

**GOVERNMENT RAILWAYS (FREE
PASSES) AMENDMENT ACT.****Act No. 47, 1934.****George V.
No. 47, 1934.**

An Act to authorise the issue of free passes under the Government Railways Act, 1912–1932, to certain persons who were Members of the Legislative Council of New South Wales immediately before the twenty-third day of April, one thousand nine hundred and thirty-four; to regulate the holding and use of such free passes by such persons and the periods during which they may be so held and used; for these purposes to amend the Government Railways Act, 1912–1932; and for purposes connected therewith. [Assented to, 27th December, 1934.]

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

**Short title
and com-
mencement.**

**Amendment
of Act No.
30, 1912,
s. 58.**

**(Free
passes.)**

1. (1) This Act may be cited as the "Government Railways (Free Passes) Amendment Act, 1934."

(2) This Act shall be deemed to have commenced upon the twenty-third day of April, one thousand nine hundred and thirty-four.

2. The Government Railways Act, 1912–1932, is amended by inserting at the end of section fifty-eight the following new subsection:—

(2) (a) Every person who, immediately before the commencement of this Act, was a member of the Legislative

Legislative Council shall be entitled to receive and to hold and use a free pass, which shall authorise the holder to travel free on all railways, but which shall in no case be transferable. For the purpose of this paragraph William Edward Brennan, formerly a member of the Legislative Council, shall be deemed to have been a member thereof immediately before the commencement of this Act.

(b) Every free pass issued under this subsection shall—

- (i) be issued in the name of the person entitled to the same;
- (ii) be forthwith returned by the holder thereof or his agent or personal representative upon the holder ceasing to be entitled to hold and use the free pass.

(c) The period during which a person shall be entitled to hold and use a free pass issued to him under this subsection shall be a period equivalent to that during which he held office as a member of the Legislative Council before the date of the commencement of this Act.

(d) Such period shall commence—

(i) in the case of a person who was not among the sixty members elected to the Legislative Council in accordance with section 17D of the Constitution Act, 1902, at the elections held in pursuance of the writ issued by the Governor on the tenth day of October, one thousand nine hundred and thirty-three—on the twenty-third day of April, one thousand nine hundred and thirty-four;

(ii) in the case of a person who was among the sixty members so elected—on the date upon which he ceases to be a member of the Legislative Council.

(e) If a person who holds a free pass issued under this subsection becomes a member of the Legislative Council or a member of the Legislative Assembly

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Assembly before the expiration of the period during which he is entitled to hold and use such free pass, he shall forthwith return such free pass:

And upon ceasing to be a member of the Legislative Council or a member of the Legislative Assembly, as the case may be, such person shall be entitled to receive a free pass under this subsection, and to hold and use the same for a term equal to such portion of the period during which he is entitled under paragraph (c) of this subsection to hold and use a free pass as was unexpired at the date upon which he became such member as aforesaid.

(f) Notwithstanding the provisions of the preceding sub-paragraphs of this subsection, any person who—

- (i) takes any oath or makes any declaration or acknowledgment of allegiance, obedience, or adherence to any foreign prince or power; or
- (ii) does, concurs in, or adopts any act whereby he may become a subject or citizen of any foreign state or power, or whereby he may become entitled to the rights, privileges, or immunities of a subject or citizen of any foreign state or power; or
- (iii) is attainted of treason, or convicted of felony or any infamous crime,

shall not be entitled to receive, or to hold or use any free pass under this subsection; and if any such free pass has previously been issued to him it shall forthwith be returned by him or his agent.