

17

[CONFIDENTIAL]

(Rough Draft for Consideration Only.)

No. , 1937.

2/

A BILL

To ratify certain agreements relating to the operation of that part of the railway between Kyogle and South Brisbane which is in the State of Queensland; to provide for the carrying into effect of those agreements; to validate certain matters; and for purposes connected therewith.

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

1. (1) This Act may be cited as the "Grafton-Kyogle Short title. to South Brisbane Railway Management Act, 1937."

(2) This Act shall be read with the Government Railways Act, 1912, as amended by subsequent Acts.

2/

2. (1) In this Act, unless the context or subject-matter otherwise indicates or requires,— Interpretation.

“The Agreement” means the agreement, a copy of which is set out in the First Schedule to this Act.

“The railway” means that part of the railway between Kyogle and South Brisbane, which is in the State of Queensland, and the lands, works, stations, buildings, yards, and depots and other the conveniences and appurtenances used, or to be used, in connection therewith, and includes any alteration, modification, deviation, or extension of or any addition to the same.

“Operation” includes work, care, control, management, maintenance, repair, renewal or alteration.

“The Supplementary Agreement” means the agreement a copy of which is set out in the Second Schedule to this Act.

(2) A reference in this Act to the Railway Commissioners for New South Wales shall include a reference to the corporation which is for the time being the authority to carry out the Government Railways Act, 1912, as amended by subsequent Acts.

3. (1) The Agreement is hereby ratified and shall commence to take effect as therein provided. Ratification.

(2) The Supplementary Agreement is hereby ratified and shall commence to take effect as therein provided.

4. (1) Notwithstanding the provisions of any other Act— Giving effect to agreement.

(a) the agreements referred to in section three of this Act, and any agreement made pursuant to section five of this Act, may be carried into effect;

(b) all acts, matters and things for or with respect to which provision is made in any such agreement, or, which by any such agreement, are agreed, directed, authorised or permitted to be done or performed, are hereby sanctioned, authorised and confirmed.

Grafton-Kyogle to South Brisbane Railway Management.

(2) Without excluding or limiting any of the obligations powers authorities duties or functions of the Railway Commissioners for New South Wales under the Agreement and the Supplementary Agreement in relation to the operation of the railway—

- (a) the Railway Commissioners for New South Wales shall be subject to any obligations imposed and shall have and may exercise and perform any power authority duty or function conferred or imposed upon it by the Queensland Border to South Brisbane Railway Management Act of 1930 of the State of Queensland;
- (b) any officer or employee of the Railway Commissioners for New South Wales including any officer or employee transferred from the service of The Commissioner for Railways (Queensland) to the service of the Railway Commissioners for New South Wales shall be subject to the like conditions of employment and shall be entitled to salary or wages at the like rate as if at all material times he was employed by the Railway Commissioners for New South Wales in the State of New South Wales.

In this paragraph the expression "conditions of employment" includes—

- (i) the application of the law relating to employees of the Railway Commissioners for New South Wales sustaining personal injury arising out of and in the course of their employment, and
- (ii) the rights of appeal under the provisions of Division 5 of Part VIII of the Government Railways Act, 1912, as amended by subsequent Acts.

5. The Railway Commissioners for New South Wales may from time to time with the approval of the Minister by further agreement make any alteration, amendment, amplification, modification, or extension of, or addition to, or omission from, the Agreement or the Supplementary Agreement

Power to alter or modify Agreement.

Agreement in any respect deemed to be necessary or expedient for giving effect to the Agreement or the Supplementary Agreement or this Act.

6. This Act shall be deemed to have commenced on the twenty-sixth day of September in the year one thousand nine hundred and thirty. Commence-
ment of Act.

FIRST SCHEDULE.

AGREEMENT made to operate from the date hereinafter mentioned and executed on the days hereinafter respectively mentioned between the Railway Commissioners for New South Wales a body corporate under or by virtue of the provisions of the Government Railways Act 1912 as amended and The Commissioner for Railways a body corporate under or by virtue of the provisions of The Railways Act 1914 (Queensland) as amended Whereas in pursuance of the provisions of the Grafton-Kyogle to South Brisbane Railway Agreement Ratification Act 1924-1927 the Grafton-Kyogle to South Brisbane Railway is about to be completed and made ready for traffic And whereas The Commissioner for Railways (Queensland) has requested the Railway Commissioners for New South Wales to undertake the control management operation working and maintenance of that part of the said railway which lies in Queensland (hereinafter referred to as "the railway") on his behalf which the said Railway Commissioners for New South Wales have consented to do Now this Agreement witnesseth and it is hereby agreed as follows:—

Local Traffic in Queensland not to be Catered for.

1. The railway shall not unless in pursuance of an arrangement in that behalf by and between the parties hereto provide for local traffic in Queensland. Mail trains may be stopped at Bromelton to pick up or set down interstate passengers.

New South Wales Rolling Stock to be Used.

2. The rolling stock for the operation of the railway shall be provided by the Railway Commissioners for New South Wales.

Engines to be Worked by New South Wales Drivers and Firemen.

3. The locomotives used in the operation of the railway shall be worked by drivers and firemen employed by the Railway Commissioners for New South Wales.

Three

27

Grafton-Kyogle to South Brisbane Railway Management.

5

Three Queensland Drivers and Three Queensland Firemen to be Transferred to New South Wales.

Subject to the requirements of clause 7 hereof there shall be transferred from the service of The Commissioner for Railways (Queensland) to the service of the Railway Commissioners for New South Wales not more than three drivers and three firemen to be employed where and as may be required by the Railway Commissioners for New South Wales.

New South Wales to Provide Officer-in-Charge Locomotive Depot at Yeerongpilly.

The Railway Commissioners for New South Wales shall provide the Officer-in-Charge (first mechanic) for the locomotive depot at Yeerongpilly.

Queensland to Provide Second Mechanic (if required) for Locomotive Depot, Yeerongpilly.

If the Railway Commissioners for New South Wales shall require a second mechanic in the locomotive depot at Yeerongpilly such mechanic shall be selected from the staff of The Commissioner for Railways (Queensland) who conforms with the requirements of clause 7 hereof and be transferred to the service of the Railway Commissioners for New South Wales.

New South Wales to Provide Shed Firemen and Cleaners at Locomotive Depot, Yeerongpilly.

Such shed firemen and cleaners as may be required in case of emergency to act as drivers and firemen respectively and who must respectively have been passed as acting drivers and acting firemen shall be provided by the Railway Commissioners for New South Wales.

Queensland to Provide Fuelmen, Shed Labourers and any other Employees required at Locomotive Depot, Yeerongpilly.

Shed fireman and cleaners (other than the above) fuelmen shed labourers and other employees if any at the locomotive depot at Yeerongpilly shall in the first instance be selected from the staff of The Commissioner for Railways (Queensland) who conform with the requirements of clause 7 hereof and be transferred to the service of the Railway Commissioners for New South Wales.

New South Wales to Provide Wagon Examiners.

The examiner who will deal with all rolling stock on the railway shall be provided by the Railway Commissioners for New South Wales.

Queensland

Grafton-Kyogle to South Brisbane Railway Management.

Queensland Electrician to Attend to New South Wales Carriages.

An electrician employed by The Commissioner for Railways (Queensland) shall give attention to the electric lighting of the carriage stock on the railway as and when it is necessary and is required by the Railway Commissioners for New South Wales.

Guards and Conductors to be Provided by New South Wales—Two Queensland Guards to be Transferred to New South Wales.

Guards and conductors employed on the railway shall be provided by the Railway Commissioners for New South Wales but in the first instance two guards may subject to the requirements of clause 7 hereof be transferred from the service of The Commissioner for Railways (Queensland) to the service of the Railway Commissioners for New South Wales.

Shunting at South Brisbane and Clapham and Between those Places to be Carried Out by New South Wales Engine and Men and Queensland Guard.

4. Shunting operations at South Brisbane and Clapham and between those places shall be carried out and controlled by a shunter or guard employed by The Commissioner for Railways (Queensland) using a locomotive provided by the Railway Commissioners for New South Wales worked by a driver and fireman similarly provided.

New South Wales to Provide Signalmen at Kagaru and Glenapp.

The Railway Commissioners for New South Wales shall provide signalmen at Kagaru and Glenapp.

Queensland to Provide Signalmen at Clapham, Yeerongpilly and South Brisbane.

The Commissioner for Railways (Queensland) shall provide signalmen at Clapham, Yeerongpilly and South Brisbane.

Queensland to Provide all Traffic Employees at Clapham and South Brisbane except one or two New South Wales Clerks (for checking purposes).

Traffic employees at Clapham and South Brisbane with the exception of one or two clerks who may be provided by the Railway Commissioners for New South Wales for checking purposes shall be provided by and be under the control of The Commissioner for Railways (Queensland).

Queensland to Provide Rest House Attendants at Yeerongpilly and South Brisbane.

Rest house attendants at Yeerongpilly and South Brisbane shall be selected from employees of The Commissioner for Railways (Queensland) who conform with the requirements of clause 7 hereof and shall be transferred to the service of the Railway Commissioners for New South Wales.

New

Grafton-Kyogle to South Brisbane Railway Management.

7

New South Wales to Maintain Main Line and all Sidings between the Border and South Brisbane, including three feet six inches gauge Sidings at Yeerongpilly Locomotive Depot and Clapham.

5. The Railway Commissioners for New South Wales shall maintain the main line and sidings and the sidings at Glenapp and Kagaru; the main line and sidings at Clapham and Yeerongpilly and the sidings from the Queensland line into Yeerongpilly and Clapham yards from the points of clearance of the Queensland line; the diamond crossings on the triangular connection from the Corinda Branch to Yeerongpilly where the same are crossed by the South Brisbane to Kyogle Railway to the points of clearance; and the sidings in the South Brisbane station yard in connection with the railway.

Queensland to Maintain all Buildings and Signal Cabins.

The Commissioner for Railways (Queensland) shall maintain all buildings and signal cabins on the railway.

New South Wales to Maintain Electric Staff and Telephones also Signalling and Interlocking at Glenapp and Kagaru.

The Railway Commissioners for New South Wales shall maintain the line wires from the border to a point near Salisbury where the same cease to be a separate unit and come into contact with the wires of the Queensland South Coast railway and are attached to the poles used in connection with the Queensland railway; the signalling and interlocking at Glenapp and Kagaru; and the electric staff appliances and telephones on the railway.

Queensland to Maintain Interlocking and Signalling at Clapham, Yeerongpilly and South Brisbane.

The Commissioner for Railways (Queensland) shall maintain the interlocking and signalling apparatus at Clapham, Yeerongpilly and at the South Brisbane station in connection with the railway.

New South Wales to Maintain Control and Operate Water Supplies.

The Railway Commissioners for New South Wales shall maintain, control and operate the locomotive water supply on the railway.

Nine Gangers and Thirty-six Fettlers on the Queensland Staff to be Transferred to New South Wales Staff.

The Railway Commissioners for New South Wales shall subject to the requirements of clause 7 hereof arrange for the transfer to their service of nine gangers and of fettlers to a number not exceeding thirty-six from the service of The Commissioner for Railways (Queensland).

Rental

Grafton-Kyogle to South Brisbane Railway Management.

Rental of Cottages in Queensland to be Credited to Line.

The rentals of cottages in Queensland occupied by gangers fettlers or gatekeepers shall be credited to the railway (South Brisbane to border section) at amounts current as rentals for such cottages on the Queensland Railways.

Queensland Railway Commissioner to Render Assistance in Emergency.

6. If in cases of emergency assistance is required The Commissioner for Railways (Queensland) shall render the same at the actual cost thereof.

Conditions of Transfer of Queensland Employees to New South Wales Staff.

7. The transfer of any employee from the service of The Commissioner for Railways (Queensland) to the service of the Railway Commissioners for New South Wales will only be made if such employee conforms with the medical and other requirements except age of the New South Wales service and if in any case there be no available employee who conforms with such requirements the employee in such case shall be provided by the Railway Commissioners for New South Wales. Any employee so transferred shall have his service with The Commissioner for Railways (Queensland) terminated and all and any rights to leave and retiring allowance or either of them which may have accrued to him if on such termination he had been duly retired shall remain in suspense to be allowed to him on the termination of his service with the Railway Commissioners for New South Wales or in respect of leave at such time as he may elect with the approval of the Railway Commissioners for New South Wales to take such leave. Service with the Railway Commissioners for New South Wales shall be according to New South Wales conditions entirely except that service with The Commissioner for Railways (Queensland) shall be taken into account for determining rates of pay where due according to years of service.

The right of a transferred employee to extended leave shall not be lost solely by reason of the fact that the employee concerned does not resume service under The Commissioner for Railways (Queensland).

At the termination of this agreement for any reason whatsoever any employee of the Railway Commissioners for New South Wales who was transferred to their service from the service of The Commissioner for Railways (Queensland) pursuant to the provisions of this agreement shall be re-transferred to the service of The Commissioner for Railways (Queensland).

Any service with the Railway Commissioners for New South Wales of any employee transferred from Queensland shall not be regarded for any purpose whatsoever as service with or under The Commissioner for Railways (Queensland).

Conditions

25

Grafton-Kyogle to South Brisbane Railway Management.

Conditions of Filling Vacancies in Positions Filled by Transferred Employees.

Any vacancy arising from the death, resignation, dismissal or retirement of an employee transferred from the service of The Commissioner for Railways (Queensland) to the service of the Railway Commissioners for New South Wales shall be filled by an employee selected from the staff of The Commissioner for Railways (Queensland) who conforms with the requirements of this clause and who shall subject in all respects hereto be transferred to the service of the Railway Commissioners for New South Wales.

New South Wales Rules and Regulations to Apply.

8. The Rules and Regulations of the Railway Commissioners for New South Wales shall apply to the staff employed by them in working and maintaining the railway.

Joint Inquiry Boards.

In the event of an offence or irregularity coming to the knowledge of the Railway Commissioners for New South Wales or the head of the branch concerned in New South Wales which is to form the subject of an inquiry it shall if it involves or is likely to involve a member of the staff of The Commissioner for Railways (Queensland) be brought under the notice of The Commissioner for Railways (Queensland) who may if he thinks fit appoint an officer to represent him on the Board of Inquiry. Similarly if an offence or irregularity shall come to the knowledge of The Commissioner for Railways (Queensland) or the head of the branch concerned in Queensland which is to form the subject of a joint inquiry it shall if it involves or is likely to involve a member of the staff of the Railway Commissioners for New South Wales be brought under the notice of the Railway Commissioners for New South Wales who may if they think fit appoint an officer to represent them on the Board of Inquiry; but if through oversight or for any other reason any matter shall form the subject of inquiry without having been brought under the notice of the respective Commissioners the determination of the Board of Inquiry shall not on that account be affected it being left to the State concerned to pursue its own inquiry. Provided that if the determinations of the Boards of Inquiry in the respective States are in conflict a joint meeting of the Officers comprising both Boards may be arranged at the request of either State for the purpose of further investigating and reporting on the offence or irregularity.

Queensland Train Control Officer to Control Running of Trains on Queensland Section.

The station master at South Brisbane station in connection with the railway and the station master or other officer-in-charge at Clapham shall control the running of trains and direct the staff of the Railway.

Railway Commissioners for New South Wales at the said South Brisbane station and Clapham and between those places subject to the directions of the Queensland Train Control Officer who shall in all other respects control the running of trains on the railway and shall notify the District Superintendent, South Grafton, of any arrangements he may make.

The Commissioner for Railways (Queensland) or any officer appointed by him in connection with the working of this railway may in Queensland suspend from duty any employee of the Railway Commissioners for New South Wales for misconduct or for such other reason as such Commissioner or other officer shall consider sufficient.

Co-operation to Avoid Delays to Rolling Stock.

9. Employees of The Commissioner for Railways (Queensland) shall as far as practicable avoid delay to rolling stock and shall work in co-operation with employees of the Railway Commissioners for New South Wales.

Demurrage Detention and Diversion Charges to be in Accordance with New South Wales Rates.

Demurrage detention and diversion charges to the public shall be in accordance with By-laws made by the Railway Commissioners for New South Wales and shall be allocated to the New South Wales section of the Grafton-Kyogle to South Brisbane line. No demurrage charges shall be payable by The Commissioner for Railways (Queensland) to the Railway Commissioners for New South Wales except those collected from the public. The Railway Commissioners for New South Wales shall allow discretionary power to officers nominated by The Commissioner for Railways (Queensland) in regard to remission in whole or in part of any demurrage charges.

No Alteration in Services or Additional Stops or Facilities to be Provided without Consent of Queensland Railway Commissioner.

10. The Commissioner for Railways (Queensland) shall be consulted with regard to any alteration of the service on the railway.

No additional stops stopping places or facilities for handling any public traffic on the railway shall be undertaken or provided without the consent of the Commissioner for Railways (Queensland).

Leave and Privilege Passes not to be Available.

11. Travel on an annual leave or a privilege pass on the railway shall not be permitted by any express train or any division thereof unless such pass is specially endorsed to permit of such travel by such train.

Rates

Grafton-Kyogle to South Brisbane Railway Management.

Rates and Fares.

12. The existing bases of arbitrary Inter-system rates and fares shall be maintained except in instances where the combined local rates and fares are cheaper.

In cases where rates and fares are charged on an arbitrary Inter-system basis no additional charge shall be made for the conveyance of passengers and goods between Grafton and South Grafton either by ferry or by road pending the completion of and running of trains over the Clarence River bridge.

Where rates and fares are computed on the combined local rates and fares any prescribed additional charge for transportation between Grafton and South Grafton may be made.

In calculating the New South Wales proportion of arbitrary Inter-system rates and fares the Clarence River bridge mileage of one mile and seventy-eight chains shall be added to the New South Wales mileage.

For the purpose of computing Inter-system goods rates the New South Wales maximum rates shall apply both to and from Sydney.

Excursion Tickets.

Excursion tickets shall be available on the railway.

Expenditure.

13. The working expenses of the Grafton-Kyogle to South Brisbane line of railway shall be calculated and distributed between the parts of the said line of railway in New South Wales and Queensland respectively as follows:—

Permanent Way Branch Expenditure.

The actual cost of the maintenance of the track station buildings depots and other works and structures as set out in the Classification of Working Expenses Accounts plus a proportion of the Branch Supervision expenditure distributed each month on the basis of the direct wages cost for the whole branch for the previous quarter.

Signalling Branch Expenditure.

The actual cost of maintenance of signalling and interlocking signal boxes and other works as set out in the Classification of Working Expenses Accounts plus a proportion of the Branch Supervision expenditure distributed each month on the basis of the direct wages cost for the whole branch for the previous quarter.

In this Agreement the term "train mileage" shall not include mileage run by light engines assisting engines or shunting engines.

Locomotive

Grafton-Kyogle to South Brisbane Railway Management.

Locomotive Branch Expenditure.

The cost of general supervision shall be calculated on the figures for the previous quarter on the basis of the train mileage for the whole system operated or to be operated by the Railway Commissioners for New South Wales and applied to the train mileage run each month on the parts of the said line of railway in New South Wales and Queensland respectively.

The cost of running superintendence shall be calculated on the figures for the previous quarter on the basis of the engine mileage for the whole system operated or to be operated by the Railway Commissioners for New South Wales and applied to the engine mileage run each month on the parts of the said line of railway in New South Wales and Queensland respectively.

The actual wages and expenses paid to locomotive drivers and firemen working on the sections Grafton to the Border and the Border to South Brisbane, plus the ascertained percentage of cost of holidays of drivers and firemen to direct wages for the previous quarter for the whole system operated or to be operated by the Railway Commissioners for New South Wales.

The cost of running shed labour and supplies shall be calculated on the figures for the previous quarter on the basis of the engine miles for the whole system operated or to be operated by the Railway Commissioners for New South Wales and applied to the engine miles run each month on the parts of the said line of railway in New South Wales and Queensland respectively.

Fuel.—Actual cost of consumption to be ascertained from reports of Steam Shed Inspectors.

Water.—Actual or approximate quantities used to be ascertained from reports of Steam Shed Inspectors.

Oil, Tallow, Waste and Stores for Cleaners.—Actual cost to be ascertained from reports of Steam Shed Inspectors.

Injuries to employees and others.—Actual cost.

Other expenses.—Actual cost.

To be distributed on the basis of the engine mileage run each month between Grafton and the Border and the Border and South Brisbane.

The cost of engine repairs shall be based on the engine miles run by each class of engine on the Grafton-Kyogle to South Brisbane line of railway multiplied by the ascertained cost of repairs per engine mile for that class of engine for the whole system operated or to be operated by the Railway Commissioners for New South Wales for the previous financial quarter and shall be distributed each month.

Cost

Grafton-Kyogle to South Brisbane Railway Management.

Cost of Carriage Repairs.

The cost of carriage repairs shall be computed by multiplying the mileage run by each of the types of carriage on the Grafton-Kyogle to South Brisbane line of railway by the ascertained cost of repairs per car mile for each of those types of vehicles on the whole railway system operated or to be operated by the Railway Commissioners for New South Wales for the previous financial quarter and shall be distributed each month.

Cost of Wagon Repairs.

The cost of wagon repairs shall be computed by multiplying the gross ton miles of the types of vehicles run on the Grafton-Kyogle to South Brisbane line of railway by the ascertained repair cost per 1,000 gross ton miles of those types of vehicles over the whole system operated or to be operated by the Railway Commissioners for New South Wales for the previous financial quarter.

Cost of Examination of Vehicles.

The cost of the examination and lubrication of vehicles shall be computed on the figures for the previous financial quarter on the basis of the gross ton miles for the whole system operated or to be operated by the Railway Commissioners for New South Wales and applied to the gross ton miles run each month on the parts of the said line of railway in New South Wales and Queensland respectively.

Traffic Branch Expenditure.

- General Superintendence. } The cost shall be calculated on the figures for the previous quarter on the basis of the train mileage for the whole system operated or to be operated by the Railway Commissioners for New South Wales and applied to the train mileage run each month on the parts of the said line of railway in New South Wales and Queensland respectively.
- Stationery, Printing and Advertising. }
- Station Yard and Signal Services. } The actual cost between Grafton and the Border and between the Border and South Brisbane shall be debited each month to the New South Wales and Queensland parts of the line of railway respectively.
- Gatekeeping. }

Guards and Conductors.—The actual wages and expenses of the guards and conductors working on the sections Grafton to the Border and the Border to South Brisbane plus the ascertained percentage cost of holidays of guards and conductors to the direct wages for the previous quarter for the whole system operated or to be operated by the Railway Commissioners for New South Wales.

Cleaning

Grafton-Kyogle to South Brisbane Railway Management.

Cleaning, Icing and other
Services of Carriages.

Supplies for Carriages.

Light for Carriages.

Actual cost if available to be distributed each month between Grafton and the Border and the Border and South Brisbane or if the actual cost cannot be readily ascertained the cost shall be computed on a passenger vehicle mileage basis on the figures for the previous quarter for the whole system operated or to be operated by the Railway Commissioners for New South Wales and distributed on a passenger vehicle mileage basis between the New South Wales and Queensland parts of the said line of railway respectively.

Repairs and Renewals to Tarpaulins and Lashings.

If the goods contents ton miles in respect of goods carried in open goods wagons can be readily ascertained cost of repairs and renewals to tarpaulins and lashings to be computed on the basis of the ratio of goods contents ton miles for the line of railway Grafton-Kyogle to South Brisbane to similar goods contents ton miles for the whole system operated or to be operated by the Railway Commissioners for New South Wales on the figures for the previous quarter and on the percentage that the number of open goods wagons bears to the total number of wagons in stock and in use between Grafton and South Brisbane.

If such goods contents ton miles as above cannot be readily ascertained then cost to be computed on the basis of the ratio of general goods contents ton miles for the said line of railway to the general goods contents ton mile for the whole system operated or to be operated by the Railway Commissioners for New South Wales on the figures for the previous quarter.

Loss of and Damage to Property and Goods. Compensation Personal.

The actual cost between Grafton and South Brisbane to be distributed between the New South Wales and Queensland portions of the line of railway on the basis of the train mileage run for the previous quarter between Grafton and the Border and the Border and South Brisbane.

Injuries to Employees—Other Expenses.

The actual cost between Grafton and South Brisbane to be distributed between New South Wales and Queensland portions of the line of railway on the basis of the train mileage run for the current month between Grafton and the Border and the Border and South Brisbane.

Provided

Provided, however, that no part of any damages or compensation payable in respect of any loss of or damage to goods or of personal injury to employees passengers or other persons or of any expense consequent thereupon arising from or through the running of any train on the line of railway between Grafton and the Queensland border for the purposes of New South Wales local traffic unconnected with the railway shall be charged to the railway.

Cost of Working Casino Refreshment Rooms.

Two-thirds of the cost of the working of the refreshment room at Casino shall be debited to the line from Grafton to the Border and one-third to the Railway Commissioners for New South Wales and distributed each month but this allocation shall be reviewed one year after this Agreement takes effect and unless an allocation upon another basis is agreed upon this allocation shall continue until such agreement is reached.

General Charges.

The cost of general charges shall be calculated on the figures for the previous quarter on the basis of the train mileage for the whole system operated or to be operated by the Railway Commissioners for New South Wales and applied to the train mileage run each month on the New South Wales and Queensland portions of the said line of railway respectively.

Cost of Working Grafton Casino and South Brisbane Stations.

The expenditure at the stations at Grafton and Casino and at South Brisbane and the signalmen's wages at Yeerongpilly shall be distributed each month according to the proportion ascertained by taking the number of trains (excluding light and assisting engines) handled at each station in connection with the Grafton-Kyogle to South Brisbane line of railway in relation to the number of trains (excluding light and assisting engines) handled otherwise but this basis shall be reviewed three months after the line from Grafton to South Brisbane has been opened for traffic and unless another basis is then agreed upon shall be continued.

The full wages cost of the goods staff specially provided at South Brisbane shall be charged to the railway.

Cost of Working Clapham.

The cost of working Clapham transshipping station shall be distributed each month equally between the Queensland Railways and the line between South Brisbane and the Border, with the exception of the wages of signalmen which shall be debited wholly to the latter.

Depreciation.

Grafton-Kyogle to South Brisbane Railway Management.

Depreciation—How to be Estimated.

Depreciation (to provide for renewals, replacements and obsolescence) to be calculated on the following bases:—

Rolling Stock.	Estimated life. Years.	Rate per cent. per annum.	
Locomotives ...	30	3.33	To be distributed each month on the same bases as are previously herein set out under the headings of Repairs to Engines, Carriages and Wagons.
Carriages ...	35	2.857	
Wagons ...	35	2.857	
Permanent Way— Rails and Fastenings ...	25	4.00	To be distributed each month on the basis of the actual capital cost in each State.
Sleepers ...	20	5.00	
Workshops ...	50	2.0	To be computed on the cost per train mile for the previous financial quarter for the whole system operated or to be operated by the Railway Commissioners for New South Wales applied to the train miles run on the portions of the said line of railway in New South Wales and Queensland respectively.
Machinery ...	15	6.66	
Stations and other Buildings.	50	2.00	To be distributed each month on the basis of the actual capital cost in each State.
Bridges ...	60	1.66	To be distributed each month on the basis of the actual capital cost in each State.

Sinking Fund—No Debit to be made Against.

As neither the New South Wales nor Queensland Railways system is being debited with Sinking Fund charges at the date of this Agreement under clause 12, subclause 6; of the Agreement made between the Commonwealth and the States of New South Wales and Queensland, no debit on this account shall be made against the working of the Grafton-Kyogle to South Brisbane line.

Interest

Interest Charges—How to be Calculated.

A proportion of the interest charges on the capital cost (as such cost is disclosed in the books of account of the New South Wales Railways) of rolling stock, workshops and machinery and on votes for the purchase of stores shall form a charge against the gross earnings of the Grafton-Kyogle to South Brisbane railway and proportion shall be ascertained by the following methods, and distributed monthly:—

Rolling stock to be calculated by taking for the previous financial year the engine and vehicle mileage over the whole system operated or to be operated by the Railway Commissioners for New South Wales for the class of locomotives, carriages and wagons in use on the Grafton-Kyogle to South Brisbane line of railway in relation to the engine and vehicle mileage on such line of railway.

Workshops and machinery: to be calculated by taking for the previous financial year the train mileage for the whole system operated or to be operated by the Railway Commissioners for New South Wales in relation to the train mileage on the Grafton-Kyogle to South Brisbane line of railway.

Purchase of stores: to be calculated by taking monthly the value of the stores issued on account of the railway in relation to the value of the stores issued on account of the whole system operated or to be operated by the Railway Commissioners for New South Wales.

Earnings—How to be Distributed over Queensland and New South Wales Sections of Railway.

Earnings Passenger Parcels and Goods Traffic.

Earnings from passenger parcels and other coaching traffic goods and livestock traffic carried at arbitrary Inter-system rates and fares shall be distributed monthly apportioned on a route mileage basis and each State's quota so arrived at shall be apportioned on a similar basis over the sections kept separately by each State.

Where the combined local rates and fares are less than the arbitrary Inter-system rates and fares each State shall be accredited with its local mileage rate or fare.

In the division of revenue neither party shall receive as its proportion less than 1s. per goods consignment nor 3d. per parcels consignment.

Local Earnings.

All local earnings such as cloak-room charges platform tickets rents and advertising at Grafton and Casino stations shall be apportioned according to the result obtained by taking the number of passenger trains handled at each station in connection with the Grafton-Kyogle to South Brisbane line of railway in relation to the number of passenger trains handled otherwise.

Grafton-Kyogle to South Brisbane Railway Management.

At South Brisbane station in connection with the line where a separate service is provided for the said line of railway the whole of the local earnings shall be credited to the railway that is to say by way of example only the earnings from advertising on the station at South Brisbane in connection with the railway and the walls thereof shall be wholly credited to the railway (South Brisbane to Border section).

Earnings of Refreshment Room Casino.

The earnings of the refreshment room at Casino shall be credited in the proportion of two-thirds thereof to the line of railway from Grafton to the Border and one-third to the Railway Commissioners for New South Wales but this allocation shall be reviewed one year after this agreement takes effect and unless an allocation upon another basis is agreed upon this allocation shall continue until such agreement is reached.

Earnings from Transshipping Charges Clapham.

Earnings derived from transshipping at Clapham shall be divided equally between The Commissioner for Railways (Queensland) and the line of railway from South Brisbane to the Border.

Earnings from Sleeping Berths.

The earnings from sleeping berth tickets shall be distributed monthly on a route mileage basis when sleeping cars are run through from Sydney to South Brisbane.

Earnings from Reserved Seat Tickets.

The State doing the booking of reserved seats shall retain the earnings from the sale of tickets therefor.

Carriage of Mails.

The revenue from the carriage of mails shall be divided in respect of such carriage in New South Wales according to the proportion which the route mileage from Grafton to the Border bears to the total route miles of line of the State of New South Wales and in respect of such carriage in Queensland according to the proportion which the route mileage from the Border to South Brisbane bears to the total route miles of line in the State of Queensland but this method of calculation shall be reviewed in January 1931 and if another method of calculation is not then agreed upon shall continue until such agreement is reached.

Legislation to Ratify Agreement.

The Railway Commissioners for New South Wales and The Commissioner for Railways (Queensland) shall endeavour to ensure legislation to have this Agreement ratified by the Parliaments of New South Wales and Queensland respectively and for purposes connected therewith.

Period

Grafton-Kyogle to South Brisbane Railway Management.

Period of Operation of Agreement.

This Agreement shall take effect on the opening of the railway from Kyogle to South Brisbane and shall remain in force for the period of three years thereafter provided that either of the parties hereto may at any time and on any day during the currency of the first two years and nine months of this Agreement terminate it by giving three months' notice in writing to the other party and after the expiration of the said two years and nine months the Agreement if still in operation shall continue and remain in force for an indefinite period subject to termination by either party giving three months' notice in writing at any time and on any day to the other party as abovementioned.

In witness whereof the Common Seals of the Railway Commissioners for New South Wales and of The Commissioner for Railways hath been respectively hereunto affixed.

The Common Seal of Railway Commissioners for New South Wales hath been hereunto duly affixed this sixteenth day of September one thousand nine hundred and thirty in the presence of—

W. J. CLEARY.
O. W. BRAIN.
(L.S.)

W. H. NEWMAN,
Secretary.

The Common Seal of the Commissioner for Railways hath been hereunto duly affixed this nineteenth day of September one thousand nine hundred and thirty in the presence of—

J. W. DAVIDSON.
(L.S.)

C. A. MURTON,
Secretary.

SECOND SCHEDULE.

AGREEMENT (supplemental to the Agreement entered into between Railway Commissioners for New South Wales and The Commissioner for Railways of the State of Queensland respecting the operation of the Grafton-Kyogle to South Brisbane Railway (hereinafter referred to as the Agreement)) executed on the dates hereinafter respectively mentioned between the Commissioner for Railways of the State of New South Wales successor to the abovementioned Railway Commissioners for New South Wales (hereinafter called The Commissioner for Railways (New South

Grafton-Kyogle to South Brisbane Railway Management.

South Wales) of the one part and the Commissioner for Railways of the State of Queensland (hereinafter called The Commissioner for Railways (Queensland)) of the other part Whereby it is agreed and declared as follows:—

1. The agreement is hereby amended in the following manner:—

(a) Clause 1 is deleted and the following clause is inserted in lieu thereof:—

Local Traffic in Queensland not to be Catered for.

The railway shall not unless in pursuance of an arrangement in that behalf by and between the parties hereto provide for local traffic in Queensland. Trains shall be stopped and traffic conducted as directed by The Commissioner for Railways (Queensland).

This amendment shall be deemed to have come into operation on and to have taken effect from the twenty-seventh day of September one thousand nine hundred and thirty.

(b) The heading of the second paragraph and the second paragraph of clause 3 are deleted and the following heading and paragraph are inserted in lieu thereof:—

Drivers and Firemen to be Transferred to New South Wales.

Subject to the requirements of clause 7 of the Agreement there shall from time to time be transferred from the service of The Commissioner for Railways (Queensland) to the service of The Commissioner for Railways (New South Wales) as many drivers and firemen as on the basis of the mileage run on the railway are necessary for the running of trains thereon Provided that if at any time the drivers or firemen so transferred exceed in numbers those on the basis of the mileage run on the railway necessary for the running of trains thereon one or more as the case may require of the drivers and of the firemen so transferred shall be re-transferred to the service of The Commissioner for Railways (Queensland) and unless otherwise mutually agreed re-transfer shall be made of the junior man or men in the respective grades Provided also that transferred drivers and firemen whilst in the service of The Commissioner for Railways (New South Wales) may be employed as and where required by The Commissioner for Railways (New South Wales).

This amendment shall be deemed to have come into operation and to have taken effect as to three drivers and three firemen from the twenty-seventh day of September one thousand

37

Grafton-Kyogle to South Brisbane Railway Management.

thousand nine hundred and thirty and as to drivers or firemen in excess of three of each from the first day of July one thousand nine hundred and thirty-five.

- (c) In clause 3 the word "two" in the heading to the last paragraph is deleted and the following words are added to the said last paragraph:—

Subject to the requirements of clause 7 of the Agreement there shall from time to time be transferred from the service of The Commissioner for Railways (Queensland) to the service of The Commissioner for Railways (New South Wales) as many additional guards as on the basis of the mileage run on the railway are necessary for the running of trains thereon Provided that if at any time the guards so transferred exceed in number those on the basis of the mileage run on the railway necessary for the running of trains thereon one or more as the case may require of the guards so transferred shall be re-transferred to the service of The Commissioner for Railways (Queensland) and unless otherwise mutually agreed re-transfer shall be made of the junior guard or guards.

- (d) The words "Unless otherwise agreed by the parties hereto" are inserted before the words "Shunting operations" appearing at the commencement of the first paragraph of clause 4 under the heading "Shunting at South Brisbane and Clapham and between those places to be carried out by New South Wales engine and men and Queensland guard."

- (e) In clause 4 the last paragraph under the heading "Queensland to provide rest house attendants at Yeerongpilly and South Brisbane" is deleted and the following paragraph is inserted in lieu thereof:—

Rest house attendants at Yeerongpilly and South Brisbane shall be provided by and be under the control of The Commissioner for Railways (Queensland).

This amendment shall be deemed to have come into operation on and to have taken effect from the sixth day of July one thousand nine hundred and thirty-one.

- (f) In clause 5 the heading "Nine Gangers and thirty-six Fettlers on the Queensland Staff to be transferred to New South Wales Staff" and also the paragraph appearing thereunder are deleted and the following heading and paragraph are inserted in lieu thereof:—

Gangers and Fettlers for the Maintenance of the Railway to be provided by Queensland.

The Commissioner for Railways (Queensland) shall subject to the requirements of clause 7 of the Agreement provide the gangers and fettlers for the maintenance of the railway and they shall from the time of such provision be in the service of The Commissioner for Railways (New South Wales). This

Grafton-Kyogle to South Brisbane Railway Management.

This amendment shall be deemed to have come into operation on and to have taken effect from the twenty-seventh day of September one thousand nine hundred and thirty.

- (g) The first paragraph of clause 7 is deleted and the following paragraph is inserted in lieu thereof:—

The transfer of any employee from the service of The Commissioner for Railways (Queensland) to the service of The Commissioner for Railways (New South Wales) will only be made if such employee conforms with the medical and other requirements except age of the New South Wales service and if in any case there be no available employee who conforms with such requirements the employee in such case shall be provided by The Commissioner for Railways (New South Wales). An employee under consideration for transfer shall be deemed to conform with the medical requirements of the New South Wales service in respect of physical fitness if the Queensland Railway Medical Officer after examining him in accordance with the Standards of the New South Wales service certifies that he does so. Any employee so transferred shall have his service with The Commissioner for Railways (Queensland) terminated and all and any rights to leave and retiring allowance or either of them which may have accrued to him if on such termination he had been duly retired shall remain in suspense to be allowed to him on the termination of his service with The Commissioner for Railways (New South Wales) or in respect of leave at such time as he may elect with the approval of The Commissioner for Railways (New South Wales) to take such leave. Service with The Commissioner for Railways (New South Wales) shall be according to New South Wales conditions entirely but service with The Commissioner for Railways (Queensland) shall be taken into account for determining rates of pay where due according to years of service and gangers and fettlers shall remain or become and be eligible for transfer to or promotion in the service of The Commissioner for Railways (Queensland) and any ganger or fettler selected for transfer or promotion shall be re-transferred to the service of The Commissioner for Railways (Queensland).

This amendment insofar as it relates to the examination in respect of physical fitness by the Queensland Railway Medical Officer of employees under consideration for transfer shall be deemed to have come into operation on and to have taken effect from the twelfth day of October one thousand nine hundred and thirty-one.

(h)

Grafton-Kyogle to South Brisbane Railway Management.

- (h) In clause 7 the following paragraph under the heading "Conditions of Transfer of Queensland Employees to New South Wales staff" is deleted:—

Any service with the Railway Commissioners for New South Wales of any employee transferred from Queensland shall not be regarded for any purpose whatsoever as service with or under The Commissioner for Railways (Queensland).

- (i) The last paragraph of clause 7 under the heading "Conditions of Filling Vacancies in Positions filled by Transferred Employees" is deleted and the following paragraph is inserted in lieu thereof:—

Any vacancy arising from the death, resignation, dismissal, retirement or re-transfer to the service of The Commissioner for Railways (Queensland) of an employee transferred from the service of The Commissioner for Railways (Queensland) to the service of The Commissioner for Railways (New South Wales) shall be filled by an employee selected from the staff of or provided by The Commissioner for Railways (Queensland) who conforms with the requirements of this clause and who shall subject in all respects hereto be transferred to the service of The Commissioner for Railways (New South Wales).

- (j) The heading "Queensland Train Control Officer to Control Running of trains on Queensland Section" in clause 8 and the first paragraph thereunder are deleted and the following heading is substituted in lieu of that deleted, viz., "Commissioner for Railways (Queensland) may suspend New South Wales Officers." The word "this" where it occurs between the words "of" and "railway" in the second paragraph under the said heading is deleted and the word "the" is inserted in lieu thereof.

These amendments shall be deemed to have come into operation on and to have taken effect from the twenty-seventh day of September one thousand nine hundred and thirty.

- (k) In clause 9 the heading "Demurrage, Detention and Diversion Charges to be in accordance with New South Wales Rates" and also the paragraph appearing thereunder are deleted and the following heading and paragraph are inserted in lieu thereof:—

Demurrage, Detention and Diversion Charges.

Demurrage, detention and diversion charges to the public shall be in accordance with by-laws made by The Commissioner for Railways (New South Wales). Demurrage charges shall be allocated to the New South Wales portion

portion of the Grafton-Kyogle to South Brisbane line. Detention charges shall be credited to the railway. Charges for diversions effected at Clapham shall be allocated equally between the railway and The Commissioner for Railways (Queensland). Charges for diversions effected at South Brisbane station connected with the railway shall be allocated to the railway. The railway shall not be credited with any portion of charges for diversions effected at stations on the New South Wales portion of the Grafton-Kyogle to South Brisbane line. No demurrage charges shall be payable by The Commissioner for Railways (Queensland) to The Commissioner for Railways (New South Wales) except those collected from the public. The Commissioner for Railways (Queensland) or any officer authorised by him may wholly or partially remit any demurrage charge.

- (1) Clause 11 and the heading thereto are deleted and the following clause and heading are inserted in lieu thereof:—

Availability of Leave and Privilege Passes.

11. Travel on the railway on an annual leave or a privilege pass will only be permitted if and as agreed upon between The Commissioner for Railways (Queensland) and The Commissioner for Railways (New South Wales).

This amendment shall be deemed to have come into operation on and to have taken effect from the twenty-seventh day of September one thousand nine hundred and thirty.

- (m) The second, third and fourth paragraphs of clause 12 under the heading "Rates and Fares" are deleted.
- (n) After the paragraph of clause 12 headed "Excursion Tickets" the following heading and paragraph are inserted:—

Train Mileage.

In this agreement the term "train mileage" shall not include mileage run by a light engine, an assisting engine or a shunting engine.

This amendment shall be deemed to have come into operation on and to have taken effect from the twenty-seventh day of September one thousand nine hundred and thirty.

- (o) In clause 13 the second paragraph under the heading "Signalling Branch Expenditure" is deleted.

This amendment shall be deemed to have come into operation on and to have taken effect from the twenty-seventh day of September one thousand nine hundred and thirty.

- (p) In clause 13 the items "Injuries to employees and others Actual cost" "Other expenses Actual cost" in the fifth paragraph under the heading "Locomotive Branch Expenditure" are deleted. (q).

Grafton-Kyogle to South Brisbane Railway Management.

- (q) In clause 13 the words "On the basis of mileage run by each class of engine on the railway and between Grafton and the Border respectively" are added to the last paragraph under the heading "Locomotive Branch Expenditure."

This amendment shall be deemed to have come into operation on and to have taken effect from the twenty-seventh day of September one thousand nine hundred and thirty.

- (r) In clause 13 the words "On the basis of mileage run by each type of carriage on the railway and on the New South Wales portion of the Grafton-Kyogle to South Brisbane line respectively" are added to the paragraph under the heading "Cost of Carriage Repairs."

This amendment shall be deemed to have come into operation on and to have taken effect from the twenty-seventh day of September one thousand nine hundred and thirty.

- (s) In clause 13 the paragraph under the heading "Cost of Wagon Repairs" is deleted and the following paragraph is inserted in lieu thereof:—

The cost of wagon repairs shall be computed by multiplying the gross ton miles of the types of vehicles run on the Grafton-Kyogle to South Brisbane line of railway by the ascertained repair cost per gross ton mile of those types of vehicles over the whole system operated or to be operated by The Commissioner for Railways (New South Wales) for the previous financial quarter and shall be distributed each month on the basis of the gross ton mileage of the types of vehicles run on the railway and between Grafton and the Border respectively.

This amendment shall be deemed to have come into operation and to have taken effect from the twenty-seventh day of September one thousand nine hundred and thirty.

- (t) In clause 13 the following paragraph under the heading "Traffic Branch Expenditure" is deleted:—

Guards and Conductors.—The actual wages and expenses of the guards and conductors working on the sections Grafton to the Border and the Border to South Brisbane plus the ascertained percentage cost of holidays of guards and conductors to the direct wages for the previous quarter for the whole system operated or to be operated by The Railway Commissioners for New South Wales.

and the following paragraph is inserted in lieu thereof:—

Guards and Conductors.—The actual wages and expenses of the guards and conductors working on the sections Grafton to the Border and the Border to South Brisbane,

Grafton-Kyogle to South Brisbane Railway Management.

Brisbane plus the ascertained percentage cost of holidays of guards and conductors to the direct wages for the previous quarter for the whole system operated or to be operated by The Commissioner for Railways (New South Wales) and plus the cost of uniforms and supplies which latter shall be debited to the parts of the Grafton-Kyogle to South Brisbane line of railway in New South Wales and Queensland respectively on the basis of the traffic train miles run each month on each part multiplied by the cost per train mile of uniforms and supplies for steam service guards and conductors on the whole system operated or to be operated by The Commissioner for Railways (New South Wales) for the previous financial quarter.

This amendment shall be deemed to have come into operation on and to have taken effect from the twenty-seventh day of September one thousand nine hundred and thirty.

- (u) In clause 13 both the paragraphs under the heading "Repairs and Renewals to Tarpaulins and Lashings" are deleted and the following paragraph is inserted in lieu thereof:—

The cost of repairs and renewals to tarpaulins and lashings shall be computed on the basis of the ratio of general goods contents ton miles for the Grafton-Kyogle to South Brisbane line of railway to the general goods contents ton miles for the whole system operated or to be operated by The Commissioner for Railways (New South Wales) for the previous financial quarter and shall be distributed each month on the basis of the general goods contents ton miles for the railway and for the New South Wales portion of the Grafton-Kyogle to South Brisbane line.

This amendment shall be deemed to have come into operation on and to have taken effect from the twenty-seventh day of September one thousand nine hundred and thirty.

- (v) In clause 13 the heading "Loss of and Damage to Property and Goods. Compensation Personal" and the paragraph thereunder are deleted and the following heading and paragraphs are inserted in lieu thereof:—

Compensation in respect of Property, Goods and Livestock.

A. Save as hereinafter expressly provided in respect of Clapham any payment of compensation arising out of any occurrence in respect of property goods or livestock or any of them delivered for carriage or in transit

or

Grafton-Kyogle to South Brisbane Railway Management.

or which have been carried between a station in Queensland and a station in another State by a train on any part of the Grafton-Kyogle to South Brisbane Railway shall—

- (a) If it is agreed between the parties hereto that the place of such occurrence was on the Grafton-Kyogle to South Brisbane Railway be debited to the railway and the New South Wales portion of the Grafton-Kyogle to South Brisbane Railway on the basis of the interstate train mileage on each respectively for the previous financial quarter.
- (b) If the place of such occurrence is not agreed upon between the parties hereto, be apportioned on a route mileage basis between the last point at which the property goods or livestock were transhipped intact or if none then the loading point and the point at which the happening of the occurrence is discovered and the compensation debited to the Grafton-Kyogle to South Brisbane Railway shall be apportioned to the railway and to the New South Wales portion of the Grafton-Kyogle to South Brisbane Railway on the basis of the interstate train mileage on each respectively for the previous financial quarter but in no case mentioned in either of the preceding subclauses (a) or (b) shall payment be made without the concurrence of both of the parties hereto unless it be made in accordance with a determination of a judicial tribunal.

B. Clapham.

- (a) Any payment of compensation arising out of any occurrence in connection with the shunting of Queensland trucks shall be debited to The Commissioner for Railways (Queensland).
- (b) Any payment of compensation arising out of any occurrence in connection with the shunting of New South Wales trucks shall be distributed between the line of railway from Grafton to the Border and the railway on the basis of the interstate train mileage on each respectively for the previous financial quarter.
- (c) Any payment of compensation arising out of any occurrence in connection with transhipping shall be apportioned equally between The Commissioner for Railways (Queensland) and the Railway.

C.

Grafton-Kyogle to South Brisbane Railway Management.

C. Any payment of compensation in respect of property other than that delivered for carriage or in transit or which has been carried arising out of any occurrence on the Grafton-Kyogle to South Brisbane Railway shall—

- (a) If the occurrence arose out of any incident connected with the movement of trains in the conveyance of persons property goods or livestock between a station in Queensland and a station in another State, be distributed between the railway and the New South Wales portion of the Grafton-Kyogle to South Brisbane Railway on the basis of the interstate train mileage on each respectively for the previous financial quarter but in such a case no payment shall be made without the concurrence of both of the parties hereto unless it be made in accordance with a determination of a judicial tribunal.
 - (b) If the occurrence arose out of any incident not connected with the movement of trains be debited against that section of the Grafton-Kyogle to South Brisbane Railway located in the State in which the incident occurs.
- (w) In clause 13 the heading "Injuries to Employees—Other Expenses" and both the paragraphs thereunder are deleted and the following headings and paragraphs are inserted in lieu thereof:—

Compensation Personal.

Any payment in connection with the death of or injury to any passenger, other person, or employee if arising out of any occurrence on the Grafton-Kyogle to South Brisbane Railway shall—

- (a) If the occurrence arose out of any incident connected with the movement of trains in the conveyance of persons property goods or livestock between a station in Queensland and a station in another State be debited to the Grafton-Kyogle to South Brisbane Railway and distributed between the railway and the New South Wales portion of the Grafton-Kyogle to South Brisbane Railway—
 - (1) In respect of any such payments debitable to Locomotive Branch accounts on the basis of the interstate engine mileage on each respectively for the previous financial quarter

[REDACTED] (2)

Grafton-Kyogle to South Brisbane Railway Management.

(2) In respect of any such payments debitable to the Traffic Branch Accounts on the basis of the interstate train mileage on each respectively for the previous financial quarter

but in such a case no payment will be made without the concurrence of both of the parties hereto unless it be made in accordance with a determination of a judicial tribunal.

(b) If the occurrence arose out of any incident not connected with the movement of trains be debited against that portion of the Grafton-Kyogle to South Brisbane Railway located in the State in which the incident occurs.

Other Expenses (as set out in the Classification of Working Expenses Accounts).

The actual cost in respect of the Grafton-Kyogle to South Brisbane Railway shall be distributed between the line of railway from Grafton to the Border and the railway.

1. In respect of any such payments debitable to Locomotive Branch Accounts on the basis of the interstate engine mileage on each respectively for the previous financial quarter.

2. In respect of any such payments debitable to the Traffic Branch Accounts on the basis of the interstate train mileage on each respectively for the previous financial quarter.

(x) In clause 13 the following words in the paragraph under the heading "Cost of Working Casino Refreshment Room" are deleted:—

but this allocation shall be reviewed one year after this agreement takes effect and unless an allocation upon another basis is agreed upon this allocation shall continue until such agreement is reached.

(y) In clause 13 the following new heading and paragraph are inserted immediately following the paragraph headed "Cost of Working Casino Refreshment Room":—

*Casino Railway Station and Locomotive Depot—
Maintenance Costs.*

The maintenance costs in connection with the station and locomotive depot at Casino shall be divided between the New South Wales portion of the Grafton-Kyogle to South Brisbane Railway and The Commissioner for Railways (New South Wales) in the proportion that the contribution by New South Wales towards the capital cost bears to the total capital cost of the said station and depot, This

Grafton-Kyogle to South Brisbane Railway Management.

This amendment shall be deemed to have come into operation on and to have taken effect from the first day of July ~~one~~ thousand nine hundred and thirty-two.

- (z) In clause 13 the paragraph under the heading "General Charges" is deleted and the following paragraphs are inserted in lieu thereof:—

The cost of New South Wales general charges shall be calculated on the basis of the amount per train mile of such charges for the previous financial quarter on the whole system operated or to be operated by The Commissioner for Railways (New South Wales) multiplied by the train miles run each month on the line of railway from Grafton to the Border and the railway respectively.

A proportion of the Queensland general charges in the ratio of the direct expenditure on the railway to the total direct expenditure for the whole system operated or to be operated by The Commissioner for Railways (Queensland) shall be charged to the railway.

This amendment shall be deemed to have come into operation on and to have taken effect from the twenty-seventh day of September one thousand nine hundred and thirty.

- (aa) In clause 13 the following new headings and paragraphs are inserted immediately following the paragraph headed "General Charges":—

Freight on the conveyance of material chargeable to Working Expenses.

In respect of the conveyance of any material chargeable to Working Expenses used in the operation and maintenance of the Grafton-Kyogle to South Brisbane Railway freight at "Railway Construction Material" rates in operation for the time being in the States concerned shall be levied for the whole mileage over which such material is conveyed in the respective States whether on the Grafton-Kyogle to South Brisbane Railway or any other railway and shall be debited to the railway or to the line of railway between Grafton and the Border accordingly as such material is used on either of them. In crediting such freight charges the credits shall be apportioned on the same basis as ordinary revenue.

In respect of the haulage over any part of the Grafton-Kyogle to South Brisbane Railway of material chargeable to Working Expenses and used in the operation and maintenance of the New South Wales Railways (excluding

(excluding the Grafton-Kyogle to South Brisbane Railway) or any other State railways freight will be debited to the New South Wales railways (excluding the Grafton-Kyogle to South Brisbane Railway) or other State railways as the case may be at the "Railway Construction Material" rates in operation for the time being in the States in which the traffic is conveyed. In crediting freight charges on such material the amounts to be credited shall be apportioned on the same basis as ordinary revenue.

Freight on material chargeable to Capital.

Freight on material chargeable to Capital will be debited and credited on the same basis and at the same rates as are provided for in regard to material chargeable to Working Expenses.

These amendments shall be deemed to have come into operation and to have taken effect from the first day of May one thousand nine hundred and thirty-three.

- (bb) In clause 13 both the paragraphs under the heading "Cost of Working Grafton-Casino and South Brisbane Stations" are deleted and the following paragraphs are inserted in lieu thereof:—

Grafton and Casino.—The monthly expenditure at the stations at Grafton and Casino shall be distributed each month according to the proportion ascertained by taking the number of trains (excluding light and assisting engines) handled at each station each month in connection with the Grafton-Kyogle to South Brisbane line of railway in relation to the number of trains (excluding light and assisting engines) handled otherwise.

South Brisbane.—The actual cost of the staff employed at and of stores supplied to the part of the station used in connection with the Grafton-Kyogle to South Brisbane line of railway and of the additional signalman at Yeerongpilly shall be charged to the railway. Other expenditure apportionable to the railway shall be distributed according to the proportion ascertained by taking the number of trains (excluding light and assisting engines) handled each month at the part of the station used in connection with the Grafton-Kyogle to South Brisbane line of railway in relation to the number of trains (excluding light and assisting engines) handled at the part of the station not used in connection with the said line of railway.

These amendments shall be deemed to have come into operation on and to have taken effect from the twenty-seventh day of September one thousand nine hundred and thirty. (cc)

Grafton-Kyogle to South Brisbane Railway Management.

(cc) In clause 13 the heading "Depreciation—How to be Estimated" and the whole of the paragraphs and items thereunder are deleted and the following heading, paragraph and items are inserted in lieu thereof:—

Depreciation (to provide for renewals, replacements and obsolescence).

Depreciation (to provide for renewals, replacements and obsolescence) to be calculated on the following bases:—

Rolling Stock.	Estimated Life. Years.	Rate per cent. per annum after allowing for residual value.	
Locomotives	30	2·666	To be distributed each month on the same bases as are previously herein set out under the headings of Repairs to Engines, Carriages and Wagons.
Carriages ...	35	2·714	
Wagons ...	35	2·786	
Permanent Way— Rails and Fastenings	25	3·30	To be distributed each month on the basis of the actual capital cost in each State.
Sleepers ...	20	5·00	
Workshops...	50	1·90	To be computed on the cost per train mile for the previous financial quarter for the whole system operated or to be operated by the Commissioner for Railways (New South Wales) applied to the train miles run on the portions of the said line of railway in New South Wales and Queensland respectively.
Machinery ...	15	6·33	
Stations and other Buildings.	50	1·935	To be distributed each month on the basis of the actual capital cost in each State.
Bridges ...	60	1·631	To be distributed each month on the basis of the actual capital cost in each State.

(dd)

Grafton-Kyogle to South Brisbane Railway Management.

- (dd) In clause 13 the heading "Sinking Fund—No debit to be made against" and the paragraph thereunder are deleted and the following heading and paragraph are inserted in lieu thereof:—

Sinking Fund Charges.

If Sinking Fund charges in respect of the capital debt of the New South Wales Railways System be debited against the Commissioner for Railways (New South Wales) a proportion of such charges relating to rolling stock, workshops, machinery, and to the vote for the purchase of stores, shall be debited against the gross earnings of the Grafton-Kyogle to South Brisbane Railway and shall be calculated and distributed monthly in the same manner as interest charges, and in consideration of such sinking fund payments the capital cost of assets and the interest payments in respect thereof under the next succeeding clause shall be correspondingly reduced.

- (ee) In clause 13 the following words in the paragraph under the heading "Earnings of Refreshment Room—Casino" are deleted:—

but this allocation shall be reviewed one year after this agreement takes effect and unless an allocation upon another basis is agreed upon this allocation shall continue until such agreement is reached.

- (ff) In clause 13 the following words are added to the paragraph under the heading "Earnings from Sleeping Berths":—

In cases where sleeping cars for which sleeping berth tickets are issued do not run over the railway and other accommodation for sleeping car passengers is substituted, the railway shall be credited with a sum equivalent to the charge made for the reservation of a seat in an ordinary sitting car on the Brisbane-Sydney express trains for each sleeping berth ticket issued to passengers travelling from Queensland.

This amendment shall be deemed to have come into operation on and to have taken effect from the twenty-second day of August one thousand nine hundred and thirty-three.

- (gg) In clause 13 the following words are added to the paragraph under the heading "Earnings from Reserved Seat Tickets":—

In respect of bookings in lounge cars other than free seat bookings for sleeping car passengers the State performing the booking shall receive for each such booking a sum equivalent to the charge made for the reservation of a seat in an ordinary sitting car on the Brisbane-Sydney

50

Grafton-Kyogle to South Brisbane Railway Management.

Brisbane-Sydney express trains plus its mileage proportion of the balance of the charge made for lounge car seats.

This amendment shall be deemed to have come into operation on and to have taken effect from the twenty-second day of August one thousand nine hundred and thirty-three.

(hh) In clause 13 the paragraph under the heading "Carriage of Mails" is deleted and the following paragraph is inserted in lieu thereof:—

The revenue from the carriage of mails shall be distributed monthly by The Commissioner for Railways (New South Wales) to the line of railway from Grafton to the Border and by The Commissioner for Railways (Queensland) to the railway on the basis of the route mileage separating the points between which the mails are conveyed.

This amendment shall be deemed to have come into operation on and to have taken effect from the first day of July one thousand nine hundred and thirty-five.

(ii) The following new heading and clause are inserted immediately following the paragraph in clause 13 headed "Carriage of Mails":—

Description of Parties.

In the agreement any reference to The Commissioner for Railways (Queensland) or The Railway Commissioners for New South Wales shall be deemed to include their respective successors and in this Agreement any reference to The Commissioner for Railways (Queensland or The Commissioner for Railways (New South Wales) shall include their respective successors.

2. Except where herein otherwise declared the amendments to the Agreement made by this Supplemental Agreement shall come into operation on and take effect from the first day of July one thousand nine hundred and thirty-five.

In witness whereof the Common Seals of the Commissioner for Railways (New South Wales) and The Commissioner for Railways (Queensland) have been respectively hereunto affixed.

The Common Seal of the Commissioner for Railways (New South Wales) hath been hereunto duly affixed this 3rd day of January one thousand nine hundred and thirty-six in the presence of—

T. J. HARTIGAN.
(L.S.)

W. H. NEWMAN,
Secretary for Railways.

The

Grafton-Kyogle to South Brisbane Railway Management.

35

The Common Seal of the Commissioner for
Railways (Queensland) hath been here-
unto duly affixed this 18th day of
October one thousand nine hundred and
thirty-five in the presence of—

J. W. DAVIDSON,
(L.S.)

C. A. MURTON,
Secretary.
