affirmation of Allegiance, 10.
Monaro:
- Election, 10.
- Oath or Affirmation of Allegiance, 10.
Mosman:
- Election, 10.
### Assembly, Legislative (continued):
#### Members (continued):

<table>
<thead>
<tr>
<th>Location</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Public Accounts Committee, Member, 172.</td>
<td></td>
</tr>
<tr>
<td>Mulgoa:</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Library Committee, Member, 186.</td>
<td></td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Murray:</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>House Committee, Member, 186.</td>
<td></td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Printing Committee, Member, 186.</td>
<td></td>
</tr>
<tr>
<td>Murrumbidgee:</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Regulation Review Committee, Member, 187.</td>
<td></td>
</tr>
<tr>
<td>Election, 10.</td>
<td></td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Myall Lakes:</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Newcastle:</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Northcott:</td>
<td>Appointment to Ministry, 17.</td>
</tr>
<tr>
<td>Election, 10.</td>
<td></td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Northern Tablelands:</td>
<td>Council of the University of New England, Representative, 672.</td>
</tr>
<tr>
<td>Election, 10.</td>
<td></td>
</tr>
<tr>
<td>Library Committee, Member, 186.</td>
<td></td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Printing Committee, Member, 186.</td>
<td></td>
</tr>
<tr>
<td>Regulation Review Committee, Member, 187.</td>
<td></td>
</tr>
<tr>
<td>North Shore:</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Orange:</td>
<td>Appointment to Ministry, 17.</td>
</tr>
<tr>
<td>Election, 10.</td>
<td></td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Parramatta:</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Printing Committee, Member, 186.</td>
<td></td>
</tr>
<tr>
<td>Peats:</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Printing Committee, Member, 186.</td>
<td></td>
</tr>
<tr>
<td>Penrith:</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Pittwater:</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Library Committee, Member, 186.</td>
<td></td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Parliamentary Contributory Superannuation Fund, Trustee, 188.</td>
<td></td>
</tr>
<tr>
<td>Regulation Review Committee, Member, 187.</td>
<td></td>
</tr>
<tr>
<td>Port Macquarie:</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Joint Standing Committee upon Road Safety, Member, 189.</td>
<td></td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Port Stephens:</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Printing Committee, Member, 186.</td>
<td></td>
</tr>
<tr>
<td>Riverstone:</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Rockdale:</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Ryde:</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Seven Hills:</td>
<td>Appointment as Deputy Opposition Whip, 18.</td>
</tr>
<tr>
<td>Election, 10.</td>
<td></td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Regulation Review Committee, Member, 187.</td>
<td></td>
</tr>
<tr>
<td>Smithfield:</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>South Coast:</td>
<td>Death Threat, mem. stmt, 1438.</td>
</tr>
<tr>
<td>Election, 10.</td>
<td></td>
</tr>
<tr>
<td>Leave of Absence, m., 22.</td>
<td></td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 515.</td>
<td></td>
</tr>
<tr>
<td>Southern Highlands:</td>
<td>Appointment to Ministry, 17, 422.</td>
</tr>
<tr>
<td>Election, 10.</td>
<td></td>
</tr>
<tr>
<td>Minister for Corrective Services, Resignation, 1781.</td>
<td></td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Resignation from Ministry, 2208.</td>
<td></td>
</tr>
<tr>
<td>Strathfield:</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Assembly, Legislative (continued):</td>
<td>Assembly, Legislative (continued):</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>Members (continued):</td>
<td>Members (continued):</td>
</tr>
<tr>
<td>Joint Standing Committee upon Road</td>
<td>Wallsend:</td>
</tr>
<tr>
<td>Safety, Member, 189.</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Sutherland:</td>
<td>Waratah:</td>
</tr>
<tr>
<td>Council of the University of Wollongong,</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Representative, 672.</td>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Election, 10.</td>
<td>Waverley:</td>
</tr>
<tr>
<td>Library Committee, Member, 186.</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Swansea:</td>
<td>Wentworthville:</td>
</tr>
<tr>
<td>Election, 10.</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Tamworth:</td>
<td>Wyong:</td>
</tr>
<tr>
<td>Election, 10.</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>House Committee, Member, 186.</td>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Library Committee, Member, 186.</td>
<td>Printing Committee, Member, 186.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>The Entrance:</td>
<td>Members, Sworn, 10.</td>
</tr>
<tr>
<td>Election, 10.</td>
<td>Message from Commissioners, 21.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td>Ministry, 17, 2208.</td>
</tr>
<tr>
<td>The Hills:</td>
<td>Mr Speaker:</td>
</tr>
<tr>
<td>Appointment as Temporary Chairman of</td>
<td>Conduct, <em>spec. adj.</em>, 1572.</td>
</tr>
<tr>
<td>Election, 10.</td>
<td>Presentation, 17, 51, 61.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Upper Hunter:</td>
<td>Opening of Session, 10.</td>
</tr>
<tr>
<td>Council of the University of Newcastle,</td>
<td>Opposition Business Manager, <em>spec. adj.</em>, 1573.</td>
</tr>
<tr>
<td>Representative, 672.</td>
<td>Opposition Whip, 18.</td>
</tr>
<tr>
<td>Election, 10.</td>
<td>Order of Business, 145.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td>Precedence of Business, <em>m.</em>, 1396.</td>
</tr>
<tr>
<td>Vaucluse:</td>
<td>Presentation of Mr Speaker, 51, 61.</td>
</tr>
<tr>
<td>Aston, Hon. R. W.:</td>
<td>Public Accounts Committee, Report, 40; <em>m.</em>, 172; Report, 2212.</td>
</tr>
<tr>
<td>Death, 349.</td>
<td>Sessional Committees:</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td>Library, <em>m.</em>, 186.</td>
</tr>
<tr>
<td>Election, 2208.</td>
<td>Sessional Orders:</td>
</tr>
<tr>
<td>Wagga Wagga:</td>
<td>Cognate Bills, <em>m.</em>, 164.</td>
</tr>
<tr>
<td>Appointment to Ministry, 17.</td>
<td></td>
</tr>
<tr>
<td>Election, 10.</td>
<td></td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Wakehurst:</td>
<td></td>
</tr>
<tr>
<td>Appointment as Temporary Chairman of</td>
<td></td>
</tr>
<tr>
<td>Committees, 25.</td>
<td></td>
</tr>
<tr>
<td>Election, 10.</td>
<td></td>
</tr>
<tr>
<td>House Committee, Member, 186.</td>
<td></td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Senate of the University of Sydney,</td>
<td></td>
</tr>
<tr>
<td>Representative, 672.</td>
<td></td>
</tr>
</tbody>
</table>
Assembly, Legislative (continued):
Sessional Orders (continued):

Days and Hours of Sitting, m., 161.
Divisions and Quorums, m., 155.
Introduction of Public Bills, m., 154.
New Clauses and Schedules, m., 165.
Notices of Motion, m., 161.
Personal Explanations, m., 163.
Preparation of Bills for Assent, m., 165.
Private Members' Statements, m., 160.
Questions from the Chair, m., 163.
Recording of Pairs in Divisions, m., 164.
Suspension of Standing Orders, m., 153, 166; spec. adj., 573.
Time Limits on Speeches, m., 162.
Speaker's Wig, q., 1724, 2194.
Special Adjournment, m., 70, 1572, 2271.
Televising of Proceedings, 126.
Temporary Chairman of Committees, 25.
Vacant Seat: Vaucluse, 422.

Assembly, Legislative: Rulings, Observations and Opinions of the Chair (continued):

Chairman of Committees (R. J. Webster, Esq.): (continued):

Members were asked to reduce the level of conversation, 850; and reminded of the convention that silence is extended to members making maiden speeches only if they have not been called to order for interjecting, 868. A member who has contributed to debate in Committee may do so again by seeking the call, 1109.

Points of Order: No point of order was involved, 850.

Points of order upheld, or upheld in part, 2301.

Procedure: The Chair would determine whether it was necessary to rule on a point of order, 1108; and unless a member demonstrated the relevance of the philosophy being developed, he would be asked to resume his seat.

In Committee a member may speak on more than one occasion, 1580. A member was asked to resume debate on an amendment, 869. A member was asked whether he sought to withdraw a proposed amendment, 1413.

Relevance: Considerable flexibility would be allowed in Committee, 1107, but a member had strayed from debate. Remarks should be confined to the schedule being debated, 1198.

Deputy-Speaker (R. J. Webster, Esq.): (continued):

Debate: Only passing reference may be made to matters not relevant to a bill, 203.

Interjections, Interruptions and Disorder: The following member was called to order by name: Mr Kerr, 1165.

A member wishing to participate in debate should seek the call, 1165.

Points of Order: A member was asked to address the point of order, 247, and when he failed to do so was told to resume his seat.

The Chair would not stifle debate by narrowing its parameters, 248.

Points of order not involved, 203.

Relevance: A member was asked to return to the scope of the bill, 248, 899. The debate on a bill had been broad, but a member was asked to limit her remarks, 250.

A member should speak to amendments to a bill and not irrelevancies, 2283; though the Chair acknowledged that it was not always
Assembly, Legislative: Rulings, Observations and Opinions of the Chair (continued):

DEPUTY-SPEAKER (R. J. WEBSTER, ESQ.) (continued):

easy to confine debate to the precise substance of Legislative Council amendments to a bill, 2285. Nevertheless, a member should not give a lengthy background to the amendments under consideration, 2285.

The Chair had allowed a member some latitude, but he should bring to a close any lengthy explanation, 2301.

SPEAKER, MR (THE HON. K. R. ROZZOLI):

Adjournment (S.O. 49): The Chair would hear submissions on whether a subject was of sufficiently wide public importance to attract the provisions of S.O. 49 before hearing the motion for adjournment to enable a determination to be made on whether the motion was in acceptable form, 2267. Though it was conceded that the motion met all other requirements, a member must establish that the matter was of sufficient public importance to warrant its being debated under S.O. 49, 2269. In doing so, a member must not deal with the substantive motion, but address the point of order, and link his submission to the wider public spectrum, 2269. If he failed to do so, he would be asked to resume his seat, 2270.

The matters raised to support a member's contention that the motion was of sufficient public importance to be debated under S.O. 49 were not pertinent, though the Chair had allowed more references than it should have to the substantive matter in an attempt to fairly appraise the merits of the motion, which related to a local matter and was thus out of order, 2271.

Assembly, Legislative: For the purpose of proceedings and in divisions the entire backbench of the Chamber was deemed to be assigned to Government supporters, 126.

The Chair had approved the televising of part of the proceedings of the House, 126, 1375.

Chair (See also Procedure): A member had not reflected on the Chair, but was directed to make his remarks relevant, 159.

The phrasing of a point of order was dangerously close to breaching standing orders, 305, and a member was warned not to reflect on the Chair.

A member who had reflected on the Chair was directed to come to his point of order or resume his seat immediately, 305.

Assembly, Legislative: Rulings, Observations and Opinions of the Chair (continued):

SPEAKER, MR (THE HON. K. R. ROZZOLI) (continued):

Condolences: Aston, The Hon. Dr R. W.; a Minister of the Crown, 422.

Debate (See also Procedure and Relevance): Members were warned that the policy of the Chair would be not to accept in second reading debates speeches that were read, 245. Ministers' second reading speeches were statements of government policy and in a different category, as the Interpretation Act required accuracy in them. A member should be able to speak to a bill using copious notes, 1215.

The Chair accepted that a member would make only passing reference to a subject outside the scope of debate, 219. A member may not speak to a bill that is not before the House, 1064. A rhetorical question during debate did not require an answer, 1212.

Disclosures by Members: The Crown Solicitor had advised that it was impossible to establish whether a member had been guilty of wilful contravention of the Constitution (Disclosures by Members) Regulation 1983; and it was agreed the matter should not be pursued, 63.

Distinguished Visitors: Minister for planning and environment for each of the States of Australia, and New Zealand, and departmental staffs, 790.

Divisions: The House was acting under standing orders and not sessional orders, 60; therefore those voting for the ayes should pass to the right of the Chair and those voting for the noes to the left of the Chair.

As there was confusion about the manner of voting on an amendment to a motion, the Chair put the question again, 2260.

Members seated in the entire backbench were deemed to be supporting the Government, 287.

Documents (See also Debate): Leave was not granted to incorporate a document in Hansard, 1551. Material incorporated in Hansard should be submitted for approval of the Chair prior to debate, and should be necessarily brief.

Electoral Districts: Vaucluse: Election of Michael Robert Yabsley, 2208.
Assembly, Legislative: Rulings, Observations and Opinions of the Chair (continued):

Speaker, Mr (The Hon. K. R. Rozzoli) (continued):

Interjections, Interruptions and Disorder: A general exhortation to order is directed to all members, 135; members called to order at least three times were under threat of removal, and calls to order before question time would be counted in question time, 1055.

Interjections reduce the time available for debate, or for asking and answering questions, 144, 660, 1050; and should cease, 916. It is in the interests of Opposition members to allow members to be heard in relative silence, 144, 523.

Remarks should be addressed to the Chair, 144, 284, 331, 577, 800, 916, 918, 1384; and not to members on the Government benches, 144. Members should not carry on conversations across the Chamber, 151, 565, 577, 2288.

A member was asked to resume his seat, 133, 229, 825.

A member should conduct himself with decorum so as not to invite interjections, 23; and was on dangerous ground, 1147.

The following members were called to order by name: Ms Allan, 1060; Mr Amery, 231, 346, 916, 1048, 1051, 1055, 2223; Mr J. J. Aquilina, 664, 1048, 1050, 1191, 1385, 1389, 1411, 1521, 2219, 2223, 2245; Mr Armstrong, 670, 1050; Mr Beckroge, 592, 1060, 1389; Mr K. G. Booth, 1385; Mr Breteron, 235, 313, 519, 660, 1056, 1190, 1194, 1386, 1397; Mr Carr, 301, 519, 660, 670, 2216; Mr Caterson, 1091, 2231; Mr Christie, 797, 1392, 1519, 2231; Mr Cleary, 134, 228, 524, 917, 1386, 1528, 2222, 2224; Mr Collins, 792, 796; Mrs Crosio, 44, 54, 132, 179, 180, 338, 705, 1385, 1518, 1524, 2223; Mr Cruickshank, 916, 1192, 1209; Mr Davoren, 1153; Mr Dowd, 2270; Mr Doyle, 1203; Mr Ferguson, 1049, 1525, 2235, 2259; Mr Gibson, 2220, 2232, 2235, 2265; Mr Greiner, 1050; Mr Harrison, 1053, 1057; Mr Hunter, 798, 800; Mr Irwin, 180, 1049, 2235; Mr Kerr, 1091; Mr Knight, 184; Mr Knowles, 190, 1052, 1063, 1382; Mr Langton, 305, 800, 1056; Mr Lovelee, 582; Mr McManus, 228, 304, 312, 347, 577, 578, 665, 802, 1057, 1519, 2233; Dr Metherell, 302, 791, 1053, 1059, 1203, 1386, 1520, 2216, 2262; Mr H. F. Moore, 790, 1154, 1191; Mr T. J. Moore, 304, 519, 670, 1058, 1379, 1528; Mr Moss, 1151, 1383; Mr J. H. Murray, 135, 283, 290, 524, 589, 592, 1051, 1068, 1191, 1193, 1526, 2219.

Assembly, Legislative: Rulings, Observations and Opinions of the Chair (continued):

Speaker, Mr (The Hon. K. R. Rozzoli) (continued):

2235; Mr W. T. J. Murray, 2218; Mr Nagle, 1153; Mr Newman, 271; Mr E. T. Page, 229, 300, 311, 1047, 2291; Mr Petch, 1528; Mr Phillips, 304; Mr Photos, 1528; Dr Refshauge, 301, 2219; Mr Schipp, 288, 2219; Mr Shedden, 312; Mr Singleton, 1523; Mr Unsworth, 44, 133, 144, 235, 300, 301, 346, 578, 664, 665, 801, 1049, 1091, 1146, 1147, 1382, 1390, 2219, 2221, 2288; Mr West, 666, 1056, 1395; Mr Whelan, 44, 152, 300, 304, 525, 597, 796, 874, 1052, 1055, 1190, 1193, 1389, 1395, 1519, 2263; Mr Yeomans, 797, 1152, 1194.

The Chair extended a degree of tolerance to a member who had been called to order on three occasions, but if she did not refrain from interjecting, she would be removed from the Chamber for the remainder of the sittings, 180.

Members should reduce the level of audible conversation, 144, 147, 288, 302, 526, 664, 666, 796, 798, 802, 872, 905, 1047, 1064, 1120, 1154, 1377, 1392, 1530, 2217, 2218, 2261, 2262; if it continued, the Chair would call individual members to order at random, 301. At the beginning of a busy working week it was necessary for members to remain orderly if they did not wish to be removed from the Chamber for the remainder of the week, 790. Visitors to the public gallery, Hansard, and members were entitled to hear what was said, 1377. Because of the noise in the Chamber the Chair was unable to hear a remark to which exception was taken, 1384. The Chair was reluctant to name individual members for conversing, but they were being discourteous to the member speaking in debate, 2263.

Members wishing to conduct conversations should do so outside the Chamber, 212, 231, 288, 1120, 1149, 1394, 1518, 1530, 2218, 2261. If conversations continued, the Chair would name offenders, 1150. Calls to order against members would stand, as the time for asking questions was still running, 2232; and those members who had been called to order several times previously should refrain from interjecting. Members leaving the Chamber should do so quietly, 1202.

A member was asked to address the Chair as the volume of interjections had made it difficult to hear what had been said, 1384.
Assembly, Legislative: Rulings, Observations and Opinions of the Chair (continued):

Speaker, Mr (The Hon. K. R. Rozzoli) (continued):

A member wishing to speak in debate should seek the call, 338, 578, 2235. Members who had contributed to the debate should remain silent, 589; and were warned that interjections were excessive, 592. Having asked a question, a member should listen in silence to the answer, 1389.

Having moved a motion, a member who had been called to order a number of times during debate was warned that if he wished to reply to the debate, he should cease interjecting, 2245.

The House was called to order, 2222, 2224.

A Minister was told not to respond to interjections, 1386.

Motions (See also Debate and Procedure): The different interpretation by members of a proposed sessional order enabled a member to give his understanding of the motion, 169; but not at great length.

After moving an amendment to a motion a member may speak to the original motion and the amendment. As the Minister was addressing the amendment, he was in order, 699. The mover of a motion would have the opportunity to speak in reply, 705.

The remarks of a member were outside the ambit of a motion, 170; and he was asked to make his comments relevant.

It being 15 minutes past 4 o'clock p.m., the debate was interrupted. Pursuant to Standing Order 122A, the motion lapsed, 715.

Offensive and Objectionable Remarks, Imputations and Aspersions: Though the Chair intended to widen the scope of language deemed to be unparliamentary, the innovation and ingenuity of members would not be unduly restricted, 142; and a member was not required to withdraw the expression "this mob opposite". The Chair would endeavour to uphold the principles of parliamentary language previously enunciated, but in view of the long history of use of colourful and vibrant language in the Chamber would use discretion and not necessarily preclude terms that have been in common usage, 305. A code of language for the guidance of members would be developed, 306.

Assembly, Legislative: Rulings, Observations and Opinions of the Chair (continued):

Speaker, Mr (The Hon. K. R. Rozzoli) (continued):

A Minister was asked to withdraw the word "worm", 54; and advised that the Chair would not accept a conditional withdrawal. A member was asked to rephrase the expression "architect of boundary rots" used to describe a person outside the House who could not defend himself, 702.

Words directed to be withdrawn: "imbecile", 1384; "worm", 54.

To avoid inviting a response, a Minister was asked to refrain from using comments such as "the jackals in the corner", 789.

A member should not make impertinent comment, 795.

Personal Explanations: When making a personal explanation a member must show quickly how his political character has been impugned, not merely state that he has been subject to criticism, and must not debate the matter, 2215.

Points of Order: Points of order upheld, or upheld in part: 139, 828, 1058, 1562, 2211.

The Chair would not entertain a point of order when a Minister was moving the suspension of standing orders, 146. A member could not speak to a second point of order during debate on another point of order, 2270.

Points of order not involved: 142, 145, 159, 219, 229, 304, 336, 520, 592, 660, 666, 803, 1115, 1203, 1379, 1382, 1384.

A member was told to come to the point of order, 143.

A member seeking to take a point of order should wait until he obtained the call, and then inform the Chair of his reason for seeking the call, 660.

A point of order was spurious, 306.

Private Members' Statements: The purpose of private members' statements is to raise matters arising in a member's electorate or of a specific electoral nature, and not to canvass a matter of wide and State importance, 1125.

Privilege: The Clerk was directed to report to the House on a matter of parliamentary privilege, 62.
Assembly, Legislative: Rulings, Observations and Opinions of the Chair (continued):

Speaker, Mr (The Hon. K. R. Rozzoli) (continued):

The privileges extended to a member making a maiden speech were restricted to the making of that maiden speech, and once delivered it becomes part of the debate, 219.

Procedure (See also Debate, Documents, Motions, and Relevance): A member was told to address a Minister by his correct title, 139.

When the Chair was going through the business paper for the placing or disposal of business, a member was permitted to withdraw a motion from the business paper, 145.

The giving of a notice of motion was out of order as it related to neither a regulation, rule, ordinance, by-law nor proclamation pursuant to Standing Order 113A, 211. However, a member was granted an indulgence to move a motion at the first opportunity following question time, 2267.

A Minister who had sought the call from the benches and not while seated at the table of the House had a right as a member to contribute to debate, which did not negate his right to reply at the end of the second reading debate, 1456.

Members had exhausted their time for speaking, 72, 133, 181, 182, 184, 214, 261, 267, 269, 563, 564, 565, 589, 840, 841, 1070, 1124, 1443, 2214, 2221, 2232, 2239, 2244, 2266, 2288, 2290, 2291.

Questions Without Notice: Notwithstanding the practice of taking questions alternately from members on each side of the House, members should seek the call by standing and calling out, 529.

A question was ruled in order, 44.

A question was ruled out of order, 1058, as it had been directed to the wrong Minister, 139, and a member was told to rephrase his question, 529. A member may not ask a question similar to a question on the Questions and Answers paper, 1058.

Though an answer contained a degree of specificity, it was ruled to be in order, 44. An answer should be relevant to the question asked, but a brief preamble was allowed, 134. A Minister was told to answer a question, 2222. In his answer a Minister was responding in part to interjections, but was told to make his reply specific, 660; and cease responding to interjections, 666.

Quorum Formed: 337.

Relevance: A Minister was permitted to make brief reference to a matter of limited relevance to the subject of an urgency motion, 52.

The Chair would be strict in deciding matters of relevance, 44; though a member was allowed a degree of latitude to develop his theme, 575, he was directed to remain close to the scope of the bill. Though a member could give some brief historical background information, it must be concise and relevant, 1448.

The framing of the latter part of a question made its ambit broad, but did not give a Minister general licence to traverse a range of matters, 1520; he could make general comments introductory to the specific information sought.

A member was giving preamble and would soon reach the substance of his remarks, 342.

Standing orders did not permit the Chair to restrict a Minister's reply, provided that it was germane to matters raised in debate, 594.

Sub judice Rule: A ministerial statement was brief, but a member seeking to take a point of order that a matter was sub judice should have done so in the course of the statement, 803.

The sub judice rule had been of concern to the Chair, particularly as it affected matters that can be raised in the House and as it related to debate in the news media. The principles
Assembly, Legislative: Rulings, Observations and Opinions of the Chair (continued):

Speaker, Mr (The Hon. K. R. Rozzoli) (continued):

involved were, first, that the Chair relies heavily on the advice of the Attorney General in determining whether a matter is sub judice; second, that in matters involving criminality the rule should be applied more strictly and in matters for administrative tribunals there should be some relaxation of the rule. The Chair intended in the next session to make a definitive statement on the rule, 828.

A member should not make further reference to a case before the courts on appeal, 1562.

Australian Constitution:

Local Government, Constitutional Recognition, q., 136.

Beaches:

Gold Coast, q., 1617, 1811.

Betting and Gambling (See also "Racing"):

ClubTAB, q., 2064
Darling Harbour Casino, q., 375.
Illegal, q., 383.
Illegal Casinos, q., 454.
On-Course Telephone Betting, q., 1258.
Totalizator Agency Board:
Services, q., 466.

Bills:

ADOPTION OF CHILDREN (AMENDMENT) BILL (COGNATE):
Assembly: assent, 18.
Council: assent, 3.

ADOPTION OF CHILDREN (AMENDMENT) BILL:
Assembly: 1R., 1221; 2R., 1221, 1402; 3R., 1404; assent, 2206.
Council: int., 363; 2R., 370, 385, 761; Com. and ad. rep., 762; 3R., 924; mes., 1336; assent, 2161.

AREA HEALTH SERVICES (VISITING PRACTITIONERS) AMENDMENT BILL:
(See cognate Public Hospitals (Visiting Practitioners) Amendment Bill)

Bills (continued):

AUCTIONEERS AND AGENTS (SALE OF LAND) AMENDMENT BILL (COGNATE):
Assembly: assent, 18.
Council: assent, 4.

BAIL (AMENDMENT) BILL:
Assembly: m.s.o., 535; int., 551; 2R., 551, 892; 3R., 896; assent, 2206; mes., 2207.
Council: 1R., 923; 2R., 988, 1460; Com and ad. rep., 1468; 3R., 1584; assent, 2161.

BAIL (PERSONAL AND FAMILY VIOLENCE) AMENDMENT BILL (COGNATE):
Assembly: assent, 18.
Council: assent, 3.

BREAD (RETURNS) REPEAL BILL:
Assembly: assent, 18.
Council: assent, 4.

CHILDREN (CARE AND PROTECTION) AMENDMENT BILL (COGNATE):
Assembly: assent, 19; mes., 21;
Council: assent, 5.

CHILDREN (CARE AND PROTECTION) AMENDMENT BILL:
Assembly: 1R., 1223; 2R., 1223, 1406; Com., 1411; ad. rep., 1413; 3R., 1413; assent, 2206.
Council: int., 363; 2R., 386, 762; Com., 776; ad. rep., 778; 3R., 924; mes., 1336; assent, 2161.

CHILDREN (CARE AND PROTECTION) (DISABILITY SERVICES AND GUARDIANSHIP) AMENDMENT BILL (COGNATE):
Assembly: assent, 19.
Council: assent, 5.

CHILDREN (CARE AND PROTECTION) (PERSONAL AND FAMILY VIOLENCE) AMENDMENT BILL (COGNATE):
Assembly: assent, 18.
Council: assent, 3.

CHILDREN (COMMUNITY SERVICE ORDERS) AMENDMENT BILL (COGNATE):
Assembly: assent, 19; mes., 21.
Council: assent, 5.
Bills (continued):

CHILDREN (COMMUNITY SERVICE ORDERS) AMENDMENT BILL:
Assembly: 1r., 1226; 2r., 1226, 1414; 3r., 1414; asent, 2206.
Council: int., 449; 2r., 449, 949; Com. and ad. rep., 953; 3r., 953; mes., 1336; asent, 2161.

CHILDREN (COMMUNITY SERVICE ORDERS) (FINE DEFAULT) AMENDMENT BILL (COGNATE):
Assembly: asent, 19; mes., 21.
Council: asent, 5.

CHILDREN (CRIMINAL PROCEEDINGS) AMENDMENT BILL (COGNATE):
Assembly: asent, 19; mes., 21.
Council: asent, 5.

CHILDREN (DETENTION CENTRES) AMENDMENT BILL (COGNATE):
Assembly: asent, 19; mes., 21.
Council: asent, 5.

CHILDREN (DETENTION CENTRES) AMENDMENT BILL:
Assembly: m.s.o., 803; int., 877; 2r., 877; m.s.o., 1065; 2r., 1217; 3r., 1221; mes., 2207; cons. amdts, 2296.
Council: 1r., 1242; 2r., 1371, 1488; Com., 1506, 1906; ad. rep., 1929; recom., 1929; ad. rep., 1930; 3r., 1930; mes., 2303.

CHILDREN'S COURT (AMENDMENT) BILL (COGNATE):
Assembly: asent, 19; mes., 21.
Council: asent, 5.

CITIZENS INITIATED REFERENDUMS BILL:
Council: int., 92.

CLEAN AIR (AMENDMENT) BILL (COGNATE):
Assembly: asent, 19.
Council: asent, 3.

CLEAN WATERS (AMENDMENT) BILL:
Assembly: asent, 19.
Council: asent, 3.

CLOSER SETTLEMENT (MISCELLANEOUS REPEALS AND AMENDMENTS) BILL (COGNATE):
Assembly: asent, 18.
Council: asent, 3.

Bills (continued):

COAL AND OIL SHALE MINE WORKERS (SUPERANNUATION) AMENDMENT BILL:
Assembly: m.s.o., 1064; int., 1083; 2r., 1083; m.s.o., 1392; 2r., 1570; 3r., 1572; asent, 2206; mes., 2207.
Council: 1r., 1512; 2r., 1626, 2083; Com. and ad. rep., 2084; 3r., 2084; asent, 2161.

COMMUNITY SERVICE ORDERS (FINE DEFAULT) AMENDMENT BILL (COGNATE):
Assembly: asent, 19; mes., 21.
Council: asent, 5.

COMMUNITY WELFARE (AMENDMENT) BILL:
Assembly: asent, 19; mes., 21.
Council: asent, 5.

COMMUNITY WELFARE (AMENDMENT) BILL:
Assembly: m.s.o., 1225; 2r., 1225, 1413; 3r., 1413; asent, 2206.
Council: int., 363; 2r., 385, 762; Com. and ad. rep., 762; 3r., 924; mes., 1336; asent, 2161.

COMMUNITY WELFARE (DISABILITY SERVICES AND GUARDIANSHIP) AMENDMENT BILL (COGNATE):
Assembly: asent, 19.
Council: asent, 5.

CONSTITUTION (PARLIAMENTARY SECRETARIES) AMENDMENT BILL:
Assembly: m.s.o., 64; int., 67; 1r., 67; 2r., 67, 193; 3r., 194; mes., 670; asent, 2206.
Council: 1r., 354; 2r., 364, 452, 469; Com., 470; ad. rep., 470; 3r., 605; asent, 1932.

CONSUMER CLAIMS TRIBUNAL BILL (COGNATE):
Assembly: asent, 18.
Council: asent, 4.

CONVEYANCING (FORESTRY RIGHTS) AMENDMENT BILL (COGNATE):
Assembly: asent, 19; mes., 21.
Council: asent, 4.

CONVEYANCING (SALE OF LAND) AMENDMENT BILL (COGNATE):
Assembly: asent, 18.
Council: asent, 4.
Bills (continued):

CO-OPERATION (INDEMNITIES AND GUARANTEES) AMENDMENT BILL:
Assembly: assent, 19; mes., 21.
Council: assent, 4.

CORONERS (AMENDMENT) BILL:
Assembly: m.s.o., 553; int., 553; 2R., 553, 897; 3R., 897; assent, 2206; mes., 2207.
Council: 1R., 923; 2R., 990, 2079; Com. and ad. rep., 2082; 3R., 2082; assent, 2161.

COURTS LEGISLATION (ACTING JUDGES) AMENDMENT BILL:
Assembly: m.s.o., 314; int., 314; 2R., 314, 596; 3R., 598; mes., 1111; assent, 2206.
Council: 1R., 511; 2R., 760, 941; Com. and ad. rep., 942; 3R., 942; assent, 2161.

CREDIT (CONSUMER CLAIMS TRIBUNALS) AMENDMENT BILL (COGNATE):
Assembly: assent, 18.
Council: assent, 4.

CREDIT (RURAL CONTRACTS) BILL:
Assembly: assent, 18.
Council: assent, 4.

CRIMES (CRIMINAL DESTRUCTION AND DAMAGE) AMENDMENT BILL:
Assembly: assent, 19.
Council: assent, 5.

CRIMES (PERSONAL AND FAMILY VIOLENCE) AMENDMENT BILL (COGNATE):
Assembly: assent, 18.
Council: assent, 3.

CRIMES (PROCEDURE) AMENDMENT BILL:
Assembly: assent, 19.
Council: assent, 5.

CRIMES (RAILWAY SAFETY) AMENDMENT BILL (COGNATE):
Assembly: assent, 20.
Council: assent, 5.

CRIMES (SENTENCING) AMENDMENT BILL:
Assembly: assent, 18.
Council: assent, 3.

Bills (continued):

CRIMINAL APPEAL (AMENDMENT) BILL (COGNATE):
Assembly: assent, 20.
Council: assent, 4.

DARLING HARBOUR CASINO (REPEAL) BILL:
Assembly: int., 238; 2R., 238, 557, 571; 3R., 596; mes., 1111; assent, 2206.
Council: 1R., 511; 2R., 758, 779, 924; Com. and ad. rep., 941; 3R., 941; assent, 2161.

DISABILITY SERVICES AND GUARDIANSHIP BILL (COGNATE):
Assembly: assent, 19.
Council: assent, 5.

DISTRICT COURT (CIVIL CLAIMS) AMENDMENT BILL (COGNATE):
Assembly: assent, 19.
Council: assent, 5.

DISTRICT COURT (JUDGES) AMENDMENT BILL:
Assembly: assent, 19.
Council: assent, 4.

DRUG MISUSE AND TRAFFICKING (AMENDMENT) BILL:
Assembly: m.s.o., 535; int., 546; 2R., 546, 886; Com., 889; ad. rep., 892; 3R., 892; assent, 2206; mes., 2207.
Council: 1R., 923; 2R., 985, 1350; Com., 1362, 1777; ad. rep., 1779; recom., 1779; ad. rep., 1780; 3R., 1780; assent, 2161.

EDUCATION (ANCILLARY STAFF) BILL (COGNATE):
Assembly: assent, 19.
Council: assent, 4.

EDUCATION AND PUBLIC INSTRUCTION (AMENDMENT) BILL:
Assembly: m.s.o., 64; int., 65; 2R., 65, 194, 243, 274; Com., 288; ad. rep., 292; 3R., 292; mes., 1070; cons. amdts, 1574; mes., 1582; assent, 2206; mes., 2207.
Bills (continued):

EDUCATION COMMISSION (AMENDMENT) BILL:
(Cognate: Miscellaneous Acts (Education Commission) Amendment Bill)
Assembly: int., 537; 2R., 538, 902; 3R., 921; assent, 2206; mes., 2207.

ENVIRONMENTALLY HAZARDOUS CHEMICALS (AMENDMENT) BILL (COGNATE):
Assembly: assent, 19.
Council: assent, 3.

ESSENTIAL SERVICES BILL:
Assembly: m.s.o., 803; int., 816; 2R., 816; m.s.o., 1065; 2R., 1134; 3R., 1149; mes., 2207; cons. amds., 2280, 2292; ad. rep., 2295.
Council: 1R., 1042; 2R., 1348, 1629, 1668, 1760; Com., 1796, 1812; ad. rep., 1820; 3R., 1821; mes., 2303.

ETHNIC AFFAIRS COMMISSION (AMENDMENT) BILL:
Assembly: assent, 19.
Council: assent, 3.

EVIDENCE (CROWN PRIVILEGE) AMENDMENT BILL:
Assembly: m.s.o., 64; int., 68; 2R., 69, 292; 3R., 297; mes., 670; assent, 2206.

FILM INDUSTRY BILL:
Assembly: m.s.o., 803; int., 808; 2R., 808; m.s.o., 1065; 2R., 1214; 3R., 1217; assent, 2206; mes., 2207.

FORESTRY (AMENDMENT) BILL:
Assembly: m.s.o., 1064; int., 1082; 2R., 1082; m.s.o., 1392; 2R., 1434, 1443; 3R., 1447; assent, 2206; mes., 2207.
Council: 1R., 1336; 2R., 1605, 1621, 2070; Com. and ad. rep., 2073; 3R., 2073; assent, 2161.

FORESTRY (FORESTRY RIGHTS) AMENDMENT BILL (COGNATE):
Assembly: assent, 19; mes., 21.
Council: assent, 4.

Bills (continued):

FREEDOM OF INFORMATION BILL:
Assembly: int., 1397; 2R., 1397.

GAMING AND BETTING (AMENDMENT) BILL:
Assembly: assent, 18.
Council: assent, 4.

GOVERNMENT AND RELATED EMPLOYEES APPEAL TRIBUNAL (EDUCATION ANCILLARY STAFF) AMENDMENT BILL (COGNATE):
Assembly: assent, 19.
Council: assent, 4.

GOVERNMENT RAILWAYS (RAILWAY SAFETY) AMENDMENT BILL (COGNATE):
Assembly: assent, 20.
Council: assent, 5.

HEALTH LEGISLATION (REASONS FOR DECISIONS) AMENDMENT BILL (COGNATE):
Assembly: assent, 20.
Council: assent, 5.

HIGHER EDUCATION BILL:
(Cognate: Miscellaneous Acts (Higher Education) Amendment Bill)
Assembly: int., 315; 2R., 315, 598; 3R., 604; assent, 2206.
Council: 1R., 605; 2R., 754; ad. rep., 758; 3R., 923; assent, 2161.

HOME CARE SERVICE BILL:
Assembly: 1R., 1222; 2R., 1222, 1404; Com., 1405; ad. rep., 1406; 3R., 1406; assent, 2206.
Council: int., 446; 2R., 447, 947; ad. rep., 949; 3R., 949; mes., 1336; assent, 2161.

HOUSING (RENTAL BONDS) AMENDMENT BILL (COGNATE):
Assembly: assent, 18.
Council: assent, 3.

HOUSING (VALIDATION OF RESUMPTIONS) BILL:
Assembly: m.s.o., 670; int., 687; 2R., 687; m.s.o., 803; 2R., 1111; Com., 1116; ad. rep., 1119; 3R., 1119; assent, 2206; mes., 2207.
INDEX TO SUBJECTS

Volume 201

Bills (continued):

HUNTER DISTRICT WATER BOARD
EMPLOYEES' PROVIDENT FUND
(SPECIAL PROVISIONS) BILL
(COGNATE):
Assembly: assent, 19.
Council: assent, 4.

INDEPENDENT COMMISSION AGAINST
CORRUPTION (AMENDMENT) BILL:
Assembly: m.s.o., 2271; int., 2271; 2R., 2272;
3R., 2279.
Council: 1R., 2199; 2R., 2199, 2307; 3R., 2326.

INDEPENDENT COMMISSION AGAINST
CORRUPTION BILL:
Assembly: int., 672; 2R., 672; m.s.o., 803; 2R.,
822, 842; Com., 845; ad. rep., 871; 3R., 1064.
Council: 1R., 945; m.s.o., 945; 2R., 964, 980,
2126; mes., 2126.

INDEPENDENT COMMISSION AGAINST
CORRUPTION BILL (No. 2):
Assembly: m.s.o., 1531; int., 1548; 2R., 1548;
Com., 1552; ad. rep., 1561; 3R., 1561; assent,
2206; mes., 2207.
Council: 1R., 1512; 2R., 1588, 1678, 1732, 1821;
Com., 1831, 1836, 1852, 1882; ad. rep., 1885;
recom., 1889; ad. rep., 1905; 3R., 1906; assent,
2161.

INDUSTRIAL ARBITRATION (AMEND-
MENT) BILL:
Assembly: m.s.o., 670; int., 688; 2R., 688; m.s.o.,
803; 2R., 1086; Com., 1105; ad. rep., 1111;
3R., 1111; mes., 2207; cons. amdts, 2297.
Council: 1R., 998; 2R., 1597, 1944, 2110; Com.,
2114; ad. rep., 2121; 3R., 2121; mes., 2303.

INDUSTRIAL ARBITRATION (CON-
TRACTS OF CARRIAGE) AMENDMENT
BILL:
Assembly: assent, 19; mes., 21.
Council: assent, 4.

INDUSTRIAL ARBITRATION (THEATRICAL AGENTS AND EMPLOYERS)
AMENDMENT BILL:
Assembly: assent, 18.
Council: assent, 4.

JURY (AMENDMENT) BILL:
Assembly: assent, 19.
Council: assent, 5.

Bills (continued):

JUSTICES (AMENDMENT) BILL:
Assembly: assent, 18.
Council: assent, 3.

JUSTICES (PAPER COMMITTALS)
AMENDMENT BILL (COGNATE):
Assembly: assent, 19.
Council: assent, 4.

JUSTICES (PENALTY DEFAULTS)
AMENDMENT BILL (COGNATE):
Assembly: assent, 20.
Council: assent, 5.

JUSTICES (SENTENCING) AMENDMENT
BILL:
(See cognate Summary Offences Bill)

LAKE ILLAWARRA AUTHORITY BILL:
Assembly: assent, 19.
Council: assent, 5.

LAND SALES (AMENDMENT)
BILL (COGNATE):
Assembly: assent, 18.
Council: assent, 4.

LAND TAX (AMENDMENT) BILL:
Assembly: assent, 20.
Council: assent, 4.

LAND TAX MANAGEMENT (AMEND-
MENT) BILL (COGNATE):
Assembly: assent, 20.
Council: assent, 4.

LANDLORD AND TENANT (RENTAL BONDS) AMENDMENT BILL (COGNATE):
Assembly: assent, 18.
Council: assent, 3.

LAW OF EVIDENCE BILL (pro forma):
Assembly: int., 21.

LEGAL PROFESSION (AMENDMENT)
BILL:
Assembly: assent, 19.
Council: assent, 5.

LIQUOR (FURTHER AMENDMENT) BILL:
Assembly: assent, 18.
Council: assent, 3.
### Bills (continued):

<table>
<thead>
<tr>
<th>Bill Title</th>
<th>Assembly:</th>
<th>Council:</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOCAL GOVERNMENT (PENSIONS RATES) AMENDMENT BILL (COGNATE):</td>
<td>assent, 19.</td>
<td>assent, 4.</td>
</tr>
<tr>
<td>MENTAL HEALTH (DISABILITY SERVICES AND GUARDIANSHIP) AMENDMENT BILL (COGNATE):</td>
<td>assent, 19.</td>
<td>assent, 5.</td>
</tr>
<tr>
<td>MISCELLANEOUS ACTS (DISABILITY SERVICES AND GUARDIANSHIP) REPEAL AND AMENDMENT BILL:</td>
<td>assent, 19.</td>
<td>assent, 5.</td>
</tr>
<tr>
<td>MISCELLANEOUS ACTS (EDUCATION COMMISSION) AMENDMENT BILL: (See cognate Education Commission (Amendment) Bill)</td>
<td>assent, 19; mes., 21.</td>
<td>assent, 5.</td>
</tr>
</tbody>
</table>

### Bills (continued):

<table>
<thead>
<tr>
<th>Bill Title</th>
<th>Assembly:</th>
<th>Council:</th>
</tr>
</thead>
<tbody>
<tr>
<td>MISCELLANEOUS ACTS (HERITAGE AUTHORITIES) AMENDMENT BILL:</td>
<td>assent, 18.</td>
<td>assent, 4.</td>
</tr>
<tr>
<td>MISCELLANEOUS ACTS (HIGHER EDUCATION) AMENDMENT BILL:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(See cognate Higher Education Bill)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MISCELLANEOUS ACTS (MARINE POLLUTION) AMENDMENT BILL:</td>
<td>assent, 20.</td>
<td>assent, 4.</td>
</tr>
<tr>
<td>MISCELLANEOUS ACTS (PRICKLY PEAR) REPEAL AND AMENDMENT BILL: (COGNATE)</td>
<td>assent, 18.</td>
<td>assent, 4.</td>
</tr>
<tr>
<td>MISCELLANEOUS ACTS (PUBLIC SECTOR MANAGEMENT) AMENDMENT BILL:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(See cognate Public Sector Management Bill)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MISCELLANEOUS ACTS (WILDERNESS) AMENDMENT BILL:</td>
<td>assent, 19.</td>
<td>assent, 4.</td>
</tr>
<tr>
<td>MOTOR TRAFFIC (PENALTY DEFAULTS) AMENDMENT BILL (COGNATE):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>MOTOR VEHICLE REPAIRS (AMENDMENT) BILL (COGNATE):</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Bills (continued):

MOTOR VEHICLE REPAIRS (TOW TRUCK INDUSTRY) AMENDMENT BILL (COGNATE):
Assembly: assent, 19.
Council: assent, 3.

NATIONAL PARKS (SPECIAL PROVISIONS) BILL:
Assembly: int., 242; 2R., 242; m.s.o., 313; 2R., 324; 3R., 326; mes., 1070; assent, 2206.
Council: 1R., 354; 2R., 369, 758; ad. rep., 758; 3R., 923; assent, 2161.

NEW SOUTH WALES RETIREMENT BENEFITS (AMENDMENT) BILL (COGNATE):
Assembly: assent, 19.
Council: assent, 4.

NOISE CONTROL (AMENDMENT) BILL (COGNATE):
Assembly: assent, 19.
Council: assent, 3.

NON-INDIGENOUS ANIMALS BILL:
Assembly: assent, 18.
Council: assent, 3.

OFFENCES IN PUBLIC PLACES (JUVENILE DRINKING) AMENDMENT BILL:
Assembly: assent, 20; mes., 21.
Council: assent, 4.

OMBDUSMAN (FURTHER AMENDMENT) BILL:
Assembly: assent, 18.
Council: assent, 3.

OPTICAL DISPENSERS (AMENDMENT) BILL:
Assembly: assent, 20.
Council: assent, 5.

PARLIAMENTARY ELECTORATES AND ELECTIONS (FURTHER AMENDMENT) BILL:
Assembly: assent, 18.
Council: assent, 3.

PAY-ROLL TAX (AMENDMENT) BILL (COGNATE):
Assembly: assent, 20.
Council: assent, 4.

PERMANENT BUILDING SOCIETIES (FURTHER AMENDMENT) BILL:
Assembly: assent, 20; mes., 21.
Council: assent, 5.

PESTICIDES AND ALLIED CHEMICALS (AMENDMENT) BILL:
Assembly: assent, 18.
Council: assent, 4.

PHYSIOTHERAPISTS REGISTRATION (AMENDMENT) BILL (COGNATE):
Assembly: assent, 20.
Council: assent, 5.

POISONS (AMENDMENT) BILL:
Assembly: assent, 20; mes., 21.
Council: assent, 4.

POLICE ASSOCIATION EMPLOYEES (SUPERANNUATION) AMENDMENT BILL (COGNATE):
Assembly: assent, 19.
Council: assent, 4.

POLICE REGULATION (ALLEGATIONS OF MISCONDUCT) AMENDMENT BILL:
Council: int., 443; 2R., 443, 998, 2088; Select Com., 2102.

POLICE REGULATION (APPEALS) AMENDMENT BILL (COGNATE):
Assembly: assent, 20.
Council: assent, 5.

POLICE REGULATION (MERIT APPOINTMENTS) AMENDMENT BILL (COGNATE):
Assembly: assent, 20.
Council: assent, 5.

POLICE REGULATION (SPECIAL BENEFITS) AMENDMENT BILL (COGNATE):
Assembly: assent, 19.
Council: assent, 4.
<table>
<thead>
<tr>
<th>Bills (continued):</th>
<th>Bills (continued):</th>
</tr>
</thead>
<tbody>
<tr>
<td>POLICE REGULATION (SUPER-ANNUATION) AMENDMENT BILL (COGNATE):</td>
<td>PUBLIC FINANCE AND AUDIT (AMENDMENT) BILL:</td>
</tr>
<tr>
<td>Assembly: assent, 19.</td>
<td>Assembly: m.s.o., 803; int., 813; 2R., 814; m.s.o., 1065; 2R., 1227; 3R., 1230; assent, 2203; mes., 2207.</td>
</tr>
<tr>
<td>PRESBYTERIAN CHURCH (NEW SOUTH WALES) PROPERTY TRUST (AMENDMENT) BILL:</td>
<td>PUBLIC FINANCE AND AUDIT (FURTHER AMENDMENT) BILL:</td>
</tr>
<tr>
<td>PRICKLY PEAR BILL (COGNATE):</td>
<td>PUBLIC FINANCE AND AUDIT (WORKING ACCOUNTS) AMENDMENT BILL:</td>
</tr>
<tr>
<td>PRISONS (AMENDMENT) BILL:</td>
<td>PUBLIC HOSPITALS (VISITING PRACTITIONERS) AMENDMENT BILL:</td>
</tr>
<tr>
<td>Assembly: m.s.o., 803; int., 819; 2R., 819; m.s.o., 1065; 2R., 1231; Com., 1237; ad. rep., 1241; 3R., 1241; mes., 2207; cons. amdts, 2297.</td>
<td>(Cognate: Area Health Services (Visiting Practitioners) Amendment Bill)</td>
</tr>
<tr>
<td>Council: 1R., 1242; 2R., 1602, 2127; Com., 2153; ad. rep., 2158; 3R., 2158; mes., 2303.</td>
<td>Assembly: int., 874; 2R., 874; m.s.o., 1065; 2R., 1202; 3R., 1214; assent, 2206; mes., 2207.</td>
</tr>
<tr>
<td>Assembly: assent, 20.</td>
<td>PUBLIC RESERVES MANAGEMENT FUND BILL (COGNATE):</td>
</tr>
<tr>
<td>PROBATION AND PAROLE (SERIOUS OFFENCES) AMENDMENT BILL (COGNATE):</td>
<td>Council: assent, 3.</td>
</tr>
<tr>
<td>Assembly: assent, 18.</td>
<td>PUBLIC SECTOR MANAGEMENT BILL:</td>
</tr>
<tr>
<td>Council: assent, 3.</td>
<td>(Cognate: Miscellaneous Acts (Public Sector Management) Amendment Bill)</td>
</tr>
<tr>
<td>PROTECTED ESTATES (DISABILITY SERVICES AND GUARDIANSHIP) AMENDMENT BILL (COGNATE):</td>
<td>Assembly: m.s.o., 1064; int., 1078; 2R., 1078; m.s.o., 1392; 2R., 1447; Com., 1459, 1535; 3R., 1535; assent, 2206; mes., 2207.</td>
</tr>
<tr>
<td>Council: assent, 5.</td>
<td>RACING TAXATION (BETTING TAX) AMENDMENT BILL:</td>
</tr>
<tr>
<td>PUBLIC AUTHORITIES (FINANCIAL ARRANGEMENTS) AMENDMENT BILL (COGNATE):</td>
<td>Assembly: assent, 18.</td>
</tr>
<tr>
<td>Council: assent, 4.</td>
<td>REAL PROPERTY (FORESTRY RIGHTS) AMENDMENT BILL (COGNATE):</td>
</tr>
</tbody>
</table>
INDEX TO SUBJECTS
Volume 201

Bills (continued):

REAL PROPERTY (FURTHER AMENDMENT) BILL:
Assembly: assent, 20; mes., 21.
Council: assent, 5.

RECREATION VEHICLES (AMENDMENT) BILL:
Assembly: int., 240; 2r., 241; m.s.o., 313; 2r., 318; 3r., 323; mes., 1070; assent, 2206.
Council: 1r., 354; 2r., 368, 758; Com. and ad. rep., 758; 3r., 923; assent, 2161.

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES (ADOPTION) AMENDMENT BILL:
Assembly: assent, 18.
Council: assent, 3.

RIVER MURRAY WATERS (AMENDMENT) BILL:
Assembly: assent, 20.
Council: assent, 4.

SAINT VINCENT'S HOSPITAL (AMENDMENT) BILL:
Assembly: assent, 20.
Council: assent, 4.

STAMP DUTIES (FURTHER AMENDMENT) BILL (COGNATE):
Assembly: assent, 20.
Council: assent, 4.

STAMP DUTIES (SALE OF LAND) AMENDMENT BILL (COGNATE):
Assembly: assent, 18.
Council: assent, 4.

STATE AUTHORITIES NON-CONTRIBUTORY SUPERANNUATION BILL (COGNATE):
Assembly: assent, 19.
Council: assent, 4.

STATE AUTHORITIES (SUPERANNUATION) BILL (COGNATE):
Assembly: assent, 19.
Council: assent, 4.

STATE DRUG CRIME COMMISSION (AMENDMENT) BILL:
Assembly: 1r., 1131; 2r., 1131, 1561; 3r., 1562; assent, 2206.
Council: int., 439; 2r., 439, 942; Com. and ad. rep., 945; 3r., 945; mes., 1512; assent, 1932.

STATE POLLUTION CONTROL COMMISSION (AMENDMENT) BILL (COGNATE):
Assembly: assent, 18.
Council: assent, 3.

STATE PUBLIC SERVICE SUPERANNUATION (AMENDMENT) BILL (COGNATE):
Assembly: assent, 19.
Council: assent, 4.

STATE TRANSPORT (CO-ORDINATION) AMENDMENT BILL (COGNATE):
Assembly: assent, 20.
Council: assent, 5.

STATE TRANSPORT (CO-ORDINATION) AMENDMENT BILL:
(Cognate: Transport (Amendment) Bill)
Assembly: int., 1075; 2r., 1075; m.s.o., 1392; 2r., 1535, 1562; Com., 1567; ad. rep., 1570; 3r., 1570; assent, 2206; mes., 2207.
Council: 1r., 1512; 2r., 1624, 2073; Com. and ad. rep., 2079; 3r., 2079; assent, 2161.

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL:
Assembly: m.s.o., 670; int., 685; 2r., 685; m.s.o., 803; 2r., 897; 3r., 898; assent, 2206; mes., 2207.
Council: 1r., 923; 2r., 1596, 2082; Com. and ad. rep., 2083; 3r., 2083; assent, 2161.

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (No. 2)
Assembly: assent, 19.
Council: assent, 4.

STOCK DISEASES (BOARD OF TICK CONTROL) AMENDMENT BILL:
Assembly: m.s.o., 535; int., 542; 2r., 542, 881; 3r., 886; assent, 2206; mes., 2207.
Council: 1r., 923; 2r., 984, 2000; Com. and ad. rep., 2001; 3r., 2001; assent, 2161.

SUITORS' FUND (AMENDMENT) BILL:
Assembly: assent, 20; mes., 21.
Council: assent, 4.
**SESSION 1988**

27th April, 1988, to 3rd August, 1988

**Bills (continued):**

**SUMMARY OFFENCES BILL:**
(Cognate: Justices (Sentencing) Amendment Bill)

*Assembly:* int., 804; 2r., 1065; 2r., 1149; Com., 1181; ad. rep., 1187; 3r., 1187; assent, 2206; mes., 2207.

*Council:* 1R., 1242; 2r., 1337, 1746, 1767, 1957; Com., 1960, 1962, 2015; ad. rep., 2039; 3r., 2039; assent, 2161.

**SUPERANNUATION ADMINISTRATION BILL (COGNATE):**
*Assembly:* assent, 19.
*Council:* assent, 4.

**SUPERANNUATION (AMENDMENT) BILL (COGNATE):**
*Assembly:* assent, 19.
*Council:* assent, 4.

**SUPREME COURT (APPEALS) AMENDMENT BILL (COGNATE):**
*Assembly:* assent, 20.
*Council:* assent, 4.

**SYDNEY HARBOUR TUNNEL (PRIVATE JOINT VENTURE) AMENDMENT BILL:**
*Assembly:* assent, 20.
*Council:* assent, 4.

**TELECOMMUNICATIONS (INTERCEPTION) (NEW SOUTH WALES) BILL:**
*Assembly:* assent, 20.
*Council:* assent, 5.

**TOURISM COMMISSION (AMENDMENT) BILL:**
*Assembly:* assent, 19.
*Council:* assent, 4.

**TOW TRUCK INDUSTRY BILL (COGNATE):**
*Assembly:* assent, 19.
*Council:* assent, 3.

**TOW TRUCK INDUSTRY (REVOCATION OF PROCLAMATION) BILL:**
*Assembly:* m.s.o., 670; int., 690; 2r., 804; 2r., 1128; 3r., 1131; assent, 2206; mes., 2207.

*Council:* 1R., 998; 2r., 1599, 2001; Com. and ad. rep., 2001; 3r., 2001; assent, 2161.

**Bills (continued):**

**TRANSPORT (AMENDMENT) BILL (COGNATE):**
*Assembly:* assent, 20.
*Council:* assent, 5.

**TRANSPORT (AMENDMENT) BILL:**
(See cognate State Transport (Co-ordination) Amendment Bill)

**TRANSPORT APPEAL BOARDS (AMENDMENT) BILL:**
*Assembly:* m.s.o., 803; int., 815; 2r., 815; m.s.o., 1065; 2r., 1187; Com., 1196; ad. rep., 1200; 3r., 1201; mes., 2207; cons. amdts, 2296.

*Council:* 1R., 1242; 2r., 1600, 2052, 2068; Com., 2069; ad. rep., 2070; 3r., 2070; mes., 2303.

**TRANSPORT AUTHORITIES (RAILWAY SAFETY) AMENDMENT BILL (COGNATE):**
*Assembly:* assent, 20.
*Council:* assent, 5.

**TRANSPORT AUTHORITIES (URBAN TRANSIT AUTHORITY) AMENDMENT BILL:**
*Assembly:* assent, 18.
*Council:* assent, 3.

**TRANSPORT (DIVISION OF FUNCTIONS) AMENDMENT BILL (COGNATE):**
*Assembly:* assent, 20.
*Council:* assent, 5.

**TRANSPORT EMPLOYEES RETIREMENT BENEFITS (AMENDMENT) BILL (COGNATE):**
*Assembly:* assent, 19.
*Council:* assent, 4.

**TRANSPORT (PENALTY DEFAULTS) AMENDMENT BILL (COGNATE):**
*Assembly:* assent, 20.
*Council:* assent, 5.

**TREASURY CORPORATION (AMENDMENT) BILL (COGNATE):**
*Assembly:* assent, 20; mes., 21.
*Council:* assent, 4.

**UNIVERSITY OF TECHNOLOGY, SYDNEY BILL (COGNATE):**
*Assembly:* assent, 20.
*Council:* assent, 5.
INDEX TO SUBJECTS

Volume 201

Bills (continued):

UNIVERSITY OF TECHNOLOGY, SYDNEY (MISCELLANEOUS PROVISIONS) BILL (COGNATE):
Assembly: assent, 20.
Council: assent, 5.

VICTIMS COMPENSATION BILL (COGNATE):
Assembly: assent, 20.
Council: assent, 4.

WILDERNESS BILL (COGNATE):
Assembly: assent, 19.
Council: assent, 4.

WILLS, PROBATE AND ADMINISTRATION (AMENDMENT) BILL:
Assembly: int., 191; 2r., 191.

WORKERS COMPENSATION (POLICE FORCE) AMENDMENT BILL (COGNATE):
Assembly: assent, 19.
Council: assent, 4.

ZOOLOGICAL PARKS BOARD (AMENDMENT) BILL:
Assembly: int., 543; 2r., 543, 898; 3r., 898; mes., 1111; assent, 2206.
Council: 1r., 923; 2r., 958; Com. and ad. rep., 964; 3r., 964; assent, 2040.

Boats and Yachts:
Berkeley Boat Harbour, q., 2365.
Marina for Concord, q., 525.
Moorings, q., 1485.

Books, Newspapers and Publications:
Newspaper Reports of Parliamentary Debates, q., 2066.

Bridges:
Jack Renshaw, Accident, q., 736, 980.
Nepean River, q., 1062.
Swansea, q., 310.

Budget, 1988-89 (See also “Government, State”):
Capital Aims, min. stmt, 1416.
Position and Initiatives, min. stmt, 1417.
Recurent Aims, min. stmt, 1416.
Surplus, min. stmt, 1430.

Business and Trade Practices (See also “Consumer Affairs”):
Gazumping, m., 1243.
Interest Rates, q., 2066.
New South Wales Rugby Union, q., 237, 312, 739, 740, 744, 746, 966, 967, 1717.

Business Undertakings, State:
Homebush Abattoir Corporation, min. stmt, 1427.
New South Wales Investment Corporation, min. stmt, 1428.
Review, min. stmt, 1426.
State Brickworks, min. stmt, 1428.

Charitable and Community Organizations:
Royal Blind Society of New South Wales, q., 1868, 2195.

Chemicals:
Contaminated Fruit and Vegetables, q., 1866, 1992.
Tributyl-Tin, q., 2340.

Churches, Cults and Sects:
Clancy, Cardinal Edward Bede, q., 747.

Colleges of Advanced Education and Technical Colleges (See also “Education” and “Schools”):
Courses, q., 1727.
Fees, q., 1983.
Landscape Technicians’ Higher Certificate Course, q., 2367.
North Sydney TAFE College, q., 2368.
TAFE Efficiency Audit, q., 527.

Commonwealth-State Relations (See also “Australian Constitution”):
Commonwealth Economic Statement, q., 624.
Financial, min. stmt, 131; m., 326; q., 666; min. stmt, 1415.
Loan Council Borrowings, min. stmt, 1432.

Conservation:
Soil, q., 797.

Consumer Affairs:
War Toy Sales, q., 2204.
Corrective Services:
Cabinet Minutes, q., 529, 733, 748.
Juvenile:
   Detention Remissions, q., 1256, 1258, 1260.
   Institution Accommodation, q., 464.
Offenders, q., 976.
Prison for Southwest Sydney, q., 716.
Prisoners:
   Accommodation, q., 226, 303.
   Early Release, q., 46.
Prison Officer Employment, q., 1725, 2193.
Prison Sentence Remissions, q., 1261, 1262.
Women in Prison Task Force, q., 1615, 2067.

Council, Legislative:
Adjournment, m., 420.
Administration of Oath or Affirmation of Allegiance, 354.
Appointment of Commissioners, Opening of Session, 1.
Chairman of Committees, m., 103.
Clerk Assistant, adj., 2201.
Committee Documents, m., 1584.
Confirmation of Acts, 9.
Deputy Government Whip, 7.
Deputy Leader of the Government, 7.
Deputy Leader of the Opposition, 7.
Election of Members, 2.
Former Minister for Agriculture, pers. expl., 1991.
Fourth Periodic Legislative Council Election, 2.
Government Whip, 7.
House of Review, spec. adj., 2158.
Joint Committees:
   Road Safety, mes., 354; m., 451; mes., 451, 483; m., 1584.
Leader of Australian Democrats, 8.
Leader of Call to Australia Group, 8.
Leader of the Government, 7.
Leader of the Opposition, 7.

Council, Legislative (continued):
Members:
   Arena, Hon. Franca:
      Library Committee, Member, 356.
      Social Issues Committee, Member, 1781.
   Bignold, Hon. Marie:
      Select Committee on the Police Regulation (Allegations of Misconduct) Amendment Bill, 1988, Member, 1008.
      Standing Orders Committee, Member, 356.
   Brenner, Hon. G.: Joint Standing Committee upon Road Safety, Member, 451.
   Bull, Hon. R. T. M.:
      Council of the University of Technology, Sydney, Representative, 358.
      State Development Committee, Member, 1781.
   Chadwick, Hon. Virginia:
      Appointment to Ministry, 6.
      Council of the University of Newcastle, Representative, 357.
      Election, 2.
   House Committee, Member, 356.
      Ministerial Responsibilities, 8.
      Oath or Affirmation of Allegiance, 2.
      Standing Orders Committee, Member, 356.
   Doohan, Hon. J. J.:
      Appointment as Deputy Government Whip, 7.
      Printing Committee, Member, 356.
      Standing Orders Committee, Member, 356.
      State Development Committee, Member, 1781.
   Dyer, Hon. R. D.:
      Regulation Review Committee, Member, 451.
      Select Committee on the Police Regulation (Allegations of Misconduct) Amendment Bill, 1988, Member, 1008.
      Standing Orders Committee, Member, 356.
   Egan, Hon. M. R.:
      Election, 2.
      Oath or Affirmation of Allegiance, 2.
      Parliamentary Contributory Superannuation Fund, Trustee, 363.
   Enderbury, Hon. K. J.:
      Printing Committee, Member, 356.
      Social Issues Committee, Member, 1781.
   Evans, Hon. Beryl:
      Council of the University of New England, Representative, 357.
      House Committee, Member, 356.
**Council, Legislative (continued): Members (continued):**

**EVANS, HON. BERYL (continued):**
- Joint Standing Committee upon Road Safety, Member, 451.
- Library Committee, Member, 356.
- Select Committee on the Police Regulation (Allegations of Misconduct) Amendment Bill, 1988, Member, 1008.
- Temporary Chairman of Committees, 106.

**French, Hon. H. B.:**
- Election as Opposition Whip, 7.
- House Committee, Member, 356.

**Garland, Hon. J. D.:**
- Printing Committee, Member, 356.

**Gay, Hon. D. J.:**
- Election, 2.
- Library Committee, Member, 356.
- Oath or Affirmation of Allegiance, 2.
- Social Issues Committee, Member, 1781.

**Goldsmith, Hon. Dr Marlene:**
- Election, 2.
- Library Committee, Member, 356.
- Oath or Affirmation of Allegiance, 2.
- Social Issues Committee, Member, 1781.

**Grusovin, Hon. Deirdre:**
- Appointment as Deputy Leader of the Opposition, 7.
- Election, 2.
- House Committee, Member, 356.
- Oath or Affirmation of Allegiance, 2.

**Hallam, Hon. J. R.:**
- Appointment as Leader of the Opposition, 7.
- Standing Committees, 2162.

**Hannaford, Hon. J. P.:**
- Council of Macquarie University, Representative, 357.
- State Development Committee, Member, 1781.

**Jakins, Hon. Judith:**
- House Committee, Member, 356.
- Social Issues Committee, Member, 1781.

**Jobling, Hon. J. H.:**
- Appointment as Government Whip, 7.
- House Committee, Member, 356.
- Standing Orders Committee, Member, 356.

**Johnson, Hon. J. R.:**
- Administration of Oath or Affirmation of Allegiance, 2.
- Appointment as Commissioner, Opening of Session, 1.
- House Committee, Member, 356.

**JOHNSON, HON. J. R. (continued):**
- Library Committee, Member, 356.
- Standing Orders Committee, Member, 356.

**Jones, Hon. R. S. L.:**
- Election, 2, 2162.
- Oath or Affirmation of Allegiance, 2.
- State Development Committee, Member, 1781.

**Kaldis, Hon. J.:**
- Election, 2.
- Oath or Affirmation of Allegiance, 2.

**Killen, Hon. R. W.:**
- House Committee, Member, 356.
- Printing Committee, Member, 356.
- Select Committee on the Police Regulation (Allegations of Misconduct) Amendment Bill, 1988, Member, 1008.

**Kirkby, Hon. Elisabeth:**
- Election as Leader of the Australian Democrats, 8.
- Select Committee on the Police Regulation (Allegations of Misconduct) Amendment Bill, 1988, Member, 1008.
- Standing Orders Committee, Member, 356.

**Kite, Hon. Delcia:**
- Temporary Chairman of Committees, 106.

**Macdonald, Hon. I. M.:**
- Election, 2.
- Oath or Affirmation of Allegiance, 2.
- Standing Orders Committee, Member, 356.
- State Development Committee, Member, 1781.

**Manson, Hon. A. B.:**
- Election, 2.
- Oath or Affirmation of Allegiance, 2.

**Matthews, Hon. J. C. J.:**
- Parliamentary Contributory Superannuation Fund, Trustee, 363.
- State Development Committee, Member, 1781.
- Temporary Chairman of Committees, 106.

**Mutch, Hon. S. B.:**
- Election, 2.
- Oath or Affirmation of Allegiance, 2.
- Regulation Review Committee, Member, 451.
- State Development Committee, Member, 1781.

**Nile, Hon. Elaine:**
- Election, 2.
- Oath or Affirmation of Allegiance, 2.
COUNCIL, LEGISLATIVE (continued):
Members (continued):

Nile, Reverend the Hon. F. J.:
Leader of the Call to Australia Group, 8. Social Issues Committee, Member, 1781.

O'Grady, Hon. P. F.:
Election, 2. Library Committee, Member, 356. Oath or Affirmation of Allegiance, 2. State Development Committee, Member, 1781.

Pezzutti, Hon. Dr B. P. V.:
Election, 2. Joint Standing Committee upon Road Safety, Member, 451. Oath or Affirmation of Allegiance, 2. Printing Committee, Member, 356.

Pickering, Hon. E. P.:

Reed, Hon. K. W.:
State Development Committee: Deputy Chairman, 2162. Member, 1781. Temporary Chairman of Committees, 106.

Samios, Hon. J. M.:
Library Committee, Member, 356. Printing Committee, Member, 356.

Sham-Ho, Hon. Helen:
Election, 2. Library Committee, Member, 356. Oath or Affirmation of Allegiance, 2. Social Issues Committee, Member, 1781.

Smith, Hon. R. B. R.:
Council, Legislative (continued):

SESSIONAL COMMITTEES (continued):

Printing, m., 356; Reports, 1460, 2070, 2326.
Standing Orders, m., 356.

Sessional Orders:
Adjournment, m., 355.
Adjournment Debate Reply, m., 356.
Cognate Bills, m., 355.
Matters of Public Interest, m., 438.
Ministerial Statements, m., 355.
Notices for Disallowance of Statutory Rules, m., 107.
Pairs, m., 355.
Party Leadership, m., 356.
Petitions, m., 354.
Prayers, m., 107.
Precedence of Business, m., 107.
Questions Upon Notice, m., 358.
Questions Without Notice, m., 107.
Second Reading of Bills, m., 359.
Select Committees, m., 106.
Sitting Days, m., 107.
Temporary Chairman of Committees, m., 106.
Third Reading of Bills, m., 359.

Sitting Hours, q., 2066.

Special Adjournment, m., 9, 125, 650, 785, 1513, 1666, 1821, 1930, 2158, 2201, 2332.
Standing Committees:
Social Issues:
m., 1781, 2162.
Chairman, 2126.
Deputy Chairman, 2162.
State Development:
m., 1781, 2162.
Chairman, 2126.
Deputy Chairman, 2162.

Usher of the Black Rod, adj., 2201.

Council, Legislative: Rulings, Observations and Opinions of the Chair:

DEPUTY-PRESIDENTS AND TEMPORARY CHAIRMEN OF COMMITTEES:

THE HON. BERYL EVANS: Appointment, 106.
THE HON. DELCIA KITE: Appointment, 106.
THE HON. J. C. J. MATTHEWS: Appointment, 106.
THE HON. K. W. REED: Appointment, 106.

Council, Legislative: Rulings, Observations and Opinions of the Chair (continued):

DEPUTY-PRESIDENTS AND TEMPORARY CHAIRMEN OF COMMITTEES (continued):

THE HON. M. F. WILLIS: Nomination as Chairman of Committees, 103; Appointment as Temporary Chairman of Committees, 106.

Divisions: Casting vote, 1815, 1832, 1893, 1902, 1905.

Interjections, Interruptions and Disorder: A member should address the Chair, 1845.
The Chair was having difficulty hearing a member, 1846, 1889; and members were asked to moderate the volume of interjections.

Points of Order: Point of order upheld, or upheld in part, 1892.
No point of order was involved, 1839, 1843, 1848.
A member sought clarification of the amendment being considered, 1891.
A member was told to address her remarks to the point of order, 1843.

Relevance: A member was requested to relate his comments to the question before the Chair, 1839.
As the Chair understood that a Minister was about to make a policy statement, the Minister was requested to make the statement relevant to the motion being debated by the Committee, 1841.
Standing orders did not refer to intimidation of members, 1841; and a Minister was entitled to reject a proposed amendment with force, consistent with standing orders.

Relevance to debate did not mean that a member must speak to the detail or minutiae of a matter under consideration, 1843; and as the representative of the Government, a Minister was entitled to acquaint members with the perceived consequences of an amendment.

It was relevant to debate matters raised by a previous speaker in the debate, 1848. Though a debate had been wide-ranging, the Chair did not wish to circumscribe the right of a member to refute arguments, but he should confine his remarks to the issue before the Chair, 1848.
Council, Legislative: Rulings, Observations and Opinions of the Chair (continued):

DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (THE HON. SIR ADRIAN SOLOMONS): Appointment, 106.

As Chairman:

Council, Legislative: The Chair congratulated Ministers and new members on their assuming office, 470.

Debate: For the information of new members the Chair noted that there were three questions before the Committee, and that all relevant debate on those questions would be heard before a vote was taken, 727.

Distinguished Visitors: The Hon. D. Lee, a member of the Legislative Council of Hong Kong, and some friends, 1962.

Divisions: Casting vote, 1508.

A member who was asked to address the Chair from the appropriate position explained that standing orders prevented a member from standing during a division, 751. The Chair was not satisfied that any member who had given his voice with the “noes” intended to vote with the “ayes”, 752; and directed that the division proceed.

As it had not been clear to which of two amendments a question put related, the Chair restated the question, 752.

Interjections, Interruptions and Disorder: A member had the call, 1856.

A member should address the Chair, 1923, 2026.

A member was distracted from the debate by interjections, 2016; and was entitled to be heard in silence, 2020, 2021. Constant interjections made it impossible for a member to be heard, 2021, 2023; and placed an intolerable burden on Hansard, 2023.

A member interjecting should seek the call to contribute to the debate, 2022.

Offensive and Objectionable Remarks, Imputations and Aspersions: No objection was taken at the time to language used by a member, but his attention was drawn subsequently to page 432 of the twentieth edition of May’s Parliamentary Practice, where it was stated that a member was not allowed to use unparliamentary words by the device of putting them in somebody else’s mouth, 1962.


Council, Legislative: Rulings, Observations and Opinions of the Chair (continued):

DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (THE HON. SIR ADRIAN SOLOMONS) (continued):

Point of order not involved, 732.

In speaking to a point of order a member had clarified the issue, 732.

Procedure (See also Debate): The Chair intended to apply strictly Standing Order 116 and require that amendments be in writing and circulated in advance, 470.

A member who did not propose to move foreshadowed amendments did not need leave to withdraw the proposed amendments, 1910.

A member was told to move a proposed amendment, 1960; and speak to that amendment before proceeding to speak to a second amendment. As the Committee was to deal with amendments to a schedule containing columns of tables but no line numbers, it was necessary to follow the columns in alphabetical order, 1362. To test the feeling of the Committee, the Chair put the usual question, “That the words proposed to be omitted stand part of the bill”, before putting the amendment, 1366. An amendment could not be explained, 1508, as objection was taken. The wording of an amendment differed from that circulated, which had the consent of a Minister, 777.

The standing orders required that a member speak to the amendment moved, 2019. Though a member had the right to speak more than once at the Committee stage, the Chair had given the call to a Minister, 728; who then deferred to the member, 729.

The Chair would not in future countenance the practice whereby an amendment moved was not in accordance with a written amendment previously circulated, the Chair had not been provided with a written copy of the amendment, in accordance with the rules, and the amendment had been moved after the schedule had been put to the Committee, 2121.

A member who could not hear what was being said by a Minister was invited to move closer to the Minister, 1921.

There being no objection, two amendments were dealt with together, 2027.

A member was out of order in speaking to an amendment that the Government indicated it would accept, 2070.
COUNCIL, LEGISLATIVE: RULINGS, OBSERVATIONS AND OPINIONS OF THE CHAIR (CONTINUED):

DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (THE HON. SIR ADRIAN SOLOMONS) (CONTINUED):

As there had been a lengthy interruption to a long debate, the Chair clarified the issues before the Committee by restating competing amendments and explaining the process by which the votes on them would be taken, 750, 751.

Relevance: A Minister was reminded that words to which he referred had been removed from a proposed amendment, 1962.

A question asked by way of interjection sought to obtain a legal opinion and was out of order, 1865; the courts and not the Minister interpret the law, 1865.

At the Committee stage a member should not deliver a second reading speech, but should confine his remarks to the schedule being considered, 2014.

Speaking to an amendment a member had gone beyond the ambit of the debate and was out of order, 2123.

A Minister mentioned by a member was not responsible for the administration of the proposed legislation being debated, 2124; and the member's comments should be relevant to the amendment being considered.

As Deputy-President:

Chair (See also Procedure): A member was trying the patience of the Chair, 407.

A member should address the Chair, 496, at a rate of delivery that did not cause difficulty for Hansard.

Condolence: Rygate, Hon. Amelia, a former member.

Debate: A member had exhausted his time for speaking, 1794.

The attention of a member speaking to a motion dealing with the sale of X-rated video cassettes was drawn to the presence of schoolchildren in the gallery, 611.

Distinguished Visitors: Consul-General of the Union of Soviet Socialist Republics, 1808.

Divisions: Casting vote, 1889.

Hansard: A member who sought to have her remarks on the public record had achieved her purpose, 2314.
Council, Legislative: Rulings, Observations and Opinions of the Chair (continued):

DEPUTY-PRESIDENT AND CHAIRMAN OF COMMITTEES (THE HON. SIR ADRIAN SOLOMONS) (continued):

Questions Without Notice: A member was reminded that he was not answering a question, 1476; but that he must ask a question and not make statements, 1617.

A member may not ask questions about legislation at present before the House, 1608.

A question was ruled not to be supplementary, 1477.

It is not for the Chair to control the way in which a Minister replies to a question, 1718.

A Minister should be allowed to answer a question without interjection, 1726; and was told to answer, 1727.

Relevance: The framing of a motion made the debate necessarily wide-ranging, 405.

A member who had referred to the section of an Act was directed to address the bill before the House, 2314.

Though traditionally a member making a maiden speech was extended certain courtesies, the rule of relevance applied to other members, who must confine their remarks to the subject-matter of the debate, 494.

Remarks must be relevant to the question before the Chair, and a member had strayed from the issue, 407.

A member who quoted statistics to support a comparison between two pieces of legislation was close to having his contribution ruled to be not relevant, but had not yet breached the rule, 1776.

PRESIDENT (THE HON. JOHN RICHARD JOHNSON):

Adjournment: A motion to adjourn debate was withdrawn, 758.

Chair: Members must address the Chair, 2002; and not turn their backs on the Chair, 467.

Council, Legislative: Resignation of Mr D. K. Carpenter, Clerk Assistant of the Legislative Council, 2161.

Appointment of Ms L. C. Lovelock as Usher of the Black Rod, 2161.

Appointment of Mr M. J. Swinson as Clerk Assistant of the Legislative Council, 2161.

Council, Legislative: Rulings, Observations and Opinions of the Chair (continued):

PRESIDENT (THE HON. JOHN RICHARD JOHNSON) (continued):

A communication was received from the Prothonotary of the Supreme Court of New South Wales advising that a petition regarding the election of the Hon. R. S. L. Jones had been dismissed, 2162.

Distinguished Visitors: Dr Hassan, former judge from Nicaragua, 1971; Mr I. Gilfillan, Leader of the Australian Democrats in the South Australian Legislative Council, 2067; Professor A. Lerner, Mr and Mrs V. Slepak, three refuseniks from the Soviet Union, and Professor G. de Vahl Davis, President of New South Wales Jewish Board of Deputies, 605.

Divisions: Though in debate a member said that if his amendment were unsuccessful he would seek to have the parts of a motion put to the House seriatim under Standing Order 106, he failed to do so when the question was put and therefore was not able to do so once members had taken their stand in division, 1336.

Casting vote, 1336.

Documents: Incorporation of documents added to the cost of publication of Hansard, 2003. The source of documents available in the Parliamentary Library or elsewhere should be identified, but such documents should not be incorporated, 2003; though this was a matter for the House to decide, 2004.

Leave was not granted to incorporate material, 2004, and members were discouraged from seeking the incorporation of documents. Leave was not granted to incorporate a letter from the Clerk of the Parliaments, 2163.

Hansard: A member's remarks would be recorded in Hansard, 2310.

Interjections, Interruptions and Disorder: A Minister did not require assistance from members interjecting, 1986. Members should refrain from interjecting while a member was speaking to a point of order, 511.

A member was entitled to be heard in silence, 1318, 2011; it was common courtesy to give a Minister the attention due, 1369, as a member was entitled to courtesy. A Minister should be allowed to answer a question, 1257, 1370.

Motions: A motion for the adjournment of debate to a later hour was the property of the House, 2088.

Abortion, 1333.
Offensive and Objectionable Remarks, Imputations and Aspersions: A reference to a vote of the House to establish a select committee as a nonsense was a reflection on the House, 2096; and standing orders provided that no member shall reflect upon any vote of the House except for the purpose of moving that such vote should be rescinded. Therefore, the reflection was withdrawn.

Parliamentary Reporting Staff: Retirement of Mr T. R. Cooper, Editor of Debates, 717.

Personal Explanation: The Leader of the Opposition was advised to confine his remarks to the point of explanation, 1991. The primary intent of making a personal explanation was to explain a matter of a personal nature, 1992; it did not extend to refuting allegations of maladministration by a former Minister.


While a member was speaking to a point of order another member should not seek to ask a supplementary question, 743. The standing orders to which reference had been made were not applicable to the point of order taken by a member, 743.

Presiding Officers: Under Standing Order 71 the Presiding Officer had the right to address the House on a motion for his removal; but lest he be seen not to be impartial, he did not intend to do so, 99.

Privilege: The serving of legal process on a member within the precincts of the Parliament would be investigated by the Chair and a report made to the House based on advice, 778. The established privileges of members would be affected if members were impeded in the pursuit of their parliamentary business within the precincts of the Parliament by being subjected to the service of process, which constituted a serious contempt of their rights and privileges, 953. The Chair reported the receipt of a communication from Mr David Patton, 1851.
SESSION 1988

27th April, 1988, to 3rd August, 1988

Courts and Legal Procedure (See also “Corrective Services”, “Crime and Criminals”, “Law and Order”, “Legal Profession” and “Police”):

Community Justice Centres, q., 1877, 1990, 2192.
Court Hearing Delays, q., 1530.
Grassby, Mr A. J., min. stmt, 803.
Indictable Offences, q., 380.
Justices of the Peace, q., 238.
Juvenile Cautioning System, q., 376.

Crime and Criminals (See also “Courts and Legal Procedure” and “Corrective Services”):

Hilton Hotel Bombing, q., 2342.
Hing, Mr Frank, q., 971, 1267, 1388, 1877.
Independent Commission Against Corruption, Proposed, q., 460.
Juvenile Cautioning System, q., 1724.

Dairy Industry (See also “Cattle, Sheep and Livestock” and “Industry, Primary”):
Rationalization, q., 978.

Discrimination:
Constitutional Heritage Protection Society, q., 1611, 2196.

Divisions:

ASSEMBLY:
Commonwealth-State Financial Relations, m., 345, 347.
Constitutional Referendum on Local Government, m., 711.
Darling Harbour Casino (Repeal) Bill, 2R., 596.
Drug Misuse and Trafficking (Amendment) Bill, Com., 890, 891.
Education and Public Instruction (Amendment) Bill, 2R., 287; Com., 291, 1582.
Essential Services Bill, 2R., 1148; ad. rep., 2295.
Higher School Certificate, m., 61.
Housing (Validation of Resumptions) Bill, Com., 1119.
Independent Commission Against Corruption Bill (No. 2), Com., 1554, 1557, 1560.
Industrial Arbitration (Amendment) Bill, Com., 1110.
Premier’s Election Promises, m.s.o., 2221.

Divisions (continued):

Assembly (continued):

Prisons (Amendment) Bill, Com., 1241.
Public Education, m., 2266.
Public Hospitals (Visiting Practitioners) Amendment Bill, and cognate bill, 2R., 1214.
State Transport (Co-ordination) Amendment Bill, and cognate bill, 2R., 1566; Com., 1569.
Summary Offences Bill, and cognate bill, Com., 1186.
Suspension of Standing Orders, m., 1396.
Transport Appeal Boards (Amendment) Bill, 2R., 1195; Com., 1196, 1197, 1199; ad. rep., 1200; 3R., 1201.

COUNCIL:
Abortion, m., 1336.
Chairman of Committees, m., 104, 105.
Drug Misuse and Trafficking (Amendment) Bill, Com., 1366, 1367, 1368.
Education and Public Instruction (Amendment) Bill, Com., 752, 753.
Essential Services Bill, 2R., 1766; Com., 1815; ad. rep., 1821.
Gazumping, m., 1243.
Independent Commission Against Corruption Bill, Com., 847, 848, 854, 856, 857, 870, 871.
Independent Commission Against Corruption Bill (No. 2), 2R., 1831; Com., 1832, 1834, 1848, 1849, 1856, 1859, 1889, 1893, 1902, 1905.
Industrial Arbitration (Amendment) Bill, Com., 2118.
Parliamentary Committees Enabling Bill, Com., 2125.
Police Regulation (Allegations of Misconduct) Amendment Bill, Com., 2095; adj., 2101; Select Com., 2102.
Prisons (Amendment) Bill, Com., 2156, 2157.
Summary Offences Bill, and cognate bill, Com., 2026, 2038.
The President, m., 102.
Transport Appeal Boards (Amendment) Bill, 2R., 2069.
### INDEX TO SUBJECTS

#### Volume 201

**Drugs:**
- Compulsory Testing, *q.*, 1616.

**Economic Conditions:**

**Education** (*See also* “Colleges of Advanced Education and Technical Colleges”, “Schools” and “Teachers”):
- Cutbacks, *min. stmt*, 1431.
- Higher School Certificate, *urgency*, 47; *m.s.o.*, 47; *m.*, 48, 58; *adj.*, 511; *q.*, 1982.
- Productivity and Savings Aims, *min. stmt*, 1420.
- Public, *m.s.o.*, 2225; *m.*, 2225.
- Service Initiatives, *min. stmt*, 1421.
- TAFE Initiatives and Savings, *min. stmt*, 1421.
- Tertiary Awareness Program, *q.*, 2356.

**Elections and Electorates:**
- Costing of Election Proposals, *q.*, 41.
- Liberal Party:
  - Advertising, *q.*, 2190.
  - Promises, *min. stmt*, 1429; *q.*, 1484.
- One Vote One Value Referendum, *q.*, 139.
- Premier's Election Promises, *m.s.o.*, 2215.
- Vacluse:
  - Issue of Writ, 787.
  - Vacant Seat, 422.

**Electricity** (*See also* “Energy”):
- Charges, *q.*, 799; *min. stmt*, 1423, 1433; *q.*, 1867, 1979, 1984, 2193.
- Mt Piper to Marulan Power Line, *q.*, 2334.
- Tallawarra Power Station: *q.*, 802.

**Employment** (*See also* “Youth”):
- Building Site Safety, *q.*, 228, 530.

**Ethnic Affairs:**
- Foster Care Program, *q.*, 1607.
- Funding, *q.*, 1870, 1981.
- Liberal Party Policy, *m.*, 374; *q.*, 735, 979.

**Fauna and Flora:**

**Ferry Services** (*See also* “Transport, Finance and Policy”):

**Festivals:**
- Bicentennial Naval Salute, *min. stmt*, 225.
- First State '88 Exhibition, *q.*, 233.

**Films:**
- New South Wales Film Corporation, *q.*, 519.
- X-Rated Video Cassettes, *m.*, 605.

**Firearms:**
- Use, *q.*, 1876.

**Fires and Fire Fighting:**
- Fire Brigade False Alarms, *q.*, 738.
- Volunteer Bush Firefighters, *q.*, 802.

**Fish Industry and Fishing:**
- Gemfish, *q.*, 1617.

**Flags:**
- Raising, *q.*, 1727.

**Floors:**
- Compensation, *mem. stmt*, 834, 836; *q.*, 1873.
- Fairfield, *mem. stmt*, 269.
- Mitigation, Blacktown Electorate, *q.*, 2356.
- Relief, *q.*, 2351, 2354.
- Western Sydney, *q.*, 1612, 1730.

**Forests** (*See also* “Conservation”):
Government, State:

Administration, 3, 20.
Advertising, q., 133.
Asset and Debt Comparison, min. stmt, 1430.
Asset Sales and Public Sector Debt, min. stmt, 1426.
Asset Sales, Privatization, min. stmt, 1427.
Basic Services, Reduced, min. stmt, 1433.
Capital Works Expenditure Freeze, q., 1610.
Charges, q., 1475, 1476.
Cleaning Contracts, q., 1058.
Community Services Awards, q., 1722.
Debts Costs, min. stmt, 1422.
Financial Statement, June 1988, min. stmt, 1415, 1429.
Financial Strategy, min. stmt, 1416.
Labor Government’s Financial and Public Sector Record, min. stmt, 1429.
Legislative Program, spec. adj., 2159.
Ministerial Expenditure Review Committee, min. stmt, 1418.
New South Wales Incorporated, Cost to Public, min. stmt, 1433.
Pre-Budget Statement, min. stmt, 1415.
Priorities, min. stmt, 1431.
Productivity Targets, min. stmt, 1418.
Property Sales, q., 1060.
Public Sector Standards, min. stmt, 1429.
Rental Accommodation, q., 2222.
Taxes and Charges, min. stmt, 1423.
User-pays Policy, min. stmt, 1423.

Grains:

Handling Inquiry, q., 237.
Loans to Grain Growers, q., 2062.
Wheat Industry, q., 2177.

Handicapped Persons:

Accommodation, adj., 2159.
Mentally and Developmentally Disabled, q., 1719, 2057, 2058.

Harbours:

Ammunition Barges on Parramatta River, mem. stmt, 273.
Port Hacking Tombolo, q., 2203, 2337, 2369.

Health (See also “Hospitals” and “Medical and Paramedical Practitioners”):

AIDS:
  Treatment, q., 1380.
  Funding, q., 458, 1881.
  Screening, q., 734, 1723, 1882.
Area Boards, q., 1061.
Contaminated Food, q., 2059.
Contaminated Oysters, q., 1800.
Fosters Beer, q., 2339.
Imported Cheese Contamination, q., 977.
Kidney Dialysis, mem. stmt, 1437.
Mental Health Act, min. stmt, 1516.
Mental Health Review Tribunal, min. stmt, 1044.
Richmond Report Program, q., 379.
Services, mem. stmt, 182.
St George Area Board, q., 140.
Tobacco Smoking, q., 1987.
Wagga Wagga Services, q., 1875.

Historic Areas, Buildings and Records:

Castle Hill Historic Buildings, mem. stmt, 2288.

Hospitals (See also “Health” and “Medical and Paramedical Practitioners”):

Camden District, q., 2355.
Charges, min. stmt, 1423.
Collaroy, adj., 71.
Fairfield, mem. stmt, 178.
Fifth Schedule, q., 661, 1523.
Funding, q., 1730.
Lismore Base, q., 800.
Medical Services Tribunal, q., 1721, 2196.
Nursing Home Charges, q., 1519.
Private:
  Chelmsford, min. stmt, 221; q., 2183.
  Development, Encouragement, min. stmt, 1425.
  Legislation, q., 306.
Public, Charges, mem. stmt, 1433.
St George, mem. stmt, 176.
Sutherland, adj., 512, 720; q., 795.
Housing (See also "Land and Land Settlement" and "Town and Country Planning"):
Aboriginal, q., 1607.
Developmentally Disabled, q., 1979.
Emergency, adj., 1930.
Home Building Company Liquidations, q., 467.
Land, q., 793.
Medium Density, q., 527.
Ministry Funds, q., 1524.
Public, q., 236, 1809; mem. stmt, 2289.
Rental:
Charges, min. stmt, 1424.
Subsidies, q., 1059.
Strategy, min. stmt, 1425.
Unserviced Land Sales, q., 525.

Industry, Primary (See also "Agriculture", "Dairy Industry" and "Grains"):
Egg Marketing, q., 631, 632.

Insurance:
GIO Board, q., 1610.
TransCover, mem. stmt, 566; q., 1879, 2195.
Voluntary Workers, mem. stmt, 181.

Land and Land Settlement (See also "Housing" and "Town and Country Planning"):
Australian-Yugoslav Community Centre Land:
Former Minister for Housing, q., 1520.
Griffith Development, mem. stmt, 839.
Jerrabomberra Heights Estate, q., 1054; mem. stmt, 1121; q., 1386.
Kirrawee Land Development, m., 2303.
Residential Land Sales, q., 1989, 2067.

Law and Order (See also "Courts and Legal Procedure", "Crime and Criminals" and "Police"):
Capital Expenditure, min. stmt, 1425.
Domestic Violence, q., 1869.
Funding, q., 1483.
Street Crime, q., 384.
Violence in Redfern, q., 1265.

Liquor:
Kix Drink, adj., 1850.
Under-Age Drinking, mem. stmt, 185; q., 381.

Local Government (See also "Town and Country Planning"):
Constitutional:
Recognition, q., 136.
Referendum, m., 691.
Council of the City of Sydney, q., 1058, 1263, 1620.
Council Tendering Processes, q., 1051, 1380.
Elections, q., 2353.
Rate-Pegging, q., 1720.
Rural Rates, q., 2354.

Markets, Farm Produce:
Flemington Fruit and Vegetable Markets, q., 2301, 2345, 2346, 2347.

Meat Industry (See also "Cattle, Sheep and Livestock"):
Homebush Abattoir, q., 622; min. stmt, 531, 788; q., 969, 1045; mem. stmt, 1124; q., 1261.

Medical and Paramedical Practitioners (See also "Health" and "Hospitals"):
Resident Medical Officer Shortages, q., 308.

Minerals and Mining:
Coal:
Mine Closures, q., 231.
Mineral Leases, q., 2335.
Rights, q., 1530.
Transportation, q., 1874.
Mine Subsidence and Urban Development Committee, q., 1877, 2194.

Morality:
Disorderly Houses Legislation, q., 2056.
Prostitution, mem. stmt, 2327.
Motor Vehicles:
Driver Training, *q.*, 971, 1269.
Industry Regulation, *q.*, 2056.
Ministerial, *q.*, 974.
Registration, *q.*, 374, 469; *min. stmt*, 1433.

Obituaries:
Leitch, Mr D. S., a Former Member of the Legislative Assembly, *m.*, 25.
Rygate, Hon. Amelia, a Former Member of the Legislative Council, 1781.

Oil Industry and Petrol:
Petrol:
Prices, *q.*, 1614.

Olympic Games:
Sydney, *q.*, 464.

Ombudsman:
Complaints Against Police, *q.*, 2184, 2185, 2188, 2189, 2348.
Powers, *q.*, 228.
Statutory Appointment, *q.*, 2347.

Parliament (See also "Assembly, Legislative” and “Council, Legislative”):
Death Threat Against Member for South Coast, *mem. stmt*, 1438.
Death Threats Against Members, *q.*, 1266.
Disclosures by Members, 63.
Parliamentary Contributory Superannuation Fund:
Legislative Assembly Trustees, *m.*, 188.
Legislative Council Trustees, *m.*, 363.

Parliament (continued):
Privilege:
Correspondence Between Mr Speaker and Members, 62.
Independent Commission Against Corruption, *q.*, 1608.
Service of Documents, *privilege*, 778; *m.*, 953, 1584, 2084, 2085, 2162.

Reporting Staff:
Editor of Debates, 720.
Retirement of Mr Thomas Richard Cooper, *m.*, 717.

Yates and Bryant v. Jones, 2086.

Petitions:
ASSEMBLY:
Abortion, *Mr A. S. Aquilina*, 127; *Mr Baird*, 35; *Mrs Cohen*, 1044; *Mr Face*, 2210; *Mr Harrison*, 35; *Mr Hatton*, 35; *Dr Metherell*, 127; *Mr J. H. Murray*, 127; *Mr W. T. J. Murray*, 2209; *Mr Rogan*, 2209.

Acquired Immune Deficiency Syndrome, *Mrs Cohen*, 1375; *Mr Harrison*, 37; *Mr Hartcher*, 129.

Batlow Police, *Mr Schultz*, 1376.

Beekeeping on Public Land, *Mr Berry*, 128.

Blacktown Hospital Pedestrian Crossing, *Mr J. J. Aquilina*, 515.

Bloomfield Riverside Hospital, *Mr Peacocke*, 37; *Mr West*, 37.

Bolton Point Fan-Ventilation Shaft, *Mr Hunter*, 129.

Campbelltown Hospital, *Mr Primrose*, 1515.

Car Park for Blacktown Hospital, *Mr J. J. Aquilina*, 515.


Central Coast Medical Assistance, *Mr H. F. Moore*, 129.

Chatswood Traffic, *Mr Dowd*, 130.

Child Care Centre for Cobar, *Mr Beckroge*, 39.

Class Sizes, *Mr Knowles*, 2209; *Mr T. J. Moore*, 2209; *Mr Zammit*, 2209.

Cooinda School, *Mrs Crosio*, 1044.

Education, *Mr Jeffery*, 31; *Mr Paciullo*, 298; *Mr Price*, 127; *Mr Yeomans*, 127.

Education Certificates, *Mr Berry*, 517.

**Petitions (continued):**

**Assembly (continued):**

- Firearms Legislation, *Mr Beckroge*, 38, 39; *Mr Jeffery*, 32; *Miss Machin*, 32; *Mr W. T. J. Murray*, 35.
- Food Irradiation, *Mr Dowd*, 31.
- Gap Beach, South West Rocks, *Mr Jeffery*, 32.
- Goulburn Pedestrian Crossing, *Mr Webster*, 299.
- Guyra Central School Multipurpose Hall, *Mr Chappell*, 298.
- High School Ancillary Staff, *Mr Schultz*, 651.
- Homebush Abattoir, *Mr Irwin*, 2208.
- Juvenile First Offenders, *Mr Hartcher*, 128.
- Law and Order at Auburn, *Mr Nagle*, 1515.
- Level Crossings near Armidale, *Mr Chappell*, 298.
- Liquor Trading Hours, *Mr Kerr*, 787.
- Lotteries and Lotto Agency at Wollongong, *Mr Arkell*, 37.
- Lower Hunter Area Health Service, *Mr Walsh*, 517.
- Mosman Gas Supply, *Mr Pickard*, 220; *Mr Smiles*, 516.
- Mosman Tree Lopping, *Mr Mack*, 2211.
- Orange and Canobolas High Schools, *Mr West*, 32.
- Prostitution, *Mrs Cohen*, 1043; *Mr Hunter*, 130.

**Petitions (continued):**

**Assembly (continued):**

- Senior High School for Mount druitt, *Mr Amery*, 36.
- Shoalhaven District Memorial Hospital, *Mr Hatton*, 38.
- Steel Mill for Rooty Hill, *Mr Amery*, 36.
- Vineyard Land Use, *Mr Amery*, 38, 221.
- Warringah Shire Sewerage, *Mr Longley*, 37, 517.
- Wyong Road, Tuggerah, *Mr Baird*, 39.

**COUNCIL:**

- Abortion, *Mrs Arena*, 9, 720, 1242; *Mrs Bignold*, 108, 358, 1784; *Miss Kirkby*, 9, 2163; *Mrs Kite*, 720; *Revd F. J. Nile*, 605, 2203.
- Cooks River Pollution, *Miss Kirkby*, 1668, 2163.
- Homosexuality, *Mr French*, 2162; *Mr Gay*, 2162.
- Level Crossings, *Miss Kirkby*, 9, 2163.

**Poker Machines:**


**Police (See also “Crime and Criminals” and “Law and Order”):**

Aboriginal:
- Officers, *q.*, 1262.
- Unit, *q.*, 459.
Police (continued):

Arantz, Philip; Former Sergeant, q., 2185.
Audiovisual Recording of Interviews, q., 968, 2192.
Deaths, q., 974.
Department Administration, q., 2349.
Footwear, q., 1728.
Lay Visitors at Stations, q., 2182.
Patrols:
\[ q., 1268, 1269. \]
Parramatta Railway Station, q., 2364.
Police News Article, q., 745, 746.
Powers, q., 1606, 1718.
Promotion Appeals, q., 2058.
Radio Communication Equipment, q., 2375.
Recruitment, q., 1728, 2187.
Retirements, q., 2204.
Schools Program, q., 733, 1802.
Shepherd, Assistant Commissioner, q., 2348, 2349.
Staffing, mem. stmt, 1442.
Stations:
\[ Ballina, q., 748, 979. \]
\[ Camden, q., 2355. \]
Campbelltown Electorate, q., 2344.
Claymore-Eaglevale, q., 2345.
Ermington, q., 1874, 1875.
Menai, q., 2202.
Peakhurst, q., 1478, 1731.
Redfern, q., 626, 749, 1801.
Sutherland, q., 1476.
Superannuation, q., 378, 1477.
Training, q., 462.
Transport, q., 2201.
Tumut, q., 975, 976.
Water, Wollongong Electorate, q., 2366.

Political Parties (See also “Elections and Electorates”):
Funding, q., 1868.

Pollution (See also “Conservation”):
Campbelltown Air Monitoring, q., 313.
Cooks River, q., 2338.
Illawarra Region, mem. stmt, 568.

Pollution (continued):
Lake Macquarie Foreshores, q., 2364.
Siltation:
\[ Manning River, mem. stmt, 562. \]
\[ Port Hacking River, mem. stmt, 1120. \]
Strontium-90, q., 2341.
Waste Disposal, Kimbriki Tip, mem. stmt, 1440.

Public Service and Statutory Offices:
Accommodation Strategy, Savings, min. stmt, 1422.
Accounts:
\[ Advances to be Recovered, q., 2375. \]
\[ Coal Compensation Fund, q., 2374. \]
\[ Government Departments, q., 2370. \]
\[ Natural Disaster Relief, q., 2372. \]
\[ Police Superannuation Fund, q., 2373. \]
\[ Public Buildings, q., 2370. \]
\[ Public Liability Fund, q., 2374. \]
\[ Public Sector Telecommunications Network, q., 2371. \]
\[ School Pupils Conveyance Scheme, q., 2372. \]
\[ Treasury Fire Risks, q., 2373. \]
Annual Reports of Statutory Authorities, q., 2357.
Commission of Audit, min. stmt, 1422; adj., 2332; min. stmt, 2212.
Departmental Commercialization, User Charges, min. stmt, 1427.
Department of Administrative Services, min. stmt, 1427.
Department of Agriculture and Fisheries: Charges, q., 1716, 1880.
Department of Business and Consumer Affairs: Review of Services, q., 663.
Department of Corrective Services: Corruption, q., 299.
Department of Education: Recruitment Policy, q., 1732, 1983.
Department of Family and Community Services:
\[ Institutional Care, q., 1478. \]
\[ Nambucca Heads Office, q., 972. \]
Projects, q., 1870, 1981.
\[ Staff Freeze, q., 1609. \]
Department of Health: Administrative Savings, min. stmt, 1422.
## INDEX TO SUBJECTS

### Volume 201

### Public Service and Statutory Offices (continued):

Department of Sport and Recreation: Capital Works Program, q., 1482.
Forestry Corporation, *min. stmt*, 1427.
Government Offices for Newcastle, q., 801.
Kortlang, Mr Ian, Appointment, q., 233.
Market Research Spending, q., 790.
New South Wales Treasury Corporation, q., 1054.
Office of the Minister for Police and Emergency Services, q., 1613.
Police Department: Expenditure, q., 1725, 1726.
Public Sector Consultants, q., 2177.
Public Service:
  - Appointments, q., 2351.
  - Dismissals, q., 2350.
Ramsey, Dr Gregor, Appointment as Director-General of Education, q., 40.
State Rail Authority:
  - Absenteeism, q., 630.
  - Inefficiencies, q., 301, 518.
  - Inquiry, q., 1052.
  - Privatization, q., 659.
  - Revenue Supplement, *min. stmt*, 1432.
Taronga Zoo Director, q., 45.
Water Board: Local Purchase Orders, q., 2191.

### Public Works:

Capital Works Program and Cutbacks, *min. stmt*, 1424.
Darling Harbour Lighting, q., 2062, 2192.
Private Sector Involvement, *min. stmt*, 1425.

### Racing:

Horse Meetings, q., 626.

### Radio Broadcasting and Television:

Australian Broadcasting Corporation Programs, q., 1721.
Radio Station 2BL, *adj.*, 785.
Sky Channel Television, q., 972.

### Railways (See also “Transport, Finance and Policy”):

Alexandra Goods Yard Site, q., 979.
Commuters, q., 2064.
Country and Suburban Services, q., 799.
Country Services, q., 1480.
Crossings, q., 663, 1481.
Level Crossings in Campbelltown Electorate, q., 2345.
Maldon to Dombarton Link, q., 664, 2059.
Monorails:
  - Darling Harbour, q., 2186.
  - Newcastle, q., 308.
Passenger Safety, q., 1482.
Rail Track from Strathfield to Hornsby, q., 1993.
Riverstone to Richmond Electrification, q., 1875.
Sleeper Quotas, q., 1879, 1995, 2064.
Strathfield to Hornsby, q., 800.
Tickets, q., 1382.
XPT Train Services, q., 522, 523.

### Rescue Squads:

Disaster Relief, q., 1264.

### Reserves:

National Park for Wyrrabalong, q., 1059.
Lake Innes, q., 1487.

### Roads and Road Safety (See also “Bridges” and “Motor Vehicles”):

Blue Mountains, q., 311.
Charlestown Bypass, *mem. stmt*, 564.
Jack Renshaw Bridge Accident, q., 736, 980.
Main Roads 141 and 142, *mem. stmt*, 1123.
Nelson Bay Road Upgrading, q., 1056.
Pedestrian Overbridge for Camden, q., 2355.
Queens Birthday Holiday Weekend Road Toll, q., 1867.
Roads, Expenditure, *min. stmt*, 1424.
SESSION 1988

27th April, 1988, to 3rd August, 1988

Roads and Road Safety (continued):
State, q., 737.
Sydney to Newcastle Freeway Toll, q., 2063.
Toll, q., 2352.
Toll Roads, min. stmt, 1425.
Traffic:
Black Spots, mem. stmt, 1126.
Charges and Fines, min. stmt, 1423.
Lights for Goulburn, mem. stmt, 2285.

Schools (See also “Colleges of Advanced Education and Technical Colleges” and “Education”):
Croydon Park Primary, Maintenance, q., 741.
High:
Berkeley, q., 2367.
Cleveland Street, q., 465.
Glendale, adj., 420.
Kincumber, q., 1807.
Selective, q., 748, 1881.
Warrawong, q., 2366.
Police Program, q., 733.
Secondary Staffing, q., 790.
Senior High for Western Sydney, mem. stmt, 265.

School Transport:
Student Travel Passes, q., 1803, 1806, 1807, 1872, 1881.

Science:
In Vitro Fertilization, q., 1985.

Security Organizations:
Security Industry, q., 1808.

Sewerage:
Hunter Fringe Areas Scheme, q., 2364.
Pacific Palms Services, q., 2334.
Port Stephens, q., 231.
Rural Services, q., 1388.

Social and Welfare Services:
Aboriginal Corporation for Homeless and Rehabilitation Service, q., 968.
Child:
Care Centres, min. stmt, 1789.
Care Funding, q., 2190.
Protection Unit, q., 455, 457.
Community Welfare Grants, min. stmt, 1422.
Department of Family and Community Services: Nambucca Heads, q., 1620.
Eranos Foundation, q., 2179, 2180, 2181.
Women’s Refuge at Randwick, q., 628.

Sport and Recreation:
Bathurst Car Racing, q., 1720.
Exchange Programs, q., 735.
Hunter Academy of Sport, q., 1606.
Moore Park Netball Courts, q., 235.
Speedboat Safety, mem. stmt, 2291.
Sydney Cricket and Sports Ground Trust, q., 973.
Sydney Football Stadium, q., 372, 795.

Statute Revision:
Aboriginal Land Rights Act: Disallowance of Amendment to Regulations, m., 108; m.s.o., 145; m., 146, 360.
Companies and Securities Legislation, mem. stmt, 1376.
Forestry Act: Revocation of Dedication, 5, 21.
Independent Commission Against Corruption Bill, q., 2063, 2194.
Local Courts Act, m., 2211.
Noise Control Act: Disallowance of Regulation, m., 1071.
Prisons Act: Disallowance of Amendment to Regulation, m., 1785.
Unborn Child Protection Bill, withdrawal, 2163; adj., 2333.
INDEX TO SUBJECTS
Volume 201

Taxation:
Fuel, \textit{min. stmt}, 1424.
Land, \textit{min. stmt}, 1423.
Payroll, \textit{min. stmt}, 1423.
State:
  Relief, Strategy, \textit{min. stmt}, 1422.
  Review, \textit{min. stmt}, 1422.
Tobacco, \textit{q.}, 1612.

Taxicabs and Hire Cars:
Taxi Vans, \textit{q.}, 543; \textit{adj.}, 1666.

Teachers:
Face-to-Face Teaching, \textit{q.}, 793.
Primary School, \textit{q.}, 797.
Secondary, \textit{q.}, 2350.
Shortages, \textit{q.}, 141.

Tourist Activities:
Marketing, \textit{q.}, 1390.

Town and Country Planning (See also "Decentralization and Development", "Housing", "Land and Land Settlement" and "Local Government"):
Bond Skytower-Park Plaza, \textit{q.}, 141.
Hotel for Thredbo, \textit{q.}, 2334.
Steel Mill for Rooty Hill, \textit{q.}, 227.
Sydney Local Environment Plan, \textit{q.}, 1057.

Trades and Trade Unions:
Building Construction Employees and Builders Labourers Federation, \textit{min. stmt}, 651.

Transport, Finance and Policy (See also "Ferry Services", "Omnibus Services" and "Railways"):
Coalition Policy, \textit{q.}, 518.
Pensioner Travel Concessions, \textit{q.}, 1606, 1719, 1731, 1878, 1994.
Public:
  Fares, Increase, \textit{min. stmt}, 1433.
  Financial Losses, \textit{min. stmt}, 1418.
  Productivity Initiatives, \textit{min. stmt}, 1419.
State Rail Authority: Finances, \textit{q.}, 136.

Tunnels:
Sydney Harbour Tunnel, \textit{q.}, 139.

Water:
Charges, \textit{min. stmt}, 1424, 1433.
Irrigation:
  Accounts, \textit{q.}, 2344.
  Rates, \textit{q.}, 2342.
Menangle Supply, \textit{q.}, 458.
Pacific Palms Services, \textit{q.}, 2334.
Rural Services, \textit{q.}, 1388.

Women’s Affairs:
Funding, \textit{q.}, 1723.
New Opportunities for Women Program, \textit{q.}, 1609.
Women in Prison Task Force, \textit{q.}, 1615, 2067.
Women’s Development Foundation, \textit{q.}, 1809.
Women’s Refuge at Randwick, \textit{q.}, 628.

Youth:
Task Force, \textit{q.}, 2369.
INDEX TO SPEECHES

Explanation of Abbreviations: adj., Motion for Adjournment; ad. rep., Adoption of Report; Com., Committee; Com. and ad. rep., Committee and Adoption of Report; cons. amdts, Consideration of Amendments; cons. mes., Consideration of Message; int., Introduction; m., Motion; mes., Message; mem. stmt, Private Member’s Statement; min. stmt, Ministerial Statement; m.s.o., Motion for Suspension of Standing or Sessional Orders; pers. expl., Personal Explanation; q., Question; 1R., 2R., 3R., First, Second, Third Reading; recom., Recommittal; recons. amdts, Reconsideration of Amendments; select com., Select Committee; spec. adj., Special Adjournment; urgency, Motion of Urgency.

Allan, Pamela (Wentworthville):
Assembly, Legislative:
   Election, 10.
   Oath or Affirmation of Allegiance, 10.
Regulation Review Committee, Member, 187.
Bills:
   Education Commission (Amendment) Bill, and cognate bill, 2R., 911.
   Education and Public Instruction (Amendment) Bill, 2R., 203.
   Public Hospitals (Visiting Practitioners) Amendment Bill, and cognate bill, 2R., 1209.
Education: Public, m., 2239.
Floods: Wentworthville, mem. stmt, 1435.
Railways: Strathfield to Hornsby, q., 800.

Amery, Mr R. S. (Riverstone):
Assembly, Legislative:
   Election, 10.
   Oath or Affirmation of Allegiance, 10.
Bills:
   Forestry (Amendment) Bill, 2R., 1434.
   Stock Diseases (Board of Tick Control) Amendment Bill, 2R., 881.

Amery, Mr R. S. (Riverstone) (continued):
Floods: Mitigation, Blacktown Electorate, q., 2356.
Points of Order, 203, 218.
Schools: Senior High for Western Sydney, mem stmt, 265.
Water:
   Irrigation:
      Accounts, q., 2344.
      Rates, q., 2342.

Andrews, Mr A. (Heathcote):
Assembly, Legislative:
   Election, 10.
   Oath or Affirmation of Allegiance, 10.
Public Service and Statutory Offices: State Rail Authority: Inefficiencies, q., 301, 518.

Aquilina, Mr A. S., B.A., Dip.T. (Mulgoa):
Assembly, Legislative:
   Election, 10.
   Library Committee, Member, 186.
   Oath or Affirmation of Allegiance, 10.
Aquilina, Mr J. J., B.A., Dip.Ed. (Blacktown):

Assembly, Legislative:

Business of the House:

Days and Hours of Sitting, m., 671.
spec. adj., 70.

Election, 10.

Leader of the House for the Opposition, 18.

Members: Hawkesbury: Election as Speaker, spec. adj., 1573.

Oath or Affirmation of Allegiance, 10.

Sessional Orders:

Divisions and Quorums, m., 156.
Suspension of Standing Orders, m., 167; spec. adj., 1573.

Special Adjournment, m., 70, 1573.

Bills:

Adoption of Children (Amendment) Bill, 2R., 1403.
Children (Care and Protection) Amendment Bill, 2R., 1406; Com., 1411, 1412, 1413.
Children (Community Service Orders) Amendment Bill, 2R., 1414.
Children (Detention Centres) Amendment Bill, m.s.o., 1065; 2R., 1217.
Coal and Oil Shale Mine Workers (Superannuation) Amendment Bill, m.s.o., 1393.
Community Welfare (Amendment) Bill, 2R., 1413.

Education and Public Instruction (Amendment) Bill, 2R., 194; Com., 288, 290; cons. amdts, 1579.

Education Commission (Amendment) Bill, and cognate bill, 2R., 902.

Essential Services Bill, m.s.o., 1065.

Film Industry Bill, m.s.o., 1065; 2R., 1215.

Forestry (Amendment) Bill, m.s.o., 1393.

Higher Education Bill, and cognate bill, 2R., 598.

Home Care Service Bill, 2R., 1404; Com., 1405, 1406.

Parliamentary Committees Enabling Bill, m.s.o., 1065.

Prisons (Amendment) Bill, m.s.o., 1065.

Public Finance and Audit (Amendment) Bill, m.s.o., 1065.

Public Hospitals (Visiting Practitioners) Amendment Bill, and cognate bill, m.s.o., 1065.

Public Sector Management Bill, and cognate bill, m.s.o., 1393.

Aquilina, Mr J. J., B.A., Dip.Ed. (Blacktown) (continued):

Bills (continued):

State Transport (Co-ordination) Amendment Bill, and cognate bill, m.s.o., 1393.

Summary Offences Bill, and cognate bill, m.s.o., 1065.

Transport Appeal Boards (Amendment) Bill, m.s.o., 1065.

Education: Public, m.s.o., 2225; m., 2225, 2261.

Points of Order, 44, 52, 247, 594, 1384, 1580, 2270.

Public Service and Statutory Offices: Commission of Audit, pers. expl., 2215.

Teachers: Primary School, q., 797.

Arena, The Hon. Franca, A.M.:

Abortion: Laws, m., 1291.

Asia and Asian Affairs: Liberal Party Immigration Policy, q., 2185, 2186.

Bills:

Education and Public Instruction (Amendment) Bill, 2R., 492.

Education Commission (Amendment) Bill, and cognate bill, 2R., 1469.

Film Industry Bill, 2R., 1975.

Higher Education Bill, and cognate bill, 2R., 757.

Council, Legislative:

Library Committee, Member, 356.
Social Issues Committee, Member, 1781.

Discrimination: Constitutional Heritage Protection Society, q., 1611, 2196.

Drugs: Tobacco Smoking, m., 2175, 2196.

Education: School Literature Syllabus, m., 418.

Ethnic Affairs:

Foster Care Program, q., 1607.
Funding, q., 1870, 1981.
Liberal Party Policy, q., 735, 979.
Policy, m., 374.

Handicapped Persons:

Accommodation, adj., 2159.
Mentally and Developmentally Disabled Persons, q., 2057, 2058.

Housing: Home Building Company Liquidations, q., 467.

Public Service and Statutory Offices: Department of Family and Community Services: Projects, q., 1870, 1981.
SESSION 1988
27th April, 1988, to 3rd August, 1988

Arena, The Hon. Franca, A.M.  
(continued):
Social and Welfare Services: Child Protection, Unit, q., 455.
Transport, Finance and Policy: Pensioner Travel Concessions, q., 1719.
Women's Affairs: Women's Development Foundation, q., 1809.

Arkell, Mr F. N. (Wollongong):
Assembly, Legislative:
Election, 10.
Oath or Affirmation of Allegiance, 10.
Boats and Yachts: Berkeley Boat Harbour, q., 2365.
Local Government: Constitutional Referendum, m., 707.
Police: Water, Wollongong Electorate, q., 2366.
Schools:
Berkeley High, q., 2367.
Warrawong High, q., 2366.

Armstrong, The Hon. I. M., O.B.E.  
(Lachlan):
Assembly, Legislative:
Appointment to Ministry, 17.
Election, 10.
Oath or Affirmation of Allegiance, 10.
Bills: Stock Diseases (Board of Tick Control) Amendment Bill, 2r., 542, 885.
Conservation: Soil, q., 797.
Fauna and Flora: Golden Dodder, q., 1063.
Grains: Handling Inquiry, q., 237.
Markets, Farm Produce: Flemington Fruit and Vegetable Markets, q., 2346, 2347.
Meat Industry: Homebush Abattoir, min. stmt, 531, 1045.
Noxious Weeds: Golden Dodder, q., 1063.
Obituaries: Aston, Hon. Dr R. W., Minister for Corrective Services, m., 428.

Assembly, Legislative:
Appointment to Ministry, 17.
Death, 422.
Election, 10.
Oath or Affirmation of Allegiance, 10.
Corrective Services: Early Release of Prisoners, q., 46.

(Northcott):
Assembly, Legislative:
Appointment to Ministry, 17.
Election, 10.
Oath or Affirmation of Allegiance, 10.
Bills:
State Transport (Co-ordination) Amendment Bill, and cognate bill, 2r., 1075, 1563; Com., 1568.
Tow Truck Industry (Revocation of Proclamation) Bill, 2r., 690, 1129.
Transport Appeal Boards (Amendment) Bill, 2r., 815, 1193; Com., 1199.
Bridges:
Nepean River, q., 1062.
Swansea, q., 310.
Obituaries: Aston, Hon. Dr R. W., Minister for Corrective Services, m., 431.
Public Service and Statutory Offices:
State Rail Authority:
Inefficiencies, q., 301, 518.
Inquiry, q., 1052.
Privatization, q., 659.
Railways:
Country and Suburban Services, q., 799.
Crossings, q., 663.
Level Crossings in Campbelltown Electorate, q., 2345.
Maldon to Dombarton Link, q., 664.
Monorail: Newcastle, q., 308.
Strathfield to Hornsby, q., 800.
Tickets, q., 1382.
XPT Train Services, q., 522, 523.
Roads and Road Safety:
Blue Mountains, q., 311.
Five Dock and Concord Traffic, mem. stmt, 2287.
Nelson Bay Road Upgrading, q., 1056.
Pedestrian Overbridge for Camden, q., 2355.
INDEX TO SPEECHES

Volume 201

Roads and Road Safety (continued):

Traffic Black Spots, mem. stmt, 1127.
Traffic Lights for Goulburn, mem. stmt, 2286.
Taxicabs and Hire Cars: Taxi Vans, q., 524.
Transport, Finance and Policy:
Coalition Policy, q., 518.
State Rail Authority: Finances, q., 136.

Beck, Mr D. F. C. (Murwillumbah):
Assembly, Legislative:

Deputy Government Whip, 18.
Election, 10.
Oath or Affirmation of Allegiance, 10.
Bills: Stock Diseases (Board of Tick Control) Amendment Bill, 2R., 882.
Public Service and Statutory Offices: Market Research Spending, q., 790.
Roads and Road Safety: Main Roads 141 and 142, mem. stmt, 1123.

Beckroge, Mr W. H. (Broken Hill):
Assembly, Legislative:

Election, 10.
Oath or Affirmation of Allegiance, 10.
Opposition Whip, 18.
Sessional Orders: Divisions and Quorums, m., 158.
Housing: Rental Subsidies, q., 1059.
Points of Order, 869, 1394, 1456.

Berry, Mr D. J. (Bathurst):
Assembly, Legislative:

Election, 10.
Oath or Affirmation of Allegiance, 10.
Medical and Paramedical Practitioners: Resident Medical Officer Shortages, q., 308.

Bignold, The Hon. Marie, LL.B. (continued):
Bills (continued):

Independent Commission Against Corruption Bill, m.s.o., 945, 2R., 2317.
Independent Commission Against Corruption Bill (No. 2), 2R., 1736; Com., 1837, 1845, 1857, 1862; recom., 1889, 1898, 1900, 1901.
Parliamentary Committees Enabling Bill, 2R., 2088.
Prisons (Amendment) Bill, 2R., 2146.
Public Sector Management Bill, and cognate bill, 2R., 2051.
Summary Offences Bill, Com., 1965, 2022, 2029, 2035.
Council, Legislative:

Standing Orders Committee, Member, 356.
Education: School Literature Syllabus, m., 412
Films: X-Rated Video Cassettes, m., 646.
Ombudsman: Complaints Against Police, q., 2189.
Points of Order, 405, 439, 642, 731, 743, 751, 752, 1250, 1776, 1842, 1891, 1921, 2092, 2093.
Police: Police News Article, q., 746.
School Transport: Student Travel Passes, q., 1872.

Books, Mr J. C. (Parramatta):
Assembly Legislative:

Election, 10.
Oath or Affirmation of Allegiance, 10.
Printing Committee, Member, 186.

Booth, Mr J. D., B.A., LL.B. (Wakehurst):
Assembly, Legislative:

Election, 10.
House Committee, Member, 186.
Oath or Affirmation of Allegiance, 10.
Senate of the University of Sydney, Representative, 672.
SESSION 1988

27th April, 1988, to 3rd August, 1988

Booth, Mr J. D., B.A., LL.B. (Wakehurst) (continued):

Assembly, Legislative (continued):

Sessional Orders:
Cognate Bills, m., 165.
Divisions and Quorums, m., 158.
Suspension of Standing Orders, m., 168.
Temporary Chairman of Committees, 25.

Bills:
Education and Public Instruction (Amendment) Bill, 2R., 254.
Independent Commission Against Corruption Bill, 2R., 832.

Courts and Legal Procedure: Court Hearing Delays, q., 1530.

Hospitals: Collaroy, adj., 71.

Insurance: TransCover, mem. stmt, 566.

Local Government: Constitutional Referendum, m., 708.

Obituaries: Aston, Hon. Dr R. W., Minister for Corrective Services, m., 432.

Points of Order, 169, 850.

Roads and Road Safety: Traffic Black Spots, mem. stmt, 1126.


Booth, Mr K. G. (Wallsend):

Assembly, Legislative

Election, 10.
Oath or Affirmation of Allegiance, 10.

Bills: Coal and Oil Shale Mine Workers (Superannuation) Amendment Bill, 2R., 1570.
Minerals and Mining: Private Coal Rights, q., 1530.

Brenner, The Hon. G.:

Bills: State Transport (Co-ordination) Amendment Bill, and cognate bill, 2R., 2073.

Council, Legislative:

Joint Standing Committee upon Road Safety, Member, 451.

Sitting Hours, q., 2066.

Firearms: Use, q., 1876.

Health: Wagga Wagga Services, q., 1875.


Insurance: GIO Board, q., 1610.

Police: Tumut, q., 975, 976.

Brereton, Mr L. J. (Heffron):

Assembly, Legislative:

Election, 10.
Joint Standing Committee upon Road Safety, Member, 189.
Oath or Affirmation of Allegiance, 10.
Parliamentary Contributory Superannuation Fund, Trustee, 188.

Bills:
Darling Harbour Casino (Repeal) Bill, 2R., 582.
Tow Truck Industry (Revocation of Proclamation) Bill, 2R., 1128.
Transport Appeal Boards (Amendment) Bill, 2R., 1187; Com., 1196, 1198.

Railways:
Country and Suburban Services, q., 799.
Crossings, q., 663.
XPT Train Services, q., 522.

Bull, The Hon. R. T. M.:

Bills: Essential Services Bill, 2R., 1661.

Council, Legislative:

Council of the University of Technology, Sydney, Representative, 358.
State Development Committee, Member, 1781.

Grains: Wheat Industry, q., 2217.

Point of Order, 1923.

Radio Broadcasting and Television:
Australian Broadcasting Corporation Programs, q., 1721.
Sky Channel Television, q., 972.

Sport and Recreation:
Exchange Programs, q., 735.

Water: Menangle Supply, q., 458.

Carr, Mr R. J., B.A.(Hons) (Maroubra):

Advertising: Premiers Conference, q., 922.

Assembly, Legislative:

Election, 10.

Election as Leader of the Opposition, 18.
Election of Speaker, m., 15.
Leader and Deputy Leader of the Opposition, Opposition Whip and Deputy Opposition Whip, Leader of the House for the Opposition, 18.
Oath or Affirmation of Allegiance, 10.
Carr, Mr R. J., B.A.(Hons) (Maroubra) (continued):

Australian Constitution: Local Government, Constitutional Recognition, q., 136.

Bills:
Darling Harbour Casino (Repeal) Bill, 2r., 557.
Independent Commission Against Corruption Bill, 2r., 822.
Independent Commission Against Corruption Bill (No. 2), m.s.o., 1533.
Public Finance and Audit (Working Accounts) Amendment Bill, 2r., 872.

Budget, 1987-88: Surplus, min. stmt, 1430.

Commonwealth-State Relations:
Financial, min. stmt, 132; m., 330.
Loan Council Borrowings, min. stmt, 1432.

Corrective Services: Prisoner Accommodation, q., 226.

Economic Conditions: Labor Government Treasury Surplus, min. stmt, 1429.

Education:
Cutbacks, min. stmt, 1431.
Higher School Certificate, urgency, 47; m.s.o., 47; m., 48, 58.

Elections and Electorates:
Liberal Party's Broken Election Promises, min. stmt, 1429, 1432.
Premier's Election Promises, m.s.o., 2215.

Electricity: Charges, Increase, min. stmt, 1433.

Festivals: Bicentennial Naval Salute, min. stmt, 226.

Floods: Relief, q., 2351.

Government, State:
Asset and Debt Comparison, min. stmt, 1430.
Basic Services, Reduced, min. stmt, 1433.
Financial Statement June 1988, min. stmt, 1428, 1429.
Labor Government's Financial and Public Sector Record, min. stmt, 1429.
New South Wales Incorporated, Cost to Public, min. stmt, 1433.
Priorities, min. stmt, 1431.
Public Sector Standards, Reduced, min. stmt, 1429.

Health: Mental Health Act, min. stmt, 1518.

Hospitals:
Nursing Home Charges, q., 1519.
Public, Charges, Increase, min. stmt, 1433.

Carr, Mr R. J., B.A.(Hons) (Maroubra) (continued):

Local Government:
Constitutional Recognition, q., 136.
Council Tendering Processes, q., 1051, 1380.

Meat Industry: Homebush Abattoir, min. stmt, 789, 1050.

Motor Vehicles: Registration Charges, Increase, min. stmt, 1433.

Obituaries:
Aston, Hon. Dr R. W., Minister for Corrective Services, m., 424.
Leitch, Mr D. S., a Former Member of the Legislative Assembly, m., 26.

Points of Order, 666, 827.

Public Service and Statutory Offices:
Accounts:
Advances to be Recovered, q., 2375.
Coal Compensation Fund, q., 2374.
Government Departments, q., 2370.
Natural Disaster Relief, q., 2372.
Police Superannuation Fund, q., 2373.
Public Buildings, q., 2370.
Public Liability Fund, q., 2374.
Public Sector Telecommunications Network, q., 2371.
School Pupils Conveyance Scheme, q., 2372.
Treasury Fire Risks, q., 2373.

Commission of Audit, min. stmt, 2213.

Department of Corrective Services: Corruption, q., 299.

Government Cleaning Service, min. stmt, 1432.

Public Service:
Appointments, q., 2351.
Dismissals, q., 2350.
Ramsey, Dr Gregor, Appointment as Director-General of Education, q., 40.

State Rail Authority:
Privatization, q., 659.
Revenue Supplement, min. stmt, 1432.

Roads and Road Safety: Toll, q., 2352.

Schools: Secondary, Staffing, q., 790.

Statute Revision: Companies and Securities Legislation, min. stmt, 1376.

Transport, Finance and Policy:
Coalition Policy, q., 518.
Public, Fares, Increase, min. stmt, 1433.

Water: Charges, min. stmt, 1433.
Caterson, Mr F. D. C. (The Hills):

Assembly, Legislative:
  Election, 10.
  Election of Speaker, m., 10.
  House Committee, Member, 186.
  Oath or Affirmation of Allegiance, 10.
  Parliamentary Contributory Superannuation Fund, Trustee, 188.

Sessional Orders:
  Divisions and Quorums, m., 157.
  Suspension of Standing Orders, m., 167.
  Temporary Chairman of Committees, 25.

Bills: Education and Public Instruction (Amendment) Bill, 2R., 214.

Floods: Compensation, mem. stmt, 836.


Housing: Land, q., 793.

Obituaries: Aston, Hon. Dr R. W., Minister for Corrective Services, m., 433.

Point of Order, 218.

Causley, The Hon. I. R. (Clarence):

Assembly, Legislative:
  Appointment to Ministry, 17, 2208.
  Election, 10.
  Oath or Affirmation of Allegiance, 10.

Bills:
  Forestry (Amendment) Bill, 2R., 1082, 1445.
  Stock Diseases (Board of Tick Control) Amendment Bill, 2R., 883.


Ferry Services: Drummoyne, mem. stmt, 841.

Floods: Compensation, mem. stmt, 837.

Mitigation, Blacktown Electorate, q., 2357.

Wentworthville, mem. stmt, 1437.

Forests: Commonwealth Government Environmental Policy, q., 522.

Land and Land Settlement: Griffith Development, mem. stmt, 840.

Obituaries: Aston, Hon. Dr R. W., Minister for Corrective Services, m., 435.

Police: Staffing, mem. stmt, 1442.

Water:
  Irrigation Accounts, q., 2344.
  Rates, q., 2342.


Aborigines:
  Aboriginal Corporation for Homeless and Rehabilitation Community Services, q., 968.
  Housing, q., 1607.
  Toomeelah Aboriginal Mission, q., 1986.

Abortion: Clinics, q., 1259.

Animals:
  Cruelty, q., 2336.
  Desexing of Cats, q., 2336.
  Vivisection, q., 2339.

Bills:
  Adoption of Children (Amendment) Bill, 2R., 370, 385, 761.
  Children (Care and Protection) Amendment Bill, 2R., 386, 773; Com., 777.
  Children (Community Service Orders) Amendment Bill, 2R., 449, 952.
  Community Welfare (Amendment) Bill, 2R., 385, 762.
  Drug Misuse and Trafficking (Amendment) Bill, ad. rep., 1779.
  Higher Education Bill, and cognate bill, 2R., 754, 757.
  Home Care Service Bill, 2R., 447, 949.
  Housing (Validation of Resumptions) Bill, 2R., 1369, 2015.
  National Parks (Special Provisions) Bill, 2R., 369.
  Recreation Vehicles (Amendment) Bill, 2R., 368, 758.
  Zoological Parks Board (Amendment) Bill, 2R., 958, 963.

Colleges of Advanced Education and Technical Colleges:
   Courses, q., 1728.
   Fees, q., 1983.

Commonwealth-State Relations: Commonwealth Economic Statement, q., 624.

Corrective Services:
   Juvenile Detention Remissions, q., 1256, 1258, 1260.
   Prison for Juvenile Offenders, q., 976, 977.
   Prison Sentence Remissions, q., 1261, 1262.

Council, Legislative:
   Appointment to Ministry, 6.
   Council of the University of Newcastle, Representative, 357.
   Election, 2.
   House Committee, Member, 356.
   Minister for Family and Community Services, q., 1614, 1726, 1727.
   Oath or Affirmation of Allegiance, 2.
   Ministerial Replies, q., 1729.
   Ministerial Responsibilities, 8.
   Standing Orders Committee, Member, 356.

Discrimination: Constitutional Heritage Protection Society, q., 1611, 2196.


Education:
   Physics Studies for Girls, q., 1267, 2195.
   School Literature Syllabus, m., 414.

Ethnic Affairs:
   Foster Care Program, q., 1607.
   Funding, q., 1871, 1981.

Flags: Raising, q., 1727.

Floods: Damage Compensation, q., 1873.

Handicapped Persons: Mentally Ill and Developmentally Disabled, q., 1719, 2057, 2058.

Health:
   AIDS:
      Funding, q., 458, 1881.
      Screening, q., 734, 1723, 1882.
   Contaminated Food, q., 2059.
   Contaminated Oysters, q., 1800.
   Richmond Report Program, q., 379.


Hospitals:
   Funding, q., 1730.
   Medical Services Tribunal, q., 1722, 2196.

Housing:
   Developmentally Disabled, q., 1979.
   Home Building Company Liquidations, q., 467.
   Public, q., 1809.

Land and Land Settlement: Kirrawee Development, m., 2305.

Local Government: Rate Pegging, q., 1720.

Medical and Paramedical Practitioners: Cosmetic Surgery, q., 1723, 1995.

Obituaries: Aston, Hon. Dr R. W., Minister for Corrective Services, m., 351.


Public Service and Statutory Offices:
   Department of Education: Recruitment Policy, q., 741, 1732, 1983.
   Department of Family and Community Services:
      Institutional Care, q., 1478.
      Nambucca Heads Offices, q., 972.
      Projects, q., 1871, 1981.
      Staff Freeze, q., 1609.
   Water Board: Local Purchase Orders, q., 2192.

Railways:
   Alexandria Goods Yard Site, q., 979.
   Darling Harbour Monorail, q., 2186.

Reserves: Lake Innes Nature Reserve, q., 1487.

Schools:
   Cleveland Street High, q., 466.
   Croydon Park Primary, Maintenance, q., 741.
   Kincumber High, q., 1807.
   Padstow North Public, Security, q., 741, 1880.
   Selective High, q., 748, 1881.

School Transport: Student Travel Passes, q., 1804, 1806, 1808, 1872, 1881.

Science: In Vitro Fertilization, q., 1985.

Sewerage: Pacific Palms, q., 2334.

Social and Welfare Services:

Child:
  Care Centres, min. stmt, 1789.
  Care Funding, q., 2191.
  Protection Unit, q., 456, 457.
Eranos Foundation, q., 2179, 2180, 2181.
Family and Community Services, Nambucca Heads, q., 1620.
Juvenile Institution Accommodation, q., 464.
Women’s Refuge at Randwick, q., 628.

Transport, Finance and Policy: Pensioner Travel Concessions, q., 1720.

Water: Pacific Palms Sewerage, q., 2334.

Women’s Affairs:
  Funding, q., 1723.
  New Opportunities for Women Program, q., 1609.
Women’s Development Foundation, q., 1810.
Women’s Refuge at Randwick, q., 628.

Chappell, Mr R. F. (Northern Tablelands):

Assembly, Legislative:
  Council of the University of New England, Representative, 672.
  Election, 10.
  Library Committee, Member, 186.
  Oath or Affirmation of Allegiance, 10.
  Printing Committee, Member, 186.
  Regulation Review Committee, Member, 187.

Bills: Stock Diseases (Board of Tick Control) Amendment Bill, 2R., 884.

Health: Kidney Dialysis, mem. stmt, 1437.

Obituaries: Leitch, Mr D. S., a Former Member of the Legislative Assembly, m., 29.

Town and Country Planning: Sydney Local Environment Plan, q., 1057.

Christie, Mr R. W. J. (Seven Hills):

Assembly, Legislative:
  Deputy Opposition Whip, 18.
  Election, 10.
  Oath or Affirmation of Allegiance, 10.
  Regulation Review Committee, Member, 187.

Bills: Education and Public Instruction (Amendment) Bill, 2R., 251.

Cleary, Mr M. A. (Coogee):

Assembly, Legislative:
  Election, 10
  Oath or Affirmation of Allegiance, 10.

Bills: Darling Harbour Casino (Repeal) Bill, 2R., 572.


Obituaries: Aston, Hon. Dr R. W., Minister for Corrective Services, m., 426.

Point of Order, 575.

Cochran, Mr P. L. (Monaro):

Assembly, Legislative:
  Election, 10
  Oath or Affirmation of Allegiance, 10.

Forests: Commonwealth Government Environmental Policy, q., 522.

Cohen, Anne (Minchinbury):

Assembly, Legislative:
  Election, 10
  Joint Standing Committee upon Road Safety, Member, 189.
  Oath or Affirmation of Allegiance, 10.


Ambulance Services: South Coast, q., 1063.

Assembly Legislative:
  Administration of Oath or Affirmation of Allegiance, 10.
  Appointment to Ministry, 17.
  Election, 10
  Oath or Affirmation of Allegiance, 10.

Bills:
  Film Industry Bill, 2R., 808, 1216.
  Public Hospitals (Visiting Practitioners) Amendment Bill, and cognate bill, 2R., 874, 1210.

Films: New South Wales Film Corporation, q., 520.

Health:
  AIDS Treatment, q., 1380.
  Area Boards, q., 1061.
  Mental Health Act, min. stmt, 1516.

Health (continued):

Mental Health Review Tribunal, min. stmt, 1044.
Services, mem. stmt, 184.
St George Area Board, q., 140.

Hospitals:
Camden District, q., 2355.
Chelmsford Private, min. stmt, 221.
Collaroy, adj., 73.
Fairfield, mem. stmt, 179.
Fifth Schedule, q., 661, 1523.
Lismore Base, q., 801.
Nursing Home Charges, q., 1519.
Private Hospital Legislation, q., 306.
St George, mem. stmt, 177.
Sutherland, q., 796.

Insurance: Voluntary Workers, mem. stmt, 182.

Liquor: Under-Age Drinking, mem. stmt, 186.
Medical and Paramedical Practitioners: Resident Medical Officer Shortages, q., 308.

Obituaries: Aston, Hon. Dr R. W., Minister for Corrective Services, m., 425.
Point of Order, 1519.

Crosio, Janice, M.B.E. (Smithfield):

Assembly, Legislative:
Election, 10.
Oath or Affirmation of Allegiance, 10.

Hospitals: Fairfield, mem. stmt, 178.

Land and Land Settlement: Jerrabomberra Heights Estate, q., 1054; mem. stmt, 1121; q., 1386.

Local Government:
Constitutional Referendum, m., 691, 712.
Elections, q., 2353.
Rural Rates, q., 2354.

Cruickshank, Mr A. J. (Murrumbidgee):

Assembly, Legislative:
Election, 10.
Oath or Affirmation of Allegiance, 10.
Regulation Review Committee, m., 187.
Regulation Review Committee, Member, 187.

Land and Land Settlement: Griffith Development, mem. stmt, 839.

Davoren, Mr W. J. (Lakemba):

Assembly, Legislative:
Election, 10.
Oath or Affirmation of Allegiance, 10.
Parliamentary Contributory Superannuation Fund, Trustee, 188.

Bills: Summary Offences Bill, and cognate bill, 2R., 1164.

Doohan, The Hon. J. J., O.B.E.:


Council, Legislative:
Deputy Government Whip, 7.
Printing Committee, Member, 356.
Standing Orders Committee, Member, 356.

Fish Industry and Fishing: Gemfish, q., 1617.

Motor Vehicles: Government, q., 1479.

Point of Order, 494.


Aborigines:
Aboriginal Land Rights Act: Disallowance of Regulation, m.s.o., 145.

Criminal Justice, q., 2369.

Assembly, Legislative:
Appointment to Ministry, 17.

Business of the House:
Days and Hours of Sitting, m., 671.
spec. adj., 70.

Clerks of the House, Performance of Duties, spec. adj., 1572.

Committee Documents, m., 1070.
Death Threat Against Member for South Coast, mem. stmt, 1439.
Editor of Debates, spec. adj., 1573.

Election, 10
Hansard, spec. adj., 1573.

Joint Committees:
Regulation Review, m., 187; mes., 188.
Road Safety, m., 189; mes., 191; m., 1071.

Leader of the Government in the House, 18.
Mr Speaker:
Conduct, spec. adj., 1572.
Election, m., 16.

Oath or Affirmation of Allegiance, 10.
Opposition Business Manager, spec. adj., 1573.

Precedence of Business, m., 1396.
Public Accounts Committee, m., 172.

Sessional Committees:
House, m., 186.
Library, m., 186.
Printing, m., 186.
Standing Orders and Procedure, m., 63.

Sessional Orders:
Adjournment of the House, m., 161.
Cognate Bills, m., 164.
Days and Hours of Sitting, m., 161.
Divisions and Quorums, m., 155.
Introduction of Public Bills, m., 154.
New Clauses and Schedules, m., 165.
Notices of Motion, m., 161.
Personal Explanations, m., 163.
Preparation of Bills for Assent, m., 165.
Private Members' Statements, m., 160.
Questions from the Chair, m., 163.
Recording of Pairs in Divisions, m., 164.
Suspension of Standing Orders, m., 153, 166, 171.
Time Limits on Speeches, m., 162.

Bills:
Bail (Amendment) Bill, m.s.o., 535; 2R., 551, 896.
Children (Detention Centres) Amendment Bill, m.s.o., 803, 1065, 1069.
Coal and Oil Shale Mine Workers (Superannuation) Amendment Bill, m.s.o., 1064, 1392, 1394.
Coroners (Amendment) Bill, m.s.o., 535; 2R., 553, 897.
Courts Legislation (Acting Judges) Amendment Bill, m.s.o., 314; 2R., 314, 597.
Darling Harbour Casino (Repeal) Bill, 2R., 589.
Drug Misuse and Trafficking (Amendment) Bill, m.s.o., 535; 2R., 546, 888; Com., 890.
Education and Public Instruction (Amendment) Bill, cons. amnds., 1580.
Essential Services Bill, m.s.o., 803, 1065, 1069.
Film Industry Bill, m.s.o., 803, 1065, 1069.
Forestry (Amendment) Bill, m.s.o., 1064, 1392, 1394.
Independent Commission Against Corruption (Amendment) Bill, m.s.o., 2271; 2R., 2272, 2277.
Independent Commission Against Corruption Bill, Com., 846, 850, 852, 853, 859, 860, 862, 865.


Bills (continued):
Independent Commission Against Corruption Bill (No. 2), m.s.o., 1531, 1533; 2R., 1548, 1552; Com., 1553, 1554, 1555, 1556, 1559.
National Parks (Special Provisions) Bill, m.s.o., 313.
Parliamentary Committees Enabling Bill, m.s.o., 803; 2R., 815; m.s.o., 1065, 1069; Com., 2279.
Prisons (Amendment) Bill, m.s.o., 803, 1065, 1069.
Public Finance and Audit (Amendment) Bill, m.s.o., 803, 1065, 1069.
Public Hospitals (Visiting Practitioners) Amendment Bill, and cognate bill, m.s.o., 1065, 1069.
Public Sector Management Bill, and cognate bill, m.s.o., 1064, 1392, 1394.
Recreation Vehicles (Amendment) Bill, m.s.o., 313.
State Transport (Co-ordination) Amendment Bill, and cognate bill, m.s.o., 1392, 1394.
Stock Diseases (Board of Tick Control) Amendment Bill, m.s.o., 535.
Summary Offences Bill, and cognate bill, 2R., 804; m.s.o., 1065, 1069; 2R., 1175; Com., 1185.
Tow Truck Industry (Revocation of Proclamation) Bill, m.s.o., 804.
Transport Appeal Boards (Amendment) Bill, m.s.o., 803, 1065, 1069.
Wills, Probate and Administration (Amendment) Bill, 2R., 191.

Courts and Legal Procedure:
Court Hearing Delays, q., 1530.
Grassby, Mr A. J., min. stmt, 803.
Justices of the Peace, q., 238.
Crime and Criminals:
Hilton Hotel Bombing, q., 2342.
Hing, Mr F., q., 1388.
Insurance: TransCover, mem. stmt, 567.
Parliament:
Death Threat Against Member for South Coast, mem. stmt, 1439.
Parliament (continued):

Parliamentary Contributory Superannuation Fund: Legislative Assembly Trustees, m., 188.

Points of Order, 139, 143, 145, 159, 170, 529, 575, 594, 825, 826, 1553, 1561, 1580, 1581, 2211, 2215, 2267, 2268.

Police:
Department Administration, q., 2349.
Patrols of Parramatta Railway Station, q., 2364.
Radio Communication Equipment, q., 2376.
Shepherd, Assistant Police Commissioner, q., 2349, 2350.

Stations:
Camden, q., 2355.
Campbelltown Electorate, q., 2344.
Claymore-Eaglevale, q., 2345.
Water, Wollongong Electorate, q., 2366.

Roads and Road Safety: Toll, q., 2353.
Statute Revision: Aboriginal Land Rights Act: Disallowance of Regulation, m.s.o., 145.

Dwyer, The Hon. R. D.:

Bills:
Bail (Amendment) Bill, 2R., 1460.
Constitution (Parliamentary Secretaries) Amendment Bill, 2R., 452.
Coroners (Amendment) Bill, 2R., 2079.
Drug Misuse and Trafficking (Amendment) Bill, 2R., 1350; Com., 1363, 1364, 1367, 1777; recom., 1779, 1780.
Independent Commission Against Corruption (Amendment) Bill, 2R., 2314.
Parliamentary Committees Enabling Bill, 2R., 2086, 2121; Com., 2122.
Prisons (Amendment) Bill, 2R., 2127; Com., 2154, 2156, 2158.

Business and Trade Practices: Gazumping, m., 1251.
Corrective Services: Prison Officer Employment, q., 1725, 2193.

Council, Legislative:
Regulation Review Committee, Member, 451.
Select Committee on the Police Regulation (Allegations of Misconduct) Amendment Bill, 1988, Member, 1008.
Standing Orders Committee, Member, 356.

Crime and Criminals: Independent Commission Against Corruption, q., 460.

Law and Order: Domestic Violence, q., 1869.
Morality: Prostitution, min. stmt, 2328.


Police:
Audiovisual Recording of Interviews, q., 968, 2192.
In Schools, q., 1802.
Lay Visitors at Stations, q., 2182.
Patrols, q., 1268.

Powers, q., 1606, 1718.
Promotion Appeals, q., 2058.

Downy, Mr C. J. (Sutherland):

Assembly, Legislative:
Council of the University of Wollongong, Representative, 672.
Election, 10
Library Committee, Member, 186.
Oath or Affirmation of Allegiance, 10.


Education: Public, m., 2254.

Teachers: Shortages, q., 141.

Doyle, Mr A. K. (Peats):

Assembly, Legislative:
Election, 10.
Oath or Affirmation of Allegiance, 10.

Housing: Medium Density, q., 527.

Town and Country Planning: Bond Skytower-Park Plaza, q., 141.
Dyer, The Hon. R. D. (continued):
Police (continued):
  Recruitment Age, q., 1728.
  Retirements, q., 2204.
  Schools Program, q., 733.
  Superannuation, q., 378, 1477.
  Transport, q., 2201.
Public Service and Statutory Offices: Office of the Minister for Police and Emergency Services, q., 1613.
Rescue Squads: Disaster Relief, q., 1264.
Schools: Police Program, q., 733.
Statute Revision:
  Prisons Act: Disallowance of Amendment to Regulation, m., 1786.

Abortion: Laws, m., 1320.
Assembly, Legislative: Speaker’s Wig, q., 1724, 2194.
Bills:
  Darling Harbour Casino (Repeal) Bill, 2r., 937.
  Independent Commission Against Corruption (Amendment) Bill, 2r., 2319.
  Independent Commission Against Corruption Bill (No. 2), 2r., 1697; Com., 1883; recom., 1902, 1903, 1904.
  Parliamentary Committees Enabling Bill, Com., 2124.
  Police Regulation (Allegations of Misconduct) Amendment Bill, 2r., 1008.
  Public Finance and Audit (Amendment) Bill, 2r., 2079.
  Public Finance and Audit (Working Accounts) Amendment Bill, 2r., 2079.
  Public Hospitals (Visiting Practitioners) Amendment Bill, and cognate bill, 2r., 2001; Com., 2013.
  Public Sector Management Bill, and cognate bill, 2r., 2049.
  Transport Appeal Boards (Amendment) Bill, 2r., 2052; Com., 2069.
Churches, Cults and Sects: Clancy, Cardinal Edward Bede, q., 747.

Corrective Services: Prison Sentence Remissions, q., 1261.
Council, Legislative:
  Election, 2.
  Oath or Affirmation of Allegiance, 2.
  Parliamentary Contributory Superannuation Fund, Trustee, 363.
  Questions Upon Notice, q., 1619, 2065.
Crime and Criminals: Hing, Mr Frank, q., 971, 1267, 1877.
Drugs: Compulsory Testing, q., 1616.
Elections and Electorates: Liberal Party Promises, q., 1484.
Electricity: Charges, q., 1984.
Government, State:
  Capital Works Expenditure, Freeze, q., 1610.
  Charges, q., 1476.
Harbours: Port Hacking Tombolo, q., 2203.
Hospitals:
  Funding, q., 1730.
  Sutherland, adj., 512, 720.
Insurance: TransCover, q., 1879, 2195.
Land and Land Settlement:
  Kirrawee Land Development, m., 2303.
  Royal Agricultural Society Showground, q., 1989, 2063.
Liquor: Kix Drink, adj., 1850.
Ombudsman:
  Complaints Against Police, q., 2184, 2185.
  Liberal Party Policy, q., 465.
Parliament: Privilege, q., 1608.
Police:
  Stations:
    Menai, q., 2202.
    Sutherland, q., 1476.
Public Service and Statutory Offices:
  Commission of Audit, adj., 2332.
  Director of the Cabinet Office, q., 2203.
  Police Department: Expenditure, q., 1725, 1726.
Radio Broadcasting and Television: Radio Station 2BL, adj., 785.
Roads and Road Safety: State, q., 737.
Enderbury, The Hon. K. J.:
Beaches: Gold Coast, q., 1617, 1811.
Betting and Gambling: Totalizator Agency Board Services, q., 466.
Council, Legislative: 
Printing Committee, Member, 356.
Social Issues Committee, Member, 1781.
Local Government: Rate-Pegging, q., 1720.
Medical and Paramedical Practitioners: Cosmetic Surgery, q., 1723, 1995.
Point of Order, 739.
Poker Machines: Government Policy, q., 1608.
Police:
Ermington Station, q., 1874, 1875.
Recruitment, q., 2067.
Public Service and Statutory Offices: Department of Sport and Recreation: Capital Works Program, q., 1482.
Roads and Road Safety: Sydney to Newcastle Freeway Toll, q., 2063.
Sport and Recreation: Sydney Cricket and Sports Ground Trust, q., 973.

Evans, The Hon. Beryl, B.Ec.:
Council, Legislative: 
Council of the University of New England, Representative, 357.
House Committee, Member, 356.
Joint Standing Committee upon Road Safety, Member, 451.
Library Committee, Member, 356.
Select Committee on the Police Regulation (Allegations of Misconduct) Amendment Bill, 1988, Member, 1008.
Temporary Chairman of Committees, 106.
Health: Richmond Report Program, q., 379.
Police: Aboriginal Officers, q., 1262.

Face, Mr J. R. (Charlestown):
Assembly, Legislative: 
Chairman of Committees, m., 25.
Election, 10.
Oath or Affirmation of Allegiance, 10.
Regulation Review Committee, Member, 187.
Temporary Chairman of Committees, 25.
Bills: State Transport (Co-ordination) Amendment Bill, and cognate bill, 2R., 1535; Com., 1567.
Courts and Legal Procedure: Justices of the Peace, q., 238.
Points of Order, 169, 826, 827.
Police: Staffing, mem. stmt, 1442.
Railways: Monorail: Newcastle, q., 308.
Roads and Road Safety: Charlestown Bypass, mem. stmt, 564.

Fahey, The Hon. J. J., Dip. Law (Southern Highlands):
Assembly, Legislative: 
Appointment to Ministry, 17, 422.
Election, 10.
Oath or Affirmation of Allegiance, 10.
Resignation from Ministry, 2208.
Bills:
Coal and Oil Shale Mine Workers (Superannuation) Amendment Bill, 2R., 1083, 1571.
Constitution (Parliamentary Secretaries) Amendment Bill, 2R., 194.
Essential Services Bill, 2R., 816, 1145; cons. amdts, 2281, 2292; ad. rep., 2295.
Industrial Arbitration (Amendment) Bill, 2R., 688, 1102; Com., 1109; cons. amdts, 2297.
Prisons (Amendment) Bill, 2R., 819, 1236; Com., 1238.
Public Finance and Audit (Amendment) Bill, 2R., 1230.
Public Sector Management Bill, and cognate bills, 2R., 1454, 1456.
Corrective Services: Prison for Southwest Sydney, q., 716.
Employment: Building Site Safety, q., 228, 530.
Obituaries: Aston, Hon. Dr R. W., Minister for Corrective Services, m., 429.
Points of Order, 1107, 2284.
Public Service and Statutory Offices: Government Offices for Newcastle, q., 801.
Fahey, The Hon. J. J., Dip. Law (Southern Highlands) (continued):

Sport and Recreation: Speedboat Safety, mem. stnt, 2292.
Trades and Trade Unions: Building Construction Employees and Builders Labourers Federation, min. stnt, 651.

Ferguson, Mr L. D. T., B.Ec., M.A. (Granville):

Aborigines:
Aboriginal Land Rights Act: Disallowance of Regulation, m., 149.
Criminal Justice, q., 2368.
Assembly, Legislative:
Election, 10.
Oath or Affirmation of Allegiance, 10.
Order of Business, 145.
Bills:
Essential Services Bill, 2r., 1144.
Industrial Arbitration (Amendment) Bill, 2r., 1098.
Government, State: Cleaning Contracts, q., 1058.
Police: Patrons of Parramatta Railway Station, q., 2364.
Statute Revision: Aboriginal Land Rights Act: Disallowance of Regulation, m., 149.

Fraser, Dawn, M.B.E. (Balmain):

Assembly, Legislative:
Election, 10.
Leave of Absence, 238.
Oath or Affirmation of Allegiance, 10.
Youth: Task Force, q., 2369.

French, The Hon. H. B., A.M.:

Bills:
Essential Services Bill, 2r., 1644.
Recreation Vehicles (Amendment) Bill, 2r., 758.
Council, Legislative:
House Committee, Member, 356.
Opposition Whip, 7.
Political Parties: Funding, q., 1868.

Garland, The Hon. J. D.:

Bills:
Coal and Oil Shale Mine Workers (Superannuation) Amendment Bill, 2r., 2083.
Essential Services Bill, 2r., 1632.
Industrial Arbitration (Amendment) Bill, 2r., 1944; Com., 2114, 2119, 2120, 2121.
Council, Legislative: Printing Committee, Member, 356.
Elections and Electorates: Liberal Party Advertising, q., 2190.
Public Service and Statutory Offices: State Rail Authority: Absenteeism, q., 630.

Gay, The Hon. D. J.:

Council, Legislative:
Election, 2.
Library Committee, Member, 356.
Oath or Affirmation of Allegiance, 2.
Social Issues Committee, Member, 1781.

Gibson, Mr P. B. (Londonderry):

Assembly, Legislative:
Election, 10.
Oath or Affirmation of Allegiance, 10.
Railways: XPT Train Services, q., 523.

Glachan, Mr I. D. (Albury):

Assembly, Legislative:
Election, 10.
House Committee, Member, 186.
Oath or Affirmation of Allegiance, 10.
Printing Committee, Member, 186.
Bills: State Transport (Co-ordination) Amendment Bill, and cognate bill, 2r., 1542.
Taxicabs and Hire Cars: Taxi Vans, q., 523.

Goldsmith, The Hon. Dr Marlene, B.A., M.Ed.(Hons), Ph.D.(Minn):

Bills:
Education and Public Instruction (Amendment) Bill, 2r., 487.
Education Commission (Amendment) Bill, and cognate bill, 2r., 1471.
Council, Legislative:
Election, 2.
Library Committee, Member, 356.
Oath or Affirmation of Allegiance, 2.
Social Issues Committee, Member, 1781.
Goldsmith, The Hon. Dr Marlene, B.A., M.Ed.(Hons), Ph.D.(Minn) (continued):

Drugs: Tobacco Smoking, q., 2171.
Roads and Road Safety: Queen's Birthday Holiday Weekend Road Toll, q., 1867.
Social and Welfare Services: Women's Refuge at Randwick, q., 628.
Women's Affairs: Women's Refuge at Randwick, q., 628.

Greiner, The Hon. N. F. (Ku-ring-gai):

Aborigines: Aboriginal Land Rights Act: Disallowance of Regulation, m., 146.
Advertising: Premiers Conference, q., 922.
Assembly, Legislative:
Administration of Oath or Affirmation of Allegiance, 10.
Appointment to Ministry, 17.
Election, 10.
Election of Chairman of Committees, m., 24.
Election of Speaker, m., 15.
Oath or Affirmation of Allegiance, 10.
Presentation of Mr Speaker, 17.
Australian Constitution: Local Government, Constitutional Recognition, q., 136.

Bills:
Darling Harbour Casino Repeal Bill, 2R., 238.
Independent Commission Against Corruption Bill, 2R., 672, 842; Com., 849, 850, 853, 854, 855, 857, 858, 859, 860, 863, 864, 865, 867.
Public Finance and Audit (Amendment) Bill, 2R., 814.
Public Finance and Audit (Working Accounts) Amendment Bill, 2R., 536, 874.
Public Sector Management Bill, and cognate bill, 2R., 1078.
Budget, 1988-89:
Budget Position and Initiatives, min. stmt, 1417.

Greiner, The Hon. N. F. (Ku-ring-gai) (continued):

Budget, 1988–89 (continued):

Capital Budget Aims, min. stmt, 1416.
Recurrent Budget Aims, min. stmt, 1416.
Business Undertakings, State:
Homebush Abattoir Corporation, min. stmt, 1427.
New South Wales Investment Corporation, min. stmt, 1428.
Review, min. stmt, 1426.
State Brickworks, min. stmt, 1428.
Commonwealth-State Relations: Financial, min. stmt, 131; q., 667; min. stmt, 1415.
Corrective Services: Prisoner Accommodation, q., 226, 303.
Education:
Productivity and Savings Aims, min. stmt, 1420.
Service Initiatives, min. stmt, 1421.
TAFE Initiatives and Savings, min. stmt, 1421.
Elections and Electorates:
Costing Proposals, q., 41.
Premier's Election Promises, m.s.o., 2218.
Electricity: Charges, min. stmt, 1423.
Festivals:
Bicentennial Naval Salute, min. stmt, 225.
First State '88 Exhibition, q., 233.
Floods:
Compensation, mem. stmt, 835.
Relief, q., 2352.
Government, State:
Assets Sale and Public Sector Debt, min. stmt, 1426.
Assets Sale, Privatization, min. stmt, 1427.
Debt Costs, min. stmt, 1422.
Financial Statement June 1988, min. stmt, 1415.
Financial Strategy, min. stmt, 1416.
Ministerial Expenditure Review Committee, min. stmt, 1418.
Pre-Budget Statement, min. stmt, 1415.
Productivity Targets, min. stmt, 1418.
Taxes and Charges, min. stmt, 1423.
User-Pays Policy, min. stmt, 1423.
Greiner, The Hon. N. F. (Ku-ring-gai)
(continued):

Hospitals:
Charges, min. stmt, 1423.
Private: Development, min. stmt, 1425.

Housing:
Ministry Funds, q., 1524.
Public:
Rental Charges, min. stmt, 1424.
Strategy, min. stmt, 1425.

Law and Order: Capital Expenditure, min. stmt, 1425.

Local Government: Constitutional Recognition, q., 136.

Markets, Farm Produce: Flemington Fruit and Vegetable Markets, q., 2301.

Obituaries:
Aston, Hon. Dr R. W., Minister for Corrective Services, m., 422.
Leitch, Mr D. S., a Former Member of the Legislative Assembly, m., 25.

Ombudsman:
Complaints Against Police, q., 2348.
Powers, q., 228.
Statutory Appointment, q., 2348.

Point of Order, 1379.

Police: Shepherd, Assistant Commissioner, q., 2348.

Public Service and Statutory Offices:
Accommodation Strategy, Savings, min. stmt, 1422.

Accounts:
Advances to be Recovered, q., 2375.
Coal Compensation Fund, q., 2375.
Government Departments, q., 2371.
Natural Disaster Relief, q., 2372.
Police Superannuation Fund, q., 2373.
Public Buildings, q., 2370.
Public Liability Fund, q., 2374.
Public Sector Telecommunications Network, q., 2371.

School Pupils Conveyance Scheme, q., 2372.
Treasury Fire Risks, q., 2374.

Annual Reports of Statutory Authorities, q., 2357.
Commission of Audit, min. stmt, 1422, 2212.
Departmental Commercialization, User Charges, min. stmt, 1427.
Department of Administrative Services, min. stmt, 1427.

Greiner, The Hon. N. F. (Ku-ring-gai)
(continued):

Public Service and Statutory Offices (continued):

Department of Corrective Services: Corruption, q., 299.

Department of Health: Administrative Savings, min. stmt, 1422.

Forestry Corporation, min. stmt, 1427.
Government Cleaning Service, min. stmt, 1422.

Market Research Spending, q., 790.
New South Wales Treasury Corporation, q., 1054.

Public Service:
Appointments, q., 2351.
Dismissals, q., 2351.
Public Works Department: Administrative Savings, min. stmt, 1422.

Public Works:
Capital Works Program and Cutbacks, min. stmt, 1424.

Private Sector Involvement, min. stmt, 1425.

Roads and Road Safety:
Roads, Expenditure, min. stmt, 1424.

Toll Roads, min. stmt, 1425.
Traffic, Charges and Fines, min. stmt, 1424.

Sewerage: Hunter Fringe Areas Scheme, q., 2364.

Social and Welfare Services: Community Welfare Grants, min. stmt, 1422.

Statute Revision: Aboriginal Land Rights Act: Disallowance of Regulation, m., 146.

Taxation:
Fuel, min. stmt, 1424.

Land, min. stmt, 1423.

Payroll, min. stmt, 1423.

Stamp Duties: First Home Buyers Concession, min. stmt, 1423.

State:
Relief, Strategy, min. stmt, 1422.
Review, min. stmt, 1422.

Transport, Finance and Policy:
Public:
Financial Losses, min. stmt, 1418.
Productivity Initiatives, min. stmt, 1419.

Water: Charges, min. stmt, 1424.

Youth: Task Force, q., 2369.
**Griffiths, Mr T. A. (Georges River):**

Assembly, Legislative:
- **Election,** 10.
- **Oath or Affirmation of Allegiance,** 10.

Public Accounts Committee, Member, 172.

Health: St George Area Board, q., 140.

---

**Grusovin, The Hon. Deirdre:**

Abortion: Laws, m., 1328.

Bills:
- Adoption of Children (Amendment) Bill, 2r., 761.
- Children (Care and Protection) Amendment Bill, 2r., 762.

Community Welfare (Amendment) Bill, 2r., 762.

Film Industry Bill, 2r., 1972.

Home Care Service Bill, 2r., 947.


Corrective Services:
- Juvenile Detention Remissions, q., 1258.
- Juvenile Institution Accommodation, q., 464.
- Prison Sentence Remissions, q., 1262.

Council, Legislative:
- Chairman of Committees, m., 103.
- **Deputy Leader of the Opposition,** 7.
- **Election,** 2.
- House Committee, Member, 356.
- Oath or Affirmation of Allegiance, 2.

Courts and Legal Procedure: Juvenile Cautioning System, q., 376.


Electricity: Charges, q., 1867, 2193.

Floods: Damage Compensation, q., 1873.

Handicapped Persons: Mentally and Developmentally Disabled, q., 1719.

Motor Vehicles:
- Industry Regulation, q., 2056.
- Ministerial, q., 974.

Public Service and Statutory Offices:
- Department of Education: Recruitment Policy, q., 1983.

---

**Grusovin, The Hon. Deirdre (continued):**

Public Service and Statutory Offices (continued):

- Department of Family and Community Services:
  - Institutional Care, q., 1478.
  - Office, Nambucca Heads, q., 972.
  - Staff Freeze, q., 1609.

- Schools: Selective High, q., 748, 1881.
- School Transport: Student Travel Passes, q., 1806.

Social and Welfare Services:
- Child Care Centres, min. stmt, 1792.
- Child Protection Unit, q., 457.
- Eranos Foundation, q., 2179, 2180, 2181.
- Family and Community Services: Nambucca Heads, q., 1620.


**Hallam, The Hon. J. R.:**

Aborigines: Land Rights, m., 113.

Assembly, Legislative: Former Minister for Housing, adj., 1513, 1588.

Betting and Gambling: Illegal Casinos, q., 454.

Bills:
- Children (Community Service Orders) Amendment Bill, 2r., 949.
- Darling Harbour Casino (Repeal) Bill, 2r., 779.
- Education and Public Instruction (Amendment) Bill, 2r., 483; Com., 723; cons. mes., 1971.
- Essential Services Bill, 2r., 1629; Com., 1798, 1813.
- Forestry (Amendment) Bill, 2r., 2071.
- Independent Commission Against Corruption (Amendment) Bill, 2r., 2307.
- Independent Commission Against Corruption Bill, m.s.o., 945.
- Independent Commission Against Corruption Bill (No. 2), 2r., 1678; Com., 1831, 1833, 1835, 1844, 1853, 1859, 1860, 1861, 1884; ad. rep., 1885; recom., 1891, 1892, 1894, 1899, 1904.
- Police Regulation (Allegations of Misconduct) Amendment Bill, 2r., 2097.
- Public Sector Management Bill, and cognate bill, 2r., 2045.
- Zoological Parks Board (Amendment) Bill, 2r., 961.
Hallam, The Hon. J. R. (continued):

Business and Trade Practices:
New South Wales Rugby Union, q., 740, 966, 967.
Paddy's Market, q., 2055.
Corrective Services:
Cabinet Minutes, q., 733, 748.
Juvenile Detention Remissions, q., 1256.
Council, Legislative:
Former Minister for Agriculture, pers. expl., 1991.
Leader of the Opposition, 7.
President, m., 85.
Sessional Orders:
Second Reading of Bills, m., 360.
Third Reading of Bills, m., 359.
Standing Committees, 2162.
Education: School Literature Syllabus, m., 417.
Electricity: Charges, q., 1979.
Government, State: Charges, q., 1475.
Health: Contaminated Oysters, q., 1800.
Meat Industry: Homebush Abattoir, q., 622.
Obituaries: Aston, Hon. Dr R. W., Minister for Corrective Services, m., 350.
Ombudsman: Liberal Party Policy, q., 371.
Parliament: Reporting Staff: Retirement of Mr Thomas Richard Cooper, m., 718.
Public Service and Statutory Offices:
Department of Agriculture and Fisheries: Charges, q., 1716, 1880.
Public Sector Consultants, q., 2177.
Railways:
Country Services, q., 1480.
Maldon to Dombarton Link, q., 2059.
Statute Revision: Aboriginal Land Rights Act: Disallowance of Amendment to Regulations, m., 113.
Transport, Finance and Policy: Pensioner Travel Concessions, q., 1606, 1731.

Hankinson, The Hon. F. C. (continued):

Railways:
Rail Track from Strathfield to Hornsby, q., 1993.
Riverstone to Richmond Electrification, q., 1875.
Hannaford, The Hon. J. P., LL.B.:
Abortion: Laws, m., 1331.
Bills: Prisons (Amendment) Bill, 2R., 2144.
Business and Trade Practices: Gazumping, m., 1250.
Commonwealth-State Relations: Commonwealth Economic Statement, q., 624.
Council, Legislative:
Council of Macquarie University, Representative, 357.
State Development Committee, Member, 1781.
Law and Order: Street Crime, q., 384.
Harrison, Mr R. J. W. (Kiama):
Assembly, Legislative:
Election, 10.
House Committee, Member, 186.
Oath or Affirmation of Allegiance, 10.
Pollution: Illawarra Region, mem. stmt, 568.
Hartcher, Mr C. P. (Gosford):
Assembly, Legislative:
Election, 10.
Oath or Affirmation of Allegiance, 10.
Reserves: National Park for Wyrrabalong, q., 1059.
Hatton, Mr J. E. (South Coast):
Assembly, Legislative:
Election, 10.
Leave of Absence, m., 22.
Oath or Affirmation of Allegiance, 515.
Members: South Coast: Death Threat, mem. stmt, 1438.
Bills:
Children (Detention Centres) Amendment Bill, and cognate bills, m.s.o., 1067.
Coal and Oil Shale Mine Workers (Superannuation) Amendment Bill, m.s.o., 1394.
Essential Services Bill, m.s.o., 1067.
Film Industry Bill, m.s.o., 1067.

Hankinson, The Hon. F. C.:
Abortion: Laws, m., 1281.
Bills: Essential Services Bill, 2R., 1641.
Hatton, Mr J. E. (South Coast) (continued):

Bills (continued):
Forestry (Amendment) Bill, m.s.o., 1394.
Independent Commission Against Corruption (Amendment) Bill, 2R., 2276.
Independent Commission Against Corruption Bill, Com., 845, 846, 851, 860, 861, 863, 866, 867.
Independent Commission Against Corruption Bill (No. 2), 2R., 1551; Com., 1558.
Parliamentary Committees Enabling Bill, m.s.o., 1067.
Prisons (Amendment) Bill, m.s.o., 1067.
Public Finance and Audit (Amendment) Bill, m.s.o., 1067.
Public Hospitals (Visiting Practitioners) Amendment Bill, and cognate bill, m.s.o., 1067.
Public Sector Management Bill, and cognate bill, m.s.o., 1394.
State Transport (Co-ordination) Amendment Bill, and cognate bill, m.s.o., 1394; 2R., 1546.
Summary Offences Bill, and cognate bill, m.s.o., 1067; Com., 1184.
Transport Appeal Boards (Amendment) Bill, m.s.o., 1067.

Crime and Criminals: Hilton Hotel Bombing, q., 2342.
Education: Public, m., 2249.
Markets, Farm Produce: Flemington Fruit and Vegetable Markets, q., 2301, 2345, 2346, 2347.
Ombudsman:
Complaints Against Police, q., 2348.
Statutory Appointment, q., 2347.
Parliament: Death Threat Against Member for South Coast, mem. stmt, 1438.
Point of Order, 826.
Police:
Department Administration, q., 2349.
Radio Communication Equipment, q., 2375.
Shepherd, Assistant Police Commissioner, q., 2348, 2349.

Housing:
Medium Density, q., 527.
Unserviced Land Sales, q., 525.
Land and Land Settlement: Jerrabomberra Heights Estate, q., 1386.
Local Government:
Constitutional Referendum, m., 697.
Council Tendering Processes, q., 1051, 1380.
Elections, q., 2353.
Rural Rates, q., 2354.

Hunter, Mr M. L. (Lake Macquarie):
Assembly, Legislative:
Election, 10.
House Committee, Member, 186.
Oath or Affirmation of Allegiance, 10.
Temporary Chairman of Committees, 25.
Point of Order, 1203.

Ibbett, The Hon. G. R.:
Betting and Gambling: Illegal, q., 383.
Bills: Housing (Validation of Resumptions) Bill, 2R., 1370.
Council, Legislative: Printing Committee, Member, 356.
Local Government: Council of the City of Sydney, q., 1263, 1620.

Irwin, Mr G. S., Dip.Tech., Dip.Ed. (Fairfield):
Assembly, Legislative:
Election, 10.
Oath or Affirmation of Allegiance, 10.
Floods: Fairfield, mem. stmt, 269.
Meat Industry: Homebush Abattoir, mem. stmt, 1124.
Jakins, The Hon. Judith:
Council, Legislative:
   House Committee, Member, 356.
   Social Issues Committee, Member, 1781.
Education: School Literature Syllabus, m., 408.
Olympic Games: Sydney, q., 464.
Public Service and Statutory Offices: Department of Education, Recruitment Policy, q., 741, 1732.
Railways: Crossing, q., 1481.

Jeffery, Mr B. L. (Port Macquarie):
Assembly, Legislative:
   Election, 10.
   Joint Standing Committee upon Road Safety, Member, 189.
   Oath or Affirmation of Allegiance, 10.
Bills:
   Bail (Amendment) Bill, 2R., 893.
   Summary Offences Bill, and cognate bill, 2R., 1153.
Electricity: Commission Debt, q., 1383.
Government, State: Rental Accommodation, q., 2222.
Insurance: Voluntary Workers, mem. stmt, 181.

Jobling, The Hon. J. H., Ph.C., M.P.S., M.A.C.P.P., F.A.I.P.M.:
Abortion: Laws, m., 1327.
Council, Legislative:
   Government Whip, 7.
   House Committee, Member, 356.
   Standing Orders Committee, Member, 356.
Fires and Fire Fighting: Fire Brigade False Alarms, q., 738.
Law and Order: Funding, q., 1483.
Obituaries: Aston, Hon. Dr R. W., Minister for Corrective Services, m., 352.
Ombudsman: Complaints Against Police, q., 2188.

Johnson, The Hon. J.R.:
Abortion: Laws, m., 1333.
Books, Newspapers and Publications: Newspaper Reports of Debates, q., 2066.
Council, Legislative:
   Administration of Oath or Affirmation of Allegiance, 2.
   Appointment as Commissioner, Opening of Session, 1.
   House Committee, Member, 356.
   Library Committee, Member, 356.
   Standing Orders Committee, Member, 356.
Obituaries: Aston, Hon. Dr R. W., Minister for Corrective Services, m., 353.
Parliament:
   Privilege: Service of Documents, m., 953, 1851.
   Reporting Staff: Retirement of Mr Thomas Richard Cooper, m., 720.

Jones, The Hon. R. S. L.:
Aborigines: Lizzie Dulcie Ropeyarn, q., 1617, 1880.
Animals:
   Cruelty, q., 2336.
   Desexing of Cats, q., 2336.
   Vivisection, q., 2339.
Bills:
   Bail (Amendment) Bill, 2R., 1466.
   Drug Misuse and Trafficking (Amendment) Bill, 2R., 1352; Com., 1362, 1365, 1367, 1778, 1779.
   Essential Services Bill, 2R., 1658.
Independent Commission Against Corruption (Amendment) Bill, 2R., 2322.
Independent Commission Against Corruption Bill (No. 2), Com., 1852, 1853, 1860, 1862, 1884; recom., 1892, 1898.
Prisons (Amendment) Bill, 2R., 2150.
Chemicals: Tributyl-Tin, q., 2340.
Consumer Affairs: War Toy Sales, q., 2204.
Jones, The Hon. R. S. L. (continued):

Council, Legislative:
  Election, 2, 2162.
  Oath or Affirmation of Allegiance, 2.
  State Development Committee, Member, 1781.

Electricity: Mt Piper to Marulan Power Line, q., 2334.
Harbours: Port Hacking Tombolo, q., 2337.
Health:
  Contaminated Food, q., 2059.
  Fosters Beer, q., 2339.
  Tobacco Smoking, q., 1987.
Minerals and Mining: Mineral Leases, q., 2335.
Parliament:
  Privilege:
    Service of Documents, privilege, 778; m., 1588, 2085.
    Yates and Bryant v. Jones, 2086.
Police: Arantz, Philip, Former Sergeant, q., 2185.
Pollution:
  Cooks River, q., 2338.
  Strontium-90, q., 2341.
Sewerage: Pacific Palms Services, q., 2334.
Statute Revision: Prisons Act: Disallowance of Amendment to Regulations, m., 1785, 1789.
Taxation: Tobacco Duty, q., 1612.
Town and Country Planning: Hotel for Thredbo, q., 2334.
Water: Pacific Palms Services, q., 2334.

Kaldis, The Hon. J.:

Council, Legislative:
  Election, 2.
  Oath or Affirmation of Allegiance, 2.

Keegan, Mr E. G. (Newcastle):

Assembly, Legislative:
  Election, 10.
  Oath or Affirmation of Allegiance, 10.
Public Service and Statutory Offices: Government Offices for Newcastle, q., 801.

Kerr, Mr M. J. (Cronulla):

Assembly, Legislative:
  Election, 10.
  Election of Speaker, m., 11.
  Oath or Affirmation of Allegiance, 10.
  Printing Committee, Member, 186.

Bills:
  Bail (Amendment) Bill, 2r., 895.
  Darling Harbour Casino (Repeal) Bill, 2r., 577.
  Drug Misuse and Trafficking (Amendment) Bill, 2r., 887.
  Education and Public Instruction (Amendment) Bill, 2r., 261.
  Evidence (Crown Privilege) Amendment Bill, 2r., 294.
  Independent Commission Against Corruption Bill, 2r., 847, Com., 863, 864, 868.
  Public Hospitals (Visiting Practitioners) Amendment Bill, and cognate bill, 2r., 1207.
  Summary Offences Bill, and cognate bill, 2r., 1167.

Fires and Fire Fighting: Volunteer Bush Firefighters, q., 802.
Harbours: Port Hacking Tombolo, q., 2369.
Pollution: Port Hacking River Siltation, mem. stmt, 1120.

Killen, The Hon. R. W.:

Bills: Education and Public Instruction (Amendment) Bill, 2r., 501.

Council, Legislative:
  House Committee, Member, 356.
  Printing Committee, Member, 356.
  Select Committee on the Police Regulation (Allegations of Misconduct) Amendment Bill, 1988, Member, 1008.

Kirkby, The Hon. Elisabeth:

Aborigines:
  Aboriginal Corporation for Homeless and Rehabilitation Service, q., 968.
  Land Grants, q., 623.
  Land Rights, m., 108.
Abortion: Laws, m., 1303.
Kirkby, The Hon. Elisabeth (continued):

Bills:

- Bail (Amendment) Bill, 2nd., 1461.
- Children (Care and Protection) Amendment Bill, 2nd., 766; Com., 776, 777.
- Children (Detention Centres) Amendment Bill, 2nd., 1496; Com., 1508, 1509, 1511; pers. expl., 1514; Com., 1906, 1908, 1910.
- Coroners (Amendment) Bill, 2nd., 2081.
- Darling Harbour Casino (Repeal) Bill, 2nd., 782.
- Education and Public Instruction (Amendment) Bill, 2nd., 496; Com., 727; Cons. mes., 1971.
- Essential Services Bill, 2nd., 1664, 1668; Com., 1797, 1798, 1800, 1812, 1816, 1817, 1819.
- Evidence (Crown Privilege) Amendment Bill, 2nd., 480.
- Film Industry Bill, 2nd., 1996.
- Independent Commission Against Corruption (Amendment) Bill, 2nd., 2311.
- Independent Commission Against Corruption Bill, m.s.o., 946.
- Independent Commission Against Corruption Bill (No. 2), 2nd., 1702; Com., 1836.
- Industrial Arbitration (Amendment) Bill, 2nd., 1952; Com., 2117.
- Parliamentary Committees Enabling Bill, 2nd., 2087.
- Police Regulation (Allegations of Misconduct) Amendment Bill, 2nd., 1014, 2097.
- Prisons (Amendment) Bill, 2nd., 2133; Com., 2153, 2154, 2155, 2156, 2157.
- Public Sector Management Bill, and cognate bill, 2nd., 2040; Com., 2107, 2108, 2109.
- Transport Appeal Boards (Amendment) Bill, 2nd., 2054; Com., 2069.
- Bridges: Jack Renshaw Accident, q., 736, 980.

Business and Trade Practices:

- Gazumping, m., 1243, 1252.
- Paddy's Market, q., 1981.

Council, Legislative:

- Leader of the Australian Democrats, 8.
- President, m., 90.

Kirkby, The Hon. Elisabeth (continued):

Council, Legislative (continued):

Sessional Orders:

- Notices for Disallowance of Statutory Rules, m., 107.
- Third Reading of Bills, m., 359.
- Standing Orders Committee, Member, 356.

Crime and Criminals: Juvenile Cautioning System, q., 1724.

Drugs: Tobacco Smoking, m., 2164.

Education:

- Higher School Certificate, adj., 511.
- Physics Studies for Girls, q., 1267, 2195.
- School Literature Syllabus, m., 402.

Films: X-Rated Video Cassettes, m., 621, 633.

Health: Imported Cheese Contamination, q., 977.

Hospitals: Private: Chelmsford, q., 2183.

Housing:

- Developmentally Disabled, q., 1979.
- Emergency, adj., 1930.

Land and Land Settlement: Residential Land Sales, q., 1989, 2067.

Meat Industry: Homebush Abattoir, q., 1261.

Minerals and Mining: Coal Transportation, q., 874.

Morality: Prostitution, min. stmt, 2331.

Motor Vehicles:

- Driver Training, q., 971, 1269.
- Registration, q., 374, 469.

Obituaries: Aston, Hon. Dr R. W., Minister for Corrective Services, m., 351.

Oil Industry and Petrol: Petrol: Prices, q., 1614.

Ombudsman: Complaints Against Police, q., 2189.

Parliament:

- Privilege: Service of Documents, m., 957.
- Reporting Staff: Retirement of Mr Thomas Richard Cooper, m., 719.

Points of Order, 511, 1502.

Police:

- Aboriginal Liaison Unit, q., 459.
- Police News Article, q., 745.

Public Service and Statutory Offices: Water Board: Local Purchase Orders, q., 2191.

Railways: Commuters, q., 2064.
Kirkby, The Hon. Elisabeth (continued):
Roads and Road Safety: Jack Renshaw Bridge Accident, q., 736, 980.
Schools:
Glendale High, adj., 420.
Kincumber High, q., 1807.
Social and Welfare Services:
Aboriginal Corporation for Homeless and Rehabilitation Service, q., 968.
Child Care Centres, min. stmt, 1794.

Kite, The Hon. Delcia:
Abortion: Laws, m., 1285.
Council, Legislative: Temporary Chairman of Committees, 106.

Knight, Mr M. S., B.A.(Hons) (Campbelltown):
Assembly, Legislative:
   Election, 10.
   Oath or Affirmation of Allegiance, 10.
Bills:
   Education and Public Instruction (Amendment) Bill, 2R., 243.
   Prisons (Amendment) Bill, cons. amdts, 2299.
Education: Tertiary Awareness Program, q., 2356.
Fauna and Flora: Wedderburn Koala Colony, mem. stmt, 837.
Health: Services, mem. stmt, 182.
Points of Order, 247, 520, 2301.
Police: Stations for Campbelltown Electorate, q., 2344.
Railways: Level Crossings in Campbelltown Electorate, q., 2345.
Teachers: Secondary School, q., 2350.

Knowles, Mr S. A. J. (Macquarie Fields) (continued):
Point of Order, 1382.
Railways: Tickets, q., 1382.

Langton, Mr B. J. (Kogarah):
Assembly, Legislative:
   Election, 10.
   Joint Standing Committee upon Road Safety, Member, 189.
   Oath or Affirmation of Allegiance, 10.
Bills:
   Prisons (Amendment) Bill, 2R., 1231; Com., 1237; cons. amdts, 2298, 2301.
   Transport Appeal Boards (Amendment) Bill, cons. amdts, 2297.
Corrective Services: Cabinet Minutes, q., 529.
Obituaries: Aston, Hon. Dr R. W., Minister for Corrective Services, m., 429.
Point of Order, 529.

Longley, Mr J. A., B.Ec., M.Ec., A.A.S.A. (Senior), S.P.T.C.(Pittwater):
Assembly, Legislative:
   Election, 10.
   Library Committee, Member, 186.
   Oath or Affirmation of Allegiance, 10.
   Parliamentary Contributory Superannuation Fund, Trustee, 188.
   Regulation Review Committee, Member, 187.
Bills:
   Darling Harbour Casino (Repeal) Bill, 2R., 583.
   Public Finance and Audit (Amendment) Bill, 2R., 1229.
   Public Finance and Audit (Working Accounts) Amendment Bill, 2R., 873.
Commonwealth-State Relations: Financial, m., 326, 345; q., 666.
Elections and Electorates: Costing of Election Proposals, q., 41.
Obituaries: Aston, Hon. Dr R. W., Minister for Corrective Services, m., 434.
Point of Order, 44.
Pollution: Waste Disposal, Kimbriki Tip, mem. stmt, 1440.
Public Service and Statutory Offices: Annual Reports of Statutory Authorities, q., 2357.
Lovelee, Mr W. T. (Bass Hill):
Assembly, Legislative:
   Election, 10.
   Oath or Affirmation of Allegiance, 10.

Macdonald, The Hon. I. M., B.A.:
Bills:
   Independent Commission Against Corruption Bill (No. 2), 2R., 1685.
   Public Sector Management Bill, and cognate bill, 2R., 1932.
Council, Legislative:
   Election, 2.
   Oath or Affirmation of Allegiance, 2.
   Standing Orders Committee, Member, 356.
   State Development Committee, Member, 1781.

Machin, Wendy, B.A. (Manning):
Assembly, Legislative:
   Election, 10.
   Oath or Affirmation of Allegiance, 10.
   Public Accounts Committee, Member, 172.
Bills:
   Education and Public Instruction (Amendment) Bill, 2R., 248.
   Education Commission (Amendment) Bill, and cognate bill, 2R., 915.
   Public Hospitals (Visiting Practitioners) Amendment Bill, and cognate bill, 2R., 1204.
   Recreation Vehicles (Amendment) Bill, 2R., 321.
   Hospitals: Private Hospital Legislation, q., 306.
   Points of Order, 247, 250.
   Pollution: Manning River Siltation, mem. sint, 562.

Mack, Mr E. C., B.Arch. (North Shore):
Assembly, Legislative:
   Election, 10.
   Oath or Affirmation of Allegiance, 10.
Bills: State Transport (Co-ordination) Amendment Bill, and cognate bill, 2R., 1562.
   Colleges of Advanced Education and Technical Colleges: North Sydney TAFE College, q., 2368.
   Tunnels: Sydney Harbour Tunnel, q., 139.

Manson, The Hon. A. B.:
Council, Legislative:
   Election, 2.
   Oath or Affirmation of Allegiance, 2.

Markham, Mr C. W. (Keira):
Assembly, Legislative:
   Election, 10.
   Oath or Affirmation of Allegiance, 10.
   Printing Committee, Member, 186.

Martin, Mr R. D. (Port Stephens):
Assembly, Legislative:
   Election, 10.
   Oath or Affirmation of Allegiance, 10.
   Printing Committee, Member, 186.
   Roads and Road Safety: Nelson Bay Road Upgrading, q., 1056.
   Sewerage: Port Stephens, q., 231.

Matheson, Mr G. K. V. (Penrith):
Assembly, Legislative:
   Election, 10.
   Oath or Affirmation of Allegiance, 10.
   Housing: Ministry Funds, q., 1524.

Matthews, The Hon. J. C. J.:
Betting and Gambling: On-Course Telephone Betting, q., 1258.
Council, Legislative:
   Parliamentary Contributory Superannuation Fund, Trustee, 363.
   State Development Committee, Member, 1781.
   Temporary Chairman of Committees, 106.
Obituaries: Aston, Hon. Dr R. W., Minister for Corrective Services, m., 352.
   Point of Order, 2310.
Racing: Horse Meetings, q., 626.
Sport and Recreation:
   Bathurst Car Racing, q., 1720.
   Hunter Academy of Sport, q., 1606.
   Sydney Football Stadium, q., 372.
INDEX TO SPEECHES
Volume 201

McManus, Mr I. (Burragorang):
Assembly, Legislative:
  Election, 10.
  Oath or Affirmation of Allegiance, 10.
  House Committee, Member, 186.
  Joint Standing Committee upon Road Safety, Member, 189.
Bills: Public Hospitals (Visiting Practitioners) Amendment Bill, and cognate bill, 2R., 1208.
Floods: Compensation, mem. stmt, 834.
Points of Order, 142, 342, 1212, 1382.
Roads and Road Safety: Blue Mountains, q., 311.

Merton, Mr W. A. (Carlingford):
Assembly, Legislative:
  Election, 10.
  Oath or Affirmation of Allegiance, 10.

Assembly, Legislative:
  Appointment to Ministry, 17.
  Election, 10.
  Oath or Affirmation of Allegiance, 10.
Bills:
  Education and Public Instruction (Amendment) Bill, 2R., 65, 275; Cont., 289; cons. amdts, 1574.
  Education Commission (Amendment) Bill, and cognate bill, 2R., 538, 917.
  Higher Education Bill, and cognate bill, 2R., 315, 604.
Colleges of Advanced Education and Technical Colleges:
  Landscape Technicians’ Higher Certificate Course, q., 2367.
  North Sydney TAFE College, q., 2368.
  TAFE Efficiency Audit, q., 527.
Education:
  Higher School Certificate, m., 52.
  Public, m., 2232.
  Tertiary Awareness Program, q., 2356.
Obituaries: Aston, Hon. Dr R. W., Minister for Corrective Services, m., 433.
Points of Order, 218, 247, 250.
Public Service and Statutory Offices: Ramsey, Dr Gregor, Appointment as Director-General of Education, q., 40.

Schools:
  High:
    Berkeley, q., 2368.
    Warrawong, q., 2366.
Secondary Staffing, q., 790.
  Senior High for Western Sydney, mem. stmt, 266.
Teachers:
  Face-to-Face Teaching, q., 793.
  Primary, q., 797.
  Secondary, q., 2350.
  Shortages, q., 142.

Moore, Clover (Bligh):
Assembly, Legislative:
  Election, 10.
  Oath or Affirmation of Allegiance, 10.
Bills:
  Education and Public Instruction (Amendment) Bill, cons. amdts, 1580.
  Summary Offences Bill, and cognate bill, 2R., 1155; Cont., 1181, 1186.
Education: Public, m., 2257.
Local Government: Council of the City of Sydney, q., 1058.
Sport and Recreation: Sydney Football Stadium, q., 795.

Moore, Mr H. F. (Wyong):
Assembly, Legislative:
  Election, 10.
  Oath or Affirmation of Allegiance, 10.
  Printing Committee, Member, 186.
Sessional Orders: Suspension of Standing Orders, m., 168.

Moore, The Hon. T. J., LL.B. (Gordon):
Assembly, Legislative:
  Appointment to Ministry, 17.
  Council of the University of New South Wales, Representative, 672.
  Election, 10.
  Oath or Affirmation of Allegiance, 10.
Moore, The Hon. T. J., LL.B. (Gordon) (continued):

Bills:
Adoption of Children (Amendment) Bill, 2R., 1221.
Children (Care and Protection) Amendment Bill, 2R., 1223, 1411; Com., 1412.
Children (Community Service Orders) Amendment Bill, 2R., 1226, 1414.
Children (Detention Centres) Amendment Bill, 2R., 877; m.s.o., 1066; 2R., 1220; cons. amdts, 2296.
Community Welfare (Amendment) Bill, 2R., 1225.
Essential Services Bill, m.s.o., 1066.
Film Industry Bill, m.s.o., 1066.
Home Care Service Bill, 2R., 1222; Com., 1406.
Industrial Arbitration (Amendment) Bill, Com., 1109.
National Parks (Special Provisions) Bill, 2R., 242, 325.
Parliamentary Committees Enabling Bill, m.s.o., 1066.
Prisons (Amendment) Bill, m.s.o., 1066.
Public Finance and Audit (Amendment) Bill, m.s.o., 1066.
Public Hospitals (Visiting Practitioners) Amendment Bill, and cognate bill, m.s.o., 1066.
Recreation Vehicles (Amendment) Bill, 2R., 241, 323.
Summary Offences Bill, and cognate bill, m.s.o., 1066.
Transport Appeal Boards (Amendment) Bill, m.s.o., 1066; cons. amdts, 2296.
Zoological Parks Board (Amendment) Bill, 2R., 543, 901.
Fires and Fire Fighting: Volunteer Bush Fire Fighters, q., 802.
Land and Land Settlement: Jerrabomberra Heights Estate, q., 1054; mem. stmt, 1122.
Meat Industry: Homebush Abattoir, min. stmt, 788.
Point of Order, 898.
Pollution:
Campbelltown Air Monitoring, q., 313, 437.
Port Hacking River Siltation, mem. stmt, 1121.
Waste Disposal, Kimbriki Tip, mem. stmt, 1441.

Moore, The Hon. T. J., LL.B. (Gordon) (continued):

Public Service and Statutory Offices: Taronga Zoo Director, q., 45.
Reserves: National Park for Wyrrabalong, q., 1059.
Sewerage: Port Stephens, q., 231.
Sport and Recreation: Moore Park Netball Courts, q., 235.
Statute Revision: Noise Control Act: Disallowance of Regulation, m., 1071, 1075.

Morris, Mr B. J. (Blue Mountains):

Assembly, Legislative:
Election, 10.
Oath or Affirmation of Allegiance, 10.

Moss, Mr K. J. (Canterbury):

Assembly, Legislative:
Election, 10.
Oath or Affirmation of Allegiance, 10.
Printing Committee, Member, 186.

Bills:
Housing (Validation of Resumptions) Bill, 2R., 1113.
Summary Offences Bill, and cognate bill, 2R., 1169.
Local Government: Constitutional Referendum, m., 700.

Murray, Mr J. H. (Drummoyne):

Assembly, Legislative:
Election, 10.
Oath or Affirmation of Allegiance, 10.
Public Accounts Committee, Member, 172.
Public Accounts Committee, m., 176.

Bills:
Bail (Amendment) Bill, 2R., 894.
Darling Harbour Casino (Repeal) Bill, 2R., 585.
Education and Public Instruction (Amendment) Bill, 2R., 257.
Higher Education Bill, and cognate bill, 2R., 603.
Public Finance and Audit (Amendment) Bill, 2R., 1227.
Transport Appeal Boards (Amendment) Bill, 2R. 1191.
Murray, Mr J. H. (Drummoyne) (continued):

- Points of Order, 249, 284, 592, 699, 1384, 1581.

Murray, The Hon. W. T. J. (Barwon):

- Assembly, Legislative:
  - *Administration of Oath or Affirmation of Allegiance*, 10.
  - *Appointment to Ministry*, 17.
  - Election of Chairman of Committees, *m.*, 24.
  - Election of Speaker, *m.*, 16.
  - *Oath or Affirmation of Allegiance*, 10.
- Bills:
  - Children (Detention Centres) Amendment Bill, *m.s.o.*, 1068.
  - Essential Services Bill, *m.s.o.*, 1068.
  - Film Industry Bill, *m.s.o.*, 1068.
  - Freedom of Information Bill, 2r., 1397.
  - Parliamentary Committees Enabling Bill, *m.s.o.*, 1068.
  - Prisons (Amendment) Bill, *m.s.o.*, 1068.
  - Public Finance and Audit (Amendment) Bill, *m.s.o.*, 1068.
  - Public Hospitals (Visiting Medical Practitioners) Amendment Bill, and cognate bill, *m.s.o.*, 1068.
  - Summary Offences Bill, and cognate bill, *m.s.o.*, 1068.
  - Transport Appeal Boards (Amendment) Bill, *m.s.o.*, 1068.
- Boats and Yachts:
  - Berkeley Boat Harbour, *q.*, 2365.
- Education: Public, *m.*, 2244.
- Floods: Relief, *q.*, 2354.
- Harbours: Port Hacking Tombolo, *q.*, 2369.
- Obituaries:
  - Aston, Hon. Dr R. W., Minister for Corrective Services, *m.*, 424.
  - Leitch, Mr D. S., a Former Member of the Legislative Assembly, *m.*, 26.

Murray, The Hon. W. T. J. (Barwon) (continued):

- Point of Order, 139.
- Pollution:
  - Lake Macquarie Foreshores, *q.*, 2365.
- Public Service and Statutory Offices: Kortlang, Mr Ian, Appointment, *q.*, 233.
- Sewerage: Rural Services, *q.*, 1388.
- Tunnels: Sydney Harbour Tunnel, *q.*, 139.
- Water: Rural Services, *q.*, 1388.

Mutch, The Hon. S. B., M.A., LL.B.:

- Council, Legislative:
  - *Election*, 2.
  - *Oath or Affirmation of Allegiance*, 2.
  - *Printing Committee, Member*, 356.
  - *Regulation Review Committee, Member*, 451.
  - *State Development Committee, Member*, 1781.


- Assembly, Legislative:
  - *Oath or Affirmation of Allegiance*, 10.

Newman, Mr J. P. (Cabramatta):

- Assembly, Legislative:
  - *Oath or Affirmation of Allegiance*, 10.
- Bills:
  - Bail (Amendment) Bill, 2r., 895.
  - Summary Offences Bill, and cognate bill, 2r., 1172.

Nile, The Hon. Elaine:

- Bills: Summary Offences Bill, and cognate bill, 2r., 1747; *Comm.*, 2020, 2031.
- Council, Legislative:
  - *Election*, 2
  - *Oath or Affirmation of Allegiance*, 2.

Nile, Reverend the Hon. F. J., E.D., L.Th.:  
Aborigines:  
Aboriginal Land Rights Act: Disallowance of Regulations, \(m., 121, 361\).
Tabulam Aboriginal Mission, \(q., 1988\).
Abortion:  
Clinics, \(q., 1259\).
Laws, \(m., 1309\).
Arts and Culture: Biennale Art Exhibition, \(q., 2182, 2183\).
Betting and Gambling: Darling Harbour Casino, \(q., 375\).
Bills:  
Bail (Amendment) Bill, \(2r., 1465\).
Children (Care and Protection) Amendment Bill, \(2r., 768\).
Darling Harbour Casino (Repeal) Bill, \(2r., 930\).
Drug Misuse and Trafficking (Amendment) Bill, \(2r., 1359; Com., 1363, 1364, 1365, 1367, 1778\).
Education and Public Instruction (Amendment) Bill, \(2r., 503; Com., 730\).
Essential Services Bill, \(2r., 1649; Com., 1796, 1797, 1814, 1816, 1819\).
Evidence (Crown Privilege) Amendment Bill, \(2r., 482\).
Independent Commission Against Corruption (Amendment) Bill, \(2r., 2318\).
Independent Commission Against Corruption Bill (No. 2), \(2r., 1708; Com., 1839, 1858, 1861; ad. rep., 1886; recom., 1899\).
Police Regulation ( Allegations of Misconduct) Amendment Bill \(2r., 1022, 2101\).
Prisons (Amendment) Bill, \(2r., 2147\).
Public Hospitals (Visiting Practitioners) Amendment Bill, and cognate bill, \(2r., 2007\).
Public Sector Management Bill, and cognate bill, \(2r., 2048\).
State Drug Crime Commission (Amendment) Bill, \(2r., 944\).
Summary Offences Bill, and cognate bill, \(2r., 1767; Com., 1961, 2018, 2024, 2027, 2032, 2036\).
Transport Appeal Boards (Amendment) Bill, \(Com., 2070\).
Charitable and Community Organizations: Royal Blind Society of New South Wales, \(q., 1868, 2195\).
Colleges of Advanced Education and Technical Colleges: Fees, \(q., 1983\).

Nile, Reverend the Hon. F. J., E.D., L.Th. (continued):  
Council, Legislative:  
Leader of the Call to Australia Group, \(8\).
President, \(m., 96\).
Social Issues Committee, Member, \(1781\).
Education: School Literature Syllabus, \(m., 390, 418\).
Films: X-Rated Video Cassettes, \(m., 605, 649\).
Health:  
AIDS:  
Funding, \(q., 458, 1881\).
Screening, \(q., 734, 1723, 1882\).
Housing: Aboriginal, \(q., 1607\).
Industry, Primary: Egg Marketing, \(q., 631, 632\).
Meat Industry: Homebush Abattoir, \(q., 969\).
Morality:  
Disorderly Houses Legislation, \(q., 2056\).
Prostitution, \(mem., stmt, 2329\).
Obituaries: Aston, Hon. Dr R. W., Minister for Corrective Services, \(m., 351\).
Parliament:  
Death Threats Against Members, \(q., 1266\).
Privilege: Service of Documents, \(m., 957\).
Reporting Staff: Retirement of Mr Thomas Richard Cooper, \(m., 719\).
Point of Order, 1839.
Police: Patrols, \(q., 1269\).
Railways: Passenger Safety, \(q., 1482\).
School Transport: Student Travel Passes, \(q., 1803, 1807, 1881\).
Schools:  
Cleveland Street High, \(q., 465\).
Paddstow North Public, Security, \(q., 741, 1880\).
Statute Revision:  
Aboriginal Land Rights Act: Disallowance of Amendment to Regulations, \(m., 121, 361\).
Prisons Act: Disallowance of Amendment to Regulation, \(m., 1787\).
Unborn Child Protection Bill, \(adj., 2333\).

Nori, Sandra (McKell):  
Assembly, Legislative:  
Election, \(10\).
Library Committee, Member, \(186\).
Oath or Affirmation of Allegiance, \(10\).
Point of Order, 1058.
<table>
<thead>
<tr>
<th><strong>O'Grady, The Hon. P. F.:</strong></th>
<th><strong>Park, Mr E. N., D.S.O., E.D. (Tamworth):</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Aborigines: Homes on Aboriginal Land Program, q., 1878, 2193.</td>
<td>Assembly, Legislative:</td>
</tr>
<tr>
<td>Betting and Gambling:</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>ClubTAB, q., 2064.</td>
<td>Election of Chairman of Committees, m., 23.</td>
</tr>
<tr>
<td>Totalizator Agency Board Computer, q., 1988.</td>
<td>House Committee, Member, 186.</td>
</tr>
<tr>
<td>Bills:</td>
<td>Library Committee, Member, 186</td>
</tr>
<tr>
<td>Essential Services Bill, 2r., 1648.</td>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Summary Offences Bill, and cognate bill, 2r., 1343.</td>
<td>Bills:</td>
</tr>
<tr>
<td>Colleges of Advanced Education and Technical Colleges: Courses, q., 1727.</td>
<td>Education and Public Instruction (Amendment) Bill, 2r., 208.</td>
</tr>
<tr>
<td>Council, Legislative:</td>
<td>Essential Services Bill, 2r., 1143.</td>
</tr>
<tr>
<td>Election, 2.</td>
<td>Industrial Arbitration (Amendment) Bill, 2r., 1096.</td>
</tr>
<tr>
<td>Library Committee, Member, 356.</td>
<td>Prisons (Amendment) Bill, 2r., 1234.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 2.</td>
<td>Employment: Building Site Safety, q., 228.</td>
</tr>
<tr>
<td>State Development Committee. Member, 1781.</td>
<td>Obituaries:</td>
</tr>
<tr>
<td>Floods: Western Sydney, q., 1612, 1730.</td>
<td>Aston, Hon. Dr R. W., Minister for Corrective Services, m., 430.</td>
</tr>
<tr>
<td>Paciullo, Mr G. (Liverpool):</td>
<td>Leitch, Mr D.S., a Former Member of the Legislative Assembly, m., 27.</td>
</tr>
<tr>
<td>Assembly, Legislative:</td>
<td>Railways: Northern Line, mem. stnt, 569.</td>
</tr>
<tr>
<td>Election, 10.</td>
<td></td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Page, Mr D. L. (Ballina):</td>
<td><strong>Peacocke, The Hon. G. B. P. (Dubbo):</strong></td>
</tr>
<tr>
<td>Assembly, Legislative:</td>
<td>Assembly, Legislative:</td>
</tr>
<tr>
<td>Election, 10.</td>
<td>Appointment to Ministry, 17.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Government, State: Property Sales, q., 1060.</td>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Assembly, Legislative:</td>
<td>Public Service and Statutory Offices: Department of Business and Consumer Affairs: Review of Services, q., 663.</td>
</tr>
<tr>
<td>Election, 10.</td>
<td>Statute Revision: Companies and Securities Legislation, min. stnt, 1376.</td>
</tr>
<tr>
<td>Oath or Affirmation of Allegiance, 10.</td>
<td></td>
</tr>
<tr>
<td>Bills: Housing (Validation of Resumptions) Bill, 2r., 1111; Com., 1116, 1117.</td>
<td><strong>Petch, Mr I. J. (Gladesville):</strong></td>
</tr>
<tr>
<td>Housing: Public, mem. stnt, 2289.</td>
<td>Assembly, Legislative:</td>
</tr>
<tr>
<td>Obituaries: Aston, Hon. Dr R. W., Minister for Corrective Services, m., 430.</td>
<td>Election, 10.</td>
</tr>
<tr>
<td>Points of Order, 229, 660, 1115, 2268, 2270.</td>
<td>Oath or Affirmation of Allegiance, 10.</td>
</tr>
<tr>
<td>Electricity: Charges, q., 799.</td>
<td></td>
</tr>
</tbody>
</table>
Pezzutti, The Hon. Dr B. P. V., R.F.D., M.B., B.S.(Syd.), F.F.A.R.A.C.S.:
Council, Legislative:
  Election, 2.
  Joint Standing Committee upon Road Safety, Member, 451.
  Oath or Affirmation of Allegiance, 2.
  Printing Committee, Member, 356.

Phillips, Mr R. A. (Miranda):
Assembly, Legislative:
  Election, 10.
  Government Whip, 18.
  Oath or Affirmation of Allegiance, 10.
Hospitals:
  Fifth Schedule, q., 661.
  Sutherland, q., 795.

Photios, Mr M. (Ryde):
Assembly, Legislative:
  Election, 10.
  Oath or Affirmation of Allegiance, 10.
Festivals: First State '88 Exhibition, q., 233.

Assembly, Legislative:
  Appointment to Ministry, 17.
  Election, 10.
  Oath or Affirmation of Allegiance, 10.
Electricity:
  Charges, q., 799.
  Commission Debt, q., 1383.
  Tallawarra Power Station: q., 802.
Minerals and Mining:
  Mine Closures, q., 231.
  Private Coal Rights, q., 1530.
Obituaries:
  Aston, Hon. Dr R. W., Minister for Corrective Services, m., 435.
  Leitch, Mr D. S., a Former Member of the Legislative Assembly, m., 30.

Aborigines:
  Homes on Aboriginal Land Program, q., 1878.
  Land Program, q., 2193.
  Lizzie Dulcie Ropeyarn, q., 1617, 1880.
Abortion: Laws, q., 382.
Arts and Culture: Biennale Art Exhibition, q., 2182, 2183.
Asia and Asian Affairs: Liberal Party Immigration Policy, q., 2185, 2186.
Assembly, Legislative:
  Former Minister for Housing, adj., 1588.
  Speaker's Wig, q., 1724, 2194.
Beaches: Gold Coast, q., 1617, 1811.
Betting and Gambling:
  Darling Harbour Casino, q., 375.
  Illegal, q., 383.
  Illegal Casinos, q., 454.
Bills:
  Bail (Amendment) Bill, 2R., 988, 1468.
  Coal and Oil Shale Mine Workers (Superannuation) Amendment Bill, 2R., 1626, 2084.
  Constitution (Parliamentary Secretaries) Amendment Bill, 2R., 364, 454, 469.
  Coroner's (Amendment) Bill, 2R., 990, 2082.
  Darling Harbour Casino (Repeal) Bill, 2R., 758, 937.
  Drug Misuse and Trafficking (Amendment) Bill, 2R., 985, 1360; Com., 1363, 1364, 1365, 1366, 1367, 1368, 1777, 1778, 1779; ad. rep., 1779.
  Essential Services Bill, 2R., 1348, 1760; Com., 1797, 1798, 1813, 1816, 1818, 1819; ad. rep., 1820.
  Evidence (Crown Privilege) Amendment Bill, 2R., 365, 482.
  Independent Commission Against Corruption (Amendment) Bill, 2R., 2199, 2322.
  Independent Commission Against Corruption Bill, m.s.o., 945, 946; 2R., 964, 980.

Bills (continued):

Independent Commission Against Corruption Bill (No. 2). \(2R, 1588, 1732, 1746, 1821; Cont., 1832, 1833, 1840, 1846, 1852, 1853, 1855, 1857, 1858, 1859, 1860, 1863, 1882, 1883, 1885; ad. rep., 1887; recom., 1890, 1891, 1892, 1893, 1900, 1901, 1903, 1904, 1905: 3R., 1906.

Industrial Arbitration (Amendment) Bill, 2\(R, 1597, 1957, 2110; Cont., 2116, 2117, 2119, 2120.

Parliamentary Committees Enabling Bill, 2\(R, 1599, 2087, 2088, 2122; Cont., 2125.


Public Sector Management Bill, and cognate bill, Cont., 2108, 2109, 2110.

Prisons (Amendment) Bill, 2\(R, 1602, 2151; Cont., 2154, 2155, 2157, 2158.

Public Finance and Audit (Amendment) Bill, 2\(R, 1601, 2079.

Public Finance and Audit (Working Accounts) Amendment Bill, 2\(R, 982, 2079.

Public Sector Management Bill, and cognate bill, 2\(R, 1621, 2052, 2103.


Charitable and Community Organizations:

Royal Blind Society of New South Wales, \(q., 1868, 2195.

Churches, Cults and Sects: Clancy, Cardinal Edward Bede, \(q., 747.

Corrective Services:

Cabinet Minutes, \(q., 733, 748.

Prison Officer Employment, \(q., 1725, 2193.

Women in Prison Task Force, \(q., 1615, 2067.

Council, Legislative:

Adjournment, \(m., 420, 511.

Administration of Oath or Affirmation of Allegiance, 2.

Appointment as Commissioner, Opening of Session, 1.

Appointment to Ministry, 6.


Council, Legislative (continued):

Chairman of Committees, \(m., 103.

Clerk Assistant, \(adj., 2201.

Council of the University of Wollongong, Representative, 357.

House of Review, spec. \(adj., 2158.

Joint Committees:

- Regulation Review Committee, \(m., 451; mes., 451.
- Road Safety, \(m., 451; mes., 451.

Leader of the Government, 7.

Minister for Family and Community Services, \(q., 1615.

Ministerial Responsibilities, 8.

Ministry, 438, 1781.

Precedence of Business, \(m., 1784.

President, \(m., 75, 99.

Questions Upon Notice, \(q., 1619, 2065.

Sessional Orders:

- Adjournment, \(m., 355.
- Adjournment Debate Reply, \(m., 356.
- Cognate Bills, \(m., 355.
- House Committee, \(m., 356.
- Library Committee, \(m., 356.
- Matters of Public Interest, \(m., 438.
- Ministerial Statements, \(m., 355.
- Pairs, \(m., 355.
- Party Leadership, \(m., 356.
- Petitions, \(m., 354.
- Prayers, \(m., 107.
- Precedence of Business, \(m., 107.
- Printing Committee, \(m., 356.
- Questions Without Notice, \(m., 107.
- Questions Upon Notice, \(m., 358.
- Second Reading of Bills, \(m., 360.
- Select Committees, \(m., 106.
- Sitting Days, \(m., 107.
- Standing Orders Committee, \(m., 356.
- Temporary Chairmen of Committees, \(m., 106.
- Third Reading of Bills, \(m., 359.

Sitting Hours, \(q., 2066.

Special Adjournment, \(m., 9, 1513, 2158, 2332.

Standing Committees:

- Social Issues, Chairman, 2126.
- State Development, Chairman, 2126.

Standing Orders Committee, Member, 356.

Usher of the Black Rod, \(adj., 2201.
Pickering, The Hon. E. P.,
B.Sc.(Chem.Eng), M.Aus.I.M.M.,
F.A.I.E. (continued):
Courts and Legal Procedure:
Community Justice Centres, q., 1877, 2192.
Indictable Offences, q., 380.
Juvenile Cautioning System, q., 376.
Crime and Criminals:
Hing, Mr Frank, q., 971, 1267, 1877.
Juvenile Cautioning System, q., 1724.
Proposed Independent Commission Against
Corruption, q., 461.
Drugs: Compulsory Testing, q., 1616.
Education: Higher School Certificate, adj., 513.
Elections and Electorates:
Liberal Party:
Advertising, q., 2190.
Promises, q., 1484.
Electricity:
Charges, q., 1868, 2193.
Mt Piper to Marulan Power Line, q., 2334.
Ethnic Affairs:
Liberal Party Policy, q., 735, 979.
Policy, q., 374.
Firearms: Use, q., 1876.
Fires and Fire Fighting: Fire Brigade False
Alarms, q., 738.
Government State:
Charges, q., 1475, 1476.
Community Service Awards, q., 1722.
Legislative Program, spec. adj., 2159.
Grains: Wheat Industry, q., 2177.
Harbours: Port Hacking Tombolo, q., 2203,
2337.
Health: Wagga Wagga, q., 1875.
Hospitals:
Chelmsford, q., 2183.
Sutherland, adj., 513, 720.
Housing: Emergency, adj., 1930.
Insurance:
GIO Board, q., 1610.
TransCover, q., 1880, 2195.
Land and Land Settlement: Royal Agricultural
Society Showground, q., 2066.
Law and Order:
Domestic Violence, q., 1869.
Funding, q., 1483.
Pickering, The Hon. E. P.,
B.Sc.(Chem.Eng), M.Aus.I.M.M.,
F.A.I.E. (continued):
Law and Order (continued):
Street Crime, q., 384.
Violence in Redfern, q., 1265.
Liquor:
Kix Drink, adj., 1850.
Under-Age Drinking, q., 381.
Local Government: Council of the City of
Sydney, q., 1263, 1620.
Minerals and Mining:
Mineral Leases, q., 2335.
Mine Subsidence and Urban Development
Committee, q., 1877, 2194.
Morality:
Disorderly Houses Legislation, q., 2057.
Prostitution, min. stmt, 2327.
Obituaries: Aston, Hon. Dr R. W., Minister for
Corrective Services, m., 349, 353.
Ombudsman:
Complaints Against Police, q., 2184, 2185,
2188, 2189.
Liberal Party Policy, q., 371, 465, 742, 743,
973, 1264.
Parliament:
Death Threats Against Members, q., 1266.
Parliamentary Contributory Superannuation
Fund: Legislative Council Trustees, m., 363.
Privilege: Service of Documents, m., 953,
1587, 2084, 2085.
Reporting Staff: Retirement of Mr Thomas
Richard Cooper, m., 717.
Points of Order, 511, 942, 1608, 1675, 1799,
1811, 1842, 1847, 1960, 2087, 2092, 2096,
2107, 2320, 2321, 2332.
Police:
Aboriginal Liaison Unit, q., 459.
Aboriginal Officers, q., 1262.
Arantz, Philip; Former Sergeant, q., 2185.
Audiovisual Recording of Interviews, q., 969,
2192.
Deaths, q., 975.
Footwear, q., 1728.
In Schools, q., 1802.
Lay Visitors at Stations, q., 2182.
Patrols, q., 1268, 1269.
Police News Article, q., 745, 746.
Powers, q., 1607, 1718.
INDEX TO SPEECHES

Volume 201


Police (continued):

Promotion Appeals, q., 2058.
Recruitment, q., 1729, 2187.
Retirements, q., 2204.
Schools Program, q., 733.

Stations:
Ballina, q., 748, 979.
Ermington, q., 1874, 1875.
Menai, q., 2202.
Peakhurst, q., 1478, 1731.
Redfern, q., 749, 1801.
Sutherland, q., 1476.
Superannuation, q., 378, 1477.
Training, q., 462.
Transport, q., 2202.
Tumut, q., 975, 976.

Political Parties: Funding, q., 1868.
Pollution: Cooks River, q., 2338.

Public Service and Statutory Offices:
Director of the Cabinet Office, q., 2203.
Office of the Minister for Police and Emergency Services, q., 1613.
Police Department: Expenditure, q., 1725, 1726.
Public Sector Consultants, q., 2177.

Public Works: Darling Harbour: Lighting, q., 2062, 2192.

Railways:
Maldon to Dombarton Link, q., 2060.
Passenger Safety, q., 1482.

Rescue Squads: Disaster Relief, q., 1264.

Roads and Road Safety: Queen's Birthday Holiday Weekend Road Toll, q., 1867.

Schools:
Glendale High, q., 421.
Police Program, q., 733.


Statute Revision:
Independent Commission Against Corruption Bill, q., 2063, 2194.
Prisons Act: Disallowance of Amendment to Regulation, m., 1787.

Taxation: Tobacco Duty, q., 1612.

Taxicabs and Hire Cars: Taxi Vans, q., 421; adj., 1667.


Transport, Finance and Policy: Pensioner Travel Concessions, q., 1606, 1731.

Price, Mr J. C. (Waratah):

Assembly, Legislative:
Election, 10.
Oath or Affirmation of Allegiance, 10.

Floods: Relief, q., 2354.

Public Service and Statutory Offices: Kortlang, Mr Ian, Appointment, q., 233.

Primrose, Mr P. T. (Camden):

Assembly, Legislative:
Election, 10.
Oath or Affirmation of Allegiance, 10.

Corrective Services: Prison for Southwest Sydney, q., 716.

Hospitals: Camden District, q., 2355.

Housing: Unserviced Land Sales, q., 525.

Police:
Stations:
Camden, q., 2355.

Claymore-Eaglevale, q., 2345.

Pollution: Campbelltown Air Monitoring, q., 313, 436.

Roads and Road Safety: Pedestrian Overbridge for Camden, q., 2355.

Reed, The Hon. K. W.:

Abortion: Laws, m., 1323.

Bills:
Forestry (Amendment) Bill, 2R., 2072.

Independent Commission Against Corruption Bill (No. 2), 2R., 1712.


Books, Newspapers and Publications: Newspaper Reports of Debates, q., 2066.

Council, Legislative:
State Development Committee, Member, 1781; Deputy Chairman, 2162.
Temporary Chairman of Committees, 106.

Dairy Industry: Rationalization, q., 978.

Grains: Loans to Grain Growers, q., 2062.
Reed, The Hon. K. W. (continued):
Liquor: Under-Age Drinking, q., 381.
Ombudsman: Liberal Party Policy, q., 744, 1263, 1264.
Points of Order, 494, 2305.
Railways: Sleeper Quotas, q., 1879, 1995, 2064.
Reserves: Lake Innes, q., 1487.

Refshauge, Mr A. J., M.B., B.S. (Marrickville):
Assembly, Legislative:
Deputy Leader of the Opposition, 18.
Election, 10.
Oath or Affirmation of Allegiance, 10.
Commonwealth-State Relations: Financial, m., 339.
Elections and Electorates: One Vote One Value Referendum, q., 139.
Employment: Building Site Safety, q., 530.
Hospitals: Fifth Schedule, q., 1523.
Public Service and Statutory Offices: Taronga Zoo Director, q., 45.
Teachers: Face-to-Face Teaching, q., 793.

Rixon, Mr B. W. (Lismore):
Assembly, Legislative:
Election, 10.
Oath or Affirmation of Allegiance, 10.
Colleges of Advanced Education and Technical Colleges: TAFE Efficiency Audit, q., 527.
Hospitals: Lismore Base, q., 800.

Assembly, Legislative:
Election, 10.
Oath or Affirmation of Allegiance, 10.

Rogan, Mr P. A. (East Hills) (continued):
Bills:
National Parks (Special Provisions) Bill, 2R., 324.
Recreational Vehicles (Amendment) Bill, 2R., 318.
Summary Offences Bill, and cognate bill, 2R., 1173.
Zoological Parks Board (Amendment) Bill, 2R., 898.
Point of Order, 1519.
Sport and Recreation: Moore Park Netball Courts, q., 235.
Statute Revision: Noise Control Act: Disallowance of Regulation, m., 1072.

Rozzoli, The Hon. K. R., Dip.Law (Hawkesbury):
Assembly, Legislative:
Administration of Oath or Affirmation of Allegiance, 126.
Chamber Seating, 126.
Election, 10.
Election as Speaker, 10.
Election of Speaker, m., 12, 16.
House Committee, Member, 186.
Library Committee, Member, 186.
Oath or Affirmation of Allegiance, 10.
Televising of Proceedings, 126.
Parliament:
Disclosures by Members, 63.
Privilege: Correspondence Between Speaker and Members, 62.

Rumble, Mr T. J. (Illawarra):
Assembly, Legislative:
Election, 10.
Oath or Affirmation or Allegiance, 10.
Electricity: Tallawarra Power Station, q., 802.
Railways: Maldon to Dombarton Link, q., 664.

Council, Legislative:
Library Committee, Member, 356.
Printing Committee, Member, 356.
Government, State: Community Service Awards, q., 1722.

Police:
  Peakhurst Station, q., 1478, 1731.
  Training, q., 462.

Schipp, The Hon. J. J. (Wagga Wagga):

Assembly, Legislative:
  Appointment to Ministry, 17.
  Election, 10.
  Oath or Affirmation of Allegiance, 10.
Bills: Housing (Validation of Resumptions) Bill, 2R., 687, 1115; Com., 1117, 1118.
Housing:
  Land, q., 793.
  Public, q., 236; mem. stmt, 2290.
Land and Land Settlement: Australian-Yugoslav Community Centre Land; Former Minister for Housing, q., 1520.
Point of Order, 2270.

Schultz, Mr A. J. (Burrinjuck):

Assembly, Legislative:
  Election, 10.
  Oath or Affirmation of Allegiance, 10.
Health: AIDS Treatment, q., 1380.

Sham-Ho, The Hon. Helen, B.A., Dip.Soc.Wk, B.Leg.S.:

Council, Legislative:
  Election, 2.
  Library Committee, Member, 356.
  Oath or Affirmation of Allegiance, 2.
  Social Issues Committee, Member, 1781.

Shedden, Mr D. J. (Bankstown):

Assembly, Legislative:
  Election, 10.
  House Committee, Member, 186.
  Oath or Affirmation of Allegiance, 10.

Singleton, The Hon. M. (Coffs Harbour) (continued):

Bills: Transport Appeal Boards (Amendment) Bill, 2R., 1190.
Floods: Fairfield, mem. stmt, 270.
Government, State:
  Advertising, q., 133.
  Cleaning Contracts, q., 1058.
  Property Sales, q., 1060.
  Rental Accommodation, q., 2222.
Harbours: Ammunition Barges on Parramatta River, mem. stmt, 274.
Housing: Rental Subsidies, q., 1059.
Meat Industry: Homebush Abattoir, mem. stmt, 1125.
Motor Vehicles: Country Registration, mem. stmt, 268.
Obituaries:
  Aston, Hon. Dr R. W., Minister for Corrective Services, m., 436.
  Leitch, Mr D. S., a Former Member of the Legislative Assembly, 29.
Points of Order, 44, 144, 1519, 2224.
Pollution: Illawarra Region, mem. stmt, 569.
Railways: Northern Line, mem. stmt, 570.
Roads and Road Safety:
  Charlestown Bypass, mem. stmt, 565.
  Hazardous Driving Conditions, mem. stmt, 272.
  Main Roads 141 and 142, mem. stmt, 1124.

Small, Mr J. R. (Murray):

Assembly, Legislative:
  Election, 10.
  House Committee, Member, 186.
  Oath or Affirmation of Allegiance, 10.
  Printing Committee, Member, 186.
Bills: Forestry (Amendment) Bill, 2R., 1444.
Sport and Recreation: Speedboat Safety, mem. stmt, 2291.

Smiles, Mr P. M., LL.B., B.Ec., M.B.A., Dip.Ed. (Mosman):

Assembly, Legislative:
  Election, 10.
  Oath or Affirmation of Allegiance, 10.
**Smiles, Mr P. M., LL.B., B.Ec., M.B.A., Dip.Ed. (Mosman) (continued):**

Assembly, Legislative (continued):
- Public Accounts Committee, *m.*, 172.
- Public Accounts Committee, *m.*, 172.

**Smith, Mr R. H. L. (Bega):**

Assembly, Legislative:
- Election, 10.
- Oath or Affirmation of Allegiance, 10.

**Smith, The Hon. R. B. R.:**

Aborigines:

Betting and Gambling:
- ClubTAB, *q.*, 2064.
- On-Course Telephone Betting, *q.*, 1258.
- Totalizator Agency Board:
  - Services, *q.*, 466.

Bills:
- Essential Services Bill, *m.*, 1678.
- Independent Commission Against Corruption Bill (No. 2), *ad. rep.*, 1885.
- Tow Truck Industry (Revocation of Proclamation) Bill, *2R.*, 1599.

Boats and Yachts: Moorings, *q.*, 1485.

Bridges: Jack Renshaw, Accident, *q.*, 736, 980.

Business and Trade Practices:
- Gazumping, *m.*, 1243, 1246.
- Interest Rates, *q.*, 2066.
- New South Wales Rugby Union, *q.*, 739, 740, 744, 745, 747, 967, 968, 1717.

**Smith, The Hon. R. B. R. (continued):**

Chemicals:
- Tributyl Tin, *q.*, 2340.


Council, Legislative:
- Administration of Oath or Affirmation of Allegiance, *2.
- Appointment as Commissioner, Opening of Session, *1.


Election, *2.*

Minister for Sport, Recreation and Racing, *q.*, 465.


Oath or Affirmation of Allegiance, *2.

Standing Orders Committee, Member, *356.


Films: X-Rated Video Cassettes, *m.*, 647.

Fish Industry and Fishing:
- Gemfish, *q.*, 1618.

Floods: Western Sydney, *q.*, 1612, 1730.


Grains: Loans to Grain Growers, *q.*, 2062.

Health:
- Fosters Beer, *q.*, 2340.
- Imported Cheese Contamination, *q.*, 977.


Land and Land Settlement:


Minerals and Mining: Coal Transportation, *q.*, 1874

Motor Vehicles:
- Driver Training, *q.*, 971, 1269.
INDEX TO SPEECHES
Volume 201

Smith, The Hon. R. B. R. (continued):
Motor Vehicles (continued):
  Industry Regulations, q., 2056.
  Ministerial, q., 974.
  Registration, q., 374, 469.
Obituaries: Aston, Hon. Dr R. W., Minister for
  Corrective Services, m., 350.
Oil Industry and Petrol:
  Petrol:
    Prices, q., 1615.
    Tankers, q., 1728, 1993.
Olympic Games: Sydney, q., 464.
Parliament: Reporting Staff: Retirement of Mr
  Thomas Richard Cooper, m., 718.
Poker Machines: Government Policy, q., 1608.
Police: Redfern Station, q., 626.
Pollution: Strontium-90, q., 2341.
Public Service and Statutory Offices:
  Department of Agriculture and Fisheries:
    Charges, q., 1717, 1880.
    Department of Sport and Recreation: Capital
    Works Program, q., 1482.
  State Rail Authority: Absenteeism, q., 630.
Racing: Horse Meetings, q., 626.
Radio Broadcasting and Television:
  Australian Broadcasting Corporation Programs,
  q., 1721.
  Sky Channel Television, q., 972.
Railways:
  Commuters, q., 2064.
  Country Services, q., 1480.
  Level Crossings, q., 1481.
  Rail Track from Strathfield to Hornsby, q.,
  1993.
  Riverstone to Richmond Electrification, q.,
  1875.
  Sleeper Quotas, q., 1879, 1995, 2065.
Roads and Road Safety:
  Jack Renshaw Bridge Accident, q., 736, 980.
  State, q., 737.
  Sydney to Newcastle Freeway Toll, q., 2063.
Sport and Recreation:
  Bathurst Car Racing, q., 1720.
  Exchange Programs, q., 735.
  Hunter Academy of Sport, q., 1606.
Smith, The Hon. R. B. R. (continued):
Sport and Recreation (continued):
  Sydney Cricket and Sports Ground Trust, q.,
  973.
  Sydney Football Stadium, q., 372.
  Statute Revision: Police Regulation (Allegations
  of Misconduct) Amendment Bill, q., 1978.
Taxicabs and Hire Cars: Taxi Vans, adj., 722, 1852.
Town and Country Planning: Hotel for
  Thredbo, q., 2334.
Transport, Finance and Policy: Pensioner
  Travel Concessions, q., 1878, 1994.
Water: Menangle Supply, q., 458.

Solomons, The Hon. Sir Adrian, B.A., LL.B.:
Abortion: Laws, m., 1329.
Bills:
  Children (Detention Centres) Amendment
  Bill, 2R., 1502.
  Police Regulation (Allegations of Miscon-
  duct) Amendment Bill, 2R., 2099.
Council, Legislative:
  Administration of Oath or Affirmation of
  Allegiance, 354.
  Appointment as Chairman of Committees, 103.
  Chairman of Committees, m., 106.
  Library Committee, Member, 356.
  Senate of the University of Sydney, Represen-
  tative, 357.
Obituaries: Rygate, Hon. Amelia, a Former
  Member of the Legislative Council, 1781.
Parliament: Reporting Staff: Retirement of Mr
  Thomas Richard Cooper, m., 719.

Souris, Mr G. (Upper Hunter):
Assembly, Legislative:
  Council of the University of Newcastle;
    Representative, 672.
  Election, 10.
  Oath of Affirmation of Allegiance, 10.
Minerals and Mining: Mine Closures, q., 231.
Symonds, The Hon. Ann:

Abortion: Laws, m., 1297.

Bills:
- Children (Care and Protection) Amendment Bill, 2R., 769.
- Children (Detention Centres) Amendment Bill, 2R., 1488.
- Education Commission (Amendment) Bill, and cognate bill, 2R., 1474.

Council, Legislative:
- Library Committee, Member, 356.
- Social Issues Committee, Member, 1781; Deputy Chairman, 2162.

Corrective Services:
- Juvenile Detention Remissions, q., 1260.
- Women in Prison Task Force, q., 1615, 2067.

Films: X-Rated Video Cassettes, m., 641.

Housing: Public, q., 1809.

Point of Order, 1260.

Social and Welfare Services:
- Child Care Funding, q., 2190.
- Child Protection Unit, q., 457.

Women's Affairs:
- Funding, q., 1723.
- New Opportunities for Women Program, q., 1609.
- Women in Prison Task Force, q., 1615, 2067.

Tink, Mr A. A., B.A., LL.B.(Eastwood):

Assembly, Legislative:
- Council of the Macquarie University, Representative, 671.
- Election, 10.
- Library Committee, Member, 186.
- Oath or Affirmation of Allegiance, 10.

Bills: Summary Offences Bill, and cognate bill, 2R., 1158.

Films: New South Wales Film Corporation, q., 519.

Unsworth, Mr B. J. (Rockdale):

Assembly, Legislative:
- Election, 10.
- Oath or Affirmation of Allegiance, 10.

Bills:
- Essential Services Bill, 2R., 1134; cons. amdts, 2282, 2292, 2294.
- Industrial Arbitration (Amendment) Bill, 2R., 1086; Com., 1105; cons. amdts, 2297.
- Public Sector Management Bill, and cognate bill, 2R., 1447.

Points of Order, 305, 1108, 2284.

Vaughan, The Hon. B. H., LL.B.:


Abortion: Laws, m., 1327.

Bills:
- Essential Services Bill, 2R., 1656.
- Independent Commission Against Corruption Bill (No. 2), 2R., 1741; Com., 1860, 1883; recom., 1890, 1899, 1903.
- Police Regulation (Allegations of Misconduct) Amendment Bill, 2R., 1030.

Corrective Services: Juvenile Offenders, q., 976.

Council, Legislative:
- House Committee, Member, 356.
- Minister for Family and Community Services, q., 1614, 1615, 1726, 1727.
- Minister for Sport, Recreation and Racing, q., 465.
- Select Committee on the Police Regulation (Allegations of Misconduct) Amendment Bill, 1988, Member, 1008.

Courts and Legal Procedure: Indictable Offences, q., 380.

Land and Land Settlement: Royal Agricultural Society Showground, q., 1990, 2066.

Minerals and Mining: Mine Subsidence and Urban Development Committee, q., 1877, 2194.

Ombudsman: Liberal Party Policy, q., 742, 743, 973.

Parliament: Service of Documents, m., 955, 2085.

Turner, Mr J. H., Dip.Law (Myall Lakes):

Assembly, Legislative:
- Election, 10.
- Oath or Affirmation of Allegiance, 10.

Public Service and Statutory Offices: New South Wales Treasury Corporation, q., 1054.
Vaughan, The Hon. B. H., LL.B.
(continued):

Point of Order, 2096.
Statute Revision: Independent Commission Against Corruption Bill, q., 2063, 2194.

Walker, The Hon. Judith:
Abortion: Laws, m., 1314.
Bills:
- Darling Harbour Casino (Repeal) Bill, 2r., 927.
- Essential Services Bill, 2r., 1671.
- Independent Commission Against Corruption Bill (No. 2), 2r., 1693.
- Parliamentary Committees Enabling Bill, 2r., 2086.
- Police Regulation (Allegations of Misconduct) Amendment Bill, 2r., 1012.
- Public Sector Management Bill, and cognate bill, 2r., 1937.
- Transport Appeal Boards (Amendment) Bill, Com., 2070.

Council, Legislative: Standing Orders Committee, Member, 356.

Hospitals: Medical Services Tribunal, q., 1721, 2196.

Law and Order: Violence in Redfern, q., 1265.
Points of Order, 1675, 1839.

Police:
- Deaths, q., 974.
- Footwear, q., 1728.
- Stations:
  - Ballina, q., 748, 979.
  - Redfern Station, q., 626, 749.

Railways: Alexandria Goods Yard Site, q., 979.

Schools: Croydon Park Primary, Maintenance, q., 741.


Walsh, Mr A. P., B.A.(Hons), Dip.Ed. (Maitland):
Assembly, Legislative:
  - Election, 10.
- Oath or Affirmation of Allegiance, 10.
  - Public Accounts Committee, Member, 172.

Health: Area Boards, q., 1061.

Webster, Mr R. J. (Goulburn):
Assembly, Legislative:
  - Administration of Oath or Affirmation of Allegiance, 126.
  - Chairman of Committees, 220.
  - Election, 10.
  - Election of Chairman of Committees, m., 25.
  - Oath or Affirmation of Allegiance, 10.

Commonwealth-State Relations: Financial, m., 336.

Corrective Services: Early Release of Prisoners, q., 46.

Education: Public, m., 2258.

Grains: Handling Inquiry, q., 237.

Local Government: Constitutional Referendum, m., 703.

Obituaries: Aston, Hon. Dr R. W., Minister for Corrective Services, m., 434.
Points of Order, 331, 699, 702.

Roads and Road Safety: Traffic Lights for Goulburn, mem. stmt, 2285.

Welsh, Mr I. J. (Swansea):
Assembly, Legislative:
  - Election, 10.
  - Oath or Affirmation of Allegiance, 10.

Bridges: Swansea, q., 310.

Pollution: Lake Macquarie Foreshores, q., 2364.

Sewerage: Hunter Fringe Areas Scheme, q., 2364.

West, The Hon. G. B. (Orange):
Assembly, Legislative:
  - Appointment to Ministry, 17.
  - Election, 10.
  - Oath or Affirmation of Allegiance, 10.

Bills: Darling Harbour Casino (Repeal) Bill, 2r., 560, 571.

Sport and Recreation: Sydney Football Stadium, q., 795.

Statute Revision: Noise Control Act: Disallowance of Regulations, m., 1073.

Tourist Activities: Marketing, q., 1390.
Whelan, Mr P. F. P., LL.B. (Ashfield):  

Assembly, Legislative:  

Election, 10.  
Mr Speaker, Election, m., 16.  
Oath or Affirmation of Allegiance, 10.  

Sessional Orders:  
Divisions and Quorums, m., 158.  
Suspension of Standing Orders, m., 169.  

Bills:  
Bail (Amendment) Bill, 2R., 892.  
Children (Detention Centres) Amendment Bill, m.s.o., 1068.  
Constitution (Parliamentary Secretaries) Amendment Bill, 2R., 194.  
Coroners (Amendment) Bill 2R., 897.  
Drug Misuse and Trafficking (Amendment) Bill, 2R., 886; Com., 889.  
Essential Services Bill, m.s.o., 1068.  
Film Industry Bill, m.s.o., 1068.  
Independent Commission Against Corruption (Amendment) Bill, 2R., 2273.  
Independent Commission Against Corruption Bill, Com., 845, 850, 851, 852, 855, 858, 859, 862, 863, 864, 866, 868, 869.  
Independent Commission Against Corruption Bill (No. 2), 2R., 1550; Com., 1552, 1553, 1554, 1556, 1558.  
Parliamentary Committees Enabling Bill, m.s.o., 1068; 2R., 1131.  
Prisons (Amendment) Bill, m.s.o., 1068.  
Public Finance and Audit (Amendment) Bill, m.s.o., 1068.  
Public Hospitals (Visiting Practitioners) Amendment Bill, and cognate bill, m.s.o., 1068.  
Summary Offences Bill and cognate bill, m.s.o., 1068; 2R., 1149; Com., 1185.  
Transport Appeal Boards (Amendment) Bill, m.s.o., 1068; 2R., 1192.  

Corrective Services: Prisoner Accommodation, q., 303.  
Crime and Criminals: Hing, Mr Frank, q., 1388.  
Ombudsman: Powers, q., 228.  

Whelan, Mr P. F. P., LL.B. (Ashfield) (continued):  

Points of Order, 143, 146, 304, 803, 1394, 1561, 2267.  
Statute Revision: Local Courts Act, m., 2211.  

White, Mr P. J. (Earlwood):  

Assembly, Legislative:  

Election, 10.  
Oath or Affirmation of Allegiance, 10.  
Printing Committee, Member, 186.  

Willis, The Hon. M. F., R.F.D., E.D., LL.B.:  

Bills:  
Evidence (Crown Privilege) Amendment Bill, 2R., 475.  
Summary Offences Bill, and cognate bill, Com., 2018, 2034.  
Boats and Yachts: Moorings, q., 1485.  
Business and Trade Practices: Gazumping, m., 1248.  

Council, Legislative:  
House Committee, Member, 356.  
Council of the University of New South Wales, Representative, 357.  
Social Issues Committee, Member, 1781.  
Standing Orders Committee, Member, 356.  
Temporary Chairman of Committees, 106.  

Flags: Raising, q., 1727.  
Police:  
Stations:  
Redfern, q., 1801.  
Sutherland, q., 1476.  

Wotton, Mr R. C. A. (Castlereagh):  

Assembly, Legislative:  
Election, 10.  
Election of Chairman of Committees, m., 22.  
Oath or Affirmation of Allegiance, 10.  
Joint Standing Committee upon Road Safety, Member, 189.  
Temporary Chairman of Committees, 25.  
Pondage: Rural Services, q., 1388.  
Water: Rural Services, q., 1388.
INDEX TO SPEECHES

Volume 201


Assembly, Legislative:
  Appointment to Ministry, 1781, 2208.
  Election, 2208.
  Oath of Allegiance, 2208.
Bills: Prisons (Amendment) Bill, cons. amdts, 2298.
  Appointment to Ministry, 1781, 2208.
  Election, 2208.
  Oath of Allegiance, 2208.
Bills: Prisons (Amendment) Bill, cons. amdts, 2298.
  Point of Order, 2300.

Yeomans, Mr G. A., B.A., Dip.Ed. (Hurstville) (continued):

Government, State: Advertising, q., 133.
Hospitals: St George, mem. simt, 176.
Point of Order, 203.

Yeomans, Mr G. A., B.A., Dip.Ed. (Hurstville):

Advertising: Government, q., 133.
Assembly Legislative:
  Election, 10.
  Oath or Affirmation of Allegiance, 10.
  Regulation Review Committee, Member, 187.
Bills:
  Drug Misuse and Trafficking (Amendment) Bill, Com., 889.
  Education and Public Instruction (Amendment) Bill, 2r., 199.
  Higher Education Bill, and cognate bill, 2r., 602.
  Independent Commission Against Corruption Bill, Com., 868.

Zammit, Mr P. J. (Strathfield):

Assembly, Legislative:
  Election, 10.
  Joint Standing Committee upon Road Safety, m., 189.
  Joint Standing Committee upon Road Safety, Member, 189.
  Oath or Affirmation of Allegiance, 10.
Boats and Yachts: Marina for Concord, q., 525.
Commonwealth-State Relations: Financial, m., 342.
Land and Land Settlement: Australian-Yugoslav Community Centre Land: Former Minister for Housing, q., 1520.
Parliament: Joint Standing Committee upon Road Safety, m., 189.
Roads and Road Safety: Hazardous Driving Conditions, mem. simt, 271.