

Hon. members may ask what the authorities are doing about it. The police are doing something, but theirs are only token efforts. Few drivers have been booked for creating this menace. Though vehicles' loads are supposed to be watered and covered this is not done. Sometimes an inadequate strip of canvas or bagging is placed over part of the load, but the remainder is left uncovered. Further, the drivers know quite well that the traffic police who are engaged on checking these offences work until 11 p.m. only, and the vehicles travel throughout the twenty-four hours of the day.

The dust is becoming such a nuisance in my electorate that shopkeepers cannot keep their doors open, because within an hour materials displayed for public inspection are reduced to a condition in which they either must be washed or are valueless. I have spoken to some of these drivers who say, "If we have to water our loads we will ruin the undercarriages of our vehicles." If their vehicles are not watertight it would be a simple matter to place a few sheets of galvanised iron on the bottom of the truck to stop the water reaching the undercarriage. This matter is serious. So many vehicles travel on the inward journey spreading this brown dust and on the outward journey, white ash, that it constitutes a grave health risk to local residents as well as a nuisance to the business people in the Drummoyne shopping area. I ask the Minister to see whether some action can be taken to overcome the nuisance caused to people in my electorate.

Mr. ENTICKNAP (Murrumbidgee), Minister for Transport [10.22]: I assume that the transport lorries carting this coal are privately owned. I do not know exactly what control my department has over them. If regulations require the loads to be covered and watered down, the provisions are reasonable and the lorry owners should respond to an appeal for co-operation. I shall examine the matter to see what action can be taken.

Motion agreed to.

House adjourned at 10.23 p.m.

Legislative Council.

Thursday, 6 September, 1956.

Gaming and Betting (Poker Machines) Bill (second reading)—Gaming and Betting (Poker Machines) Taxation Bill (second reading)—Taronga Zoological Park Bill (second reading)—Special Adjournment—Adjournment (Business of the House).

The ACTING PRESIDENT took the chair at 4.30 p.m.

The opening Prayer was read.

GAMING AND BETTING (POKER MACHINES) BILL.

SECOND READING.

Debate resumed (from 5th September, *vide* page 2120) on motion by the Hon. R. R. Downing:

That this bill be now read a second time.

The Hon. J. D. KENNY [4.33]: I support the measure and in doing so express the view that some hon. members opposite have begged the question. One must agree that much irrelevant argument has been advanced in this debate. The Hon. C. E. Begg dealt exhaustively with one point of view but he did not touch upon what I regard as the real problem that caused the Government to introduce this measure. Some hon. members might be perturbed about the possibility of an increase in gambling disrupting the home life of the community. When one recollects the circumstances leading to the Government's decision to introduce this measure, one recognises that the Government was faced with a situation that required action. Hon. members who know how clubs are conducted realise that they obtain revenue from their members' use of poker machines, also from the sale of alcoholic liquors, and that as a consequence it is from time to time necessary to call in the police to restore order.

Hotel profits were being affected by competition from various clubs and consequently the United Licensed Victuallers' Association opposed the renewal of club licences in the Licensing Court. The court decided not to renew the licences of some clubs and this led to a good deal of conflict.

Certain hotels, the licensees of which had protested against the renewal of club licences, were declared black. A black ban still operates in the Newcastle district. The situation was getting out of hand and it was essential that the Government should make a decision. Poker machines had been used by clubs as a means of obtaining revenue and club members used them as a means of whiling away an hour or two. Some players acted in a reckless and stupid fashion. The Government had to decide whether to enforce the law as it stood and order the withdrawal of poker machines or, alternatively, whether some control should be exercised over them. As was said by the Hon. G. H. Sutherland, the Government recognised that through the years these machines have been operated in contravention of the law and this Government has eventually had to license them. Clubs should be allowed to instal poker machines and to operate them under the conditions prescribed in this measure. My decision to support the Government on this measure was not taken lightly. My first view was that poker machines should be banned. Having given careful consideration to the fact that only a small minority of people are stupid enough to spend a substantial amount of money that they can ill afford I decided that sensible people who use the machines in a proper manner should not be debarred from their amusement. Recognising that the vast majority of people are sensible and can look after their interests I believe that they should be permitted to have the machines on a proper basis.

To-day I examined the situation in other countries. I have made some research and ascertained that gambling has been practised from the earliest times. It was ridiculous to suppose that the banning of poker machines would prevent their use in any establishment. I refer not only to clubs. Examining the situation in England, as I was bound to do following the reference to that country by the Hon. F. M. Hewitt, I ascertained that football pools in 1938-39 had a gross turnover of £22,000,000 and a net figure of £4,000,000. In 1946-47 the figures were £45,000,000 and £9,000,000. For horse racing, bookmakers in 1939 had a turnover of £275,000,000; in 1947,

£300,000,000. Examining the section headed "Gaming Machines" I found that the gross turnover in 1938-39 was £10,000,000 and £2,000,000 net. The figures were exactly the same in 1946-47. I am interested in the figures quoted by the Hon. F. M. Hewitt. He sought to show that in Great Britain people were living a life that could be regarded as exemplary, that their conduct was extraordinary and that as a result Great Britain was able to win wars and hold its place as one of the leading nations of the world.

The Hon. F. M. HEWITT: It was the Hon. C. E. Begg, not I.

The Hon. J. D. KENNY: At the beginning I said that the Hon. C. E. Begg had begged the question. He was hard to follow and I am sorry that I have blamed the Hon. F. M. Hewitt for the observation on which I had proposed to comment. Let no one in this Chamber have any doubt about my opinion of the people of Great Britain. I have had the privilege of travelling through England and inspecting those areas that were bombed during the battle of Britain. I have nothing but the highest admiration for the heroic sacrifices made by those people. I say quite definitely that the men and women in Great Britain will gamble, as they will in Australia. As I have said repeatedly when speaking in other debates in this Chamber the people of Great Britain have a standard of living that is not comparable with that obtaining in Australia, and cannot indulge their fancies in this form of amusement to the extent of their Australian cousins.

One must take into consideration that in Great Britain an estimated 500,000 people work in the industry, if one may term it such, of gambling. In Australia, too, people are dependent for their livelihood upon gambling in some form. I am concerned not so much with those who gain their living through an association solely with gambling, but with employees of clubs. Some consideration should be given to the fact that clubs have developed to the stage where they are able to employ large numbers of people. Whether they should be

employed in other than luxury industries is a matter that can only be determined in a state of emergency by Parliament. While Australia is at peace there can be no direction of labour. The bill contains only three clauses. It is the third clause that has caused the major part of the debate.

Hon. members should recognise the situation that confronted the Government and admit that no harmful effects will result from the bill in its present form. The Hon. A. E. Armstrong made a valuable and informative contribution to the debate. He explained how he was able to join with colleagues of mine who would normally sit on the opposite side of the table and establish a workers' club in Goulburn. There is no reason to doubt the hon. member's predictions that this new club will develop into a fine establishment. The Hon. D. Cochrane, who was also the mayor of Marrickville, told the House how he joined forces with other gentlemen who, if they sat in this Chamber, would do so on the opposite side to him, to establish a local businessmen's club. Obviously, both sides of the House are coming closer when there is co-operation among hon. members of opposing political views.

I hope that the bill will raise the status of all clubs, both city and country. It will remove the stigma of illegality on the use of poker machines and will encourage the establishment of more clubs along the lines suggested by the Hon. A. E. Armstrong. Clubs should be formed for cultural purposes and should not be mere swilling houses or gambling dens. I agree with the point made by the Hon. D. Cochrane that the members of some clubs congregate only at set times each week, when a battery of poker machines are in use. For the greater part of the week things are quiet and many machines are not in operation. Although I do not suggest that the Minister should amend the bill at this stage, subsequent investigation might disclose that a tax, not on the machines, but as suggested by the Hon. D. Cochrane, on members, would

The Hon. J. D. Kenny.]

be more equitable. I am disappointed in proposed new section 50r (1), which provides:

In order that any club may be eligible to be registered under this Division of this Part of this Act, the rules of the club shall provide that—

- (h) no person under twenty-one years of age shall be admitted a member of the club: Provided that where the club is primarily devoted to some athletic purpose, there shall be no limitation of the age of a member of the club;
- (i) no person under twenty-one years of age shall use or operate or be allowed to use or operate poker machines in the club premises:

As no minimum age is set for membership of an athletic club, even lads of from 12 to 15 years could join. They should not be allowed in clubs where poker machines operate. For all the reasons I have given I support the bill. No hon. member opposite has explained clearly what the Opposition would do if it had the responsibility of administering the Gaming and Betting Act and the liquor laws relating to clubs that are illegally using poker machines. Some hon. members opposite urge the complete prohibition of these machines, but that would mean police prosecutions for breaches of the Gaming and Betting Act against clubs operating poker machines and many might lose their licences. That course would not meet with the approval of the community generally. It would cause not harmony, but turmoil.

Colonel the Hon. H. J. R. CLAYTON [4.58]: I purposely delayed my remarks on the bill to see the method of approach adopted by other hon. members discussing it. You, Mr. Acting President, must have noticed the great diversity of arguments already propounded in this debate. Each hon. member who has spoken has extracted some principle from his own experience and suggested that it should be adopted by everyone else. That is not the right approach to a measure of this kind. The principle in the bill, namely, the extension and legalising of opportunities for gambling is a matter for one's conscience. Each is the keeper of his own conscience,

which depends upon one's upbringing, education and outlook. The arguments put forward by hon. members in this debate seem singularly illogical to me; I am sure that when I sum up my remarks, they may appear illogical to others. One argument does not always dovetail with another. At one moment one may be swayed in one direction and a little later, on another consideration, incline to a different view.

I must seek the answer in my conscience. The answer it gives is that the measure is unwise. Therefore, I shall vote against it. However, as without doubt the measure will become law, I feel that I should make some remarks about it. First, I remind hon. members that when the Fire Brigades (Amendment) Bill was introduced in this Chamber a multitude of reasons were advanced for its introduction, but only a short explanation was given of its contents. However, the Minister gave only one reason for this measure, which was stated in one short sentence, but he gave a long explanation of its provisions. This was a most wise course, for, just as the Government was, all hon. members are being dictated to by their consciences. Having examined my conscience, I must oppose the measure strongly. The only sentence in which the Minister gave any reasons for this measure is similar to a sentence used in another place by the Minister who introduced the bill in that place. The sentence contained these words:

It is obvious and well known to everyone in the community that as a result of the decision of the court the Government was faced with the problem of deciding whether poker machines in the clubs of New South Wales should be banned or declared legal. The Government has accepted the view that poker machines should be made legal . . .

The Government did not have to take any action. Had it not taken action poker machines would have been in the position they have occupied for years—probably still operated in clubs and other places but in contravention of the law.

The Hon. J. A. WEIR: What about the appeal to the full bench of the Licensing Court?

Colonel the Hon. H. J. R. CLAYTON: Some clubs might have been eliminated.

The Hon. A. A. ALAM: The Millions Club?

Colonel the Hon. H. J. R. CLAYTON: What is the Millions Club?

The Hon. J. D. KENNY: That is where the millionaires are.

Colonel the Hon. H. J. R. CLAYTON: Other hon. members are able to answer that question; I cannot. All these non-proprietary clubs—and we have yet to learn into what category the Millions Club falls—acquired poker machines with their eyes wide open. They accepted the risks involved and, therefore, if they suffer as a consequence, one cannot have over-much sympathy for them. Hon. members will be doing wrong if they approve the use of these machines in non-proprietary clubs. If I am illogical in the statement I am about to make, I claim to be no more illogical than other hon. members. Poker machines may well be introduced into some clubs without causing harm to the members. The Hon. H. S. Henley made out a good case in respect of bowling clubs. I say quite seriously that the introduction of poker machines into bowling clubs could not possibly corrupt the already hardened sinners who belong to those clubs. I know, for I am a member of a bowling club. The members of those clubs are in the evening of their lives and have learned to curb their gambling instincts. However, I do not favour their use in athletic clubs, for I do not like to see opportunities for youths to gamble extended. It would be wrong to do that. I suggest to the Hon. J. D. Kenny that few athletic clubs would be of the non-proprietary type. Therefore, they would not be granted the privilege of a liquor licence, or a poker machine licence.

The Hon. J. D. KENNY: I understand that.

Colonel the Hon. H. J. R. CLAYTON: I did not realise that the hon. member knew this. It has been said that gambling on poker machines has become recognised by the people as a social habit and by the Government on their behalf. Some may even

say that playing poker machines should not be looked upon as an evil and ask why the Government should not exploit the use of these machines in the same way as it has exploited lotteries, which are no longer regarded as an evil. The Government is now saying that the poker machine should also not be regarded as an evil. I shall give an exaggerated illustration without suggesting that the Government has any intention of taking such action. Having once adopted the view that playing poker machines is a social habit and therefore not a social evil, why should not the Government license their use in hotels? Continuing this line of thought, they may be said to provide a service for the people. Therefore, why not make them freely available to the public? If the use of poker machines is permitted in hotels, not one penny piece should go to the publican, who would be the owner of the machines.

The machines should pay 100 per cent. dividends to the players. However, a good, heavy tax should be imposed upon the hotel-keeper for, as these machines attract people in large numbers, much more of his liquor would be sold. I assure hon. members that this would be the last thing that I should like to see. I began by saying that I would give an exaggerated illustration. However, if all this did happen who could say that there would be anything wrong with it? If poker machines were permitted in hotels the publican would snap up more and more ill-gotten gains. This should never happen. Would this action be a big step from the present legislation? Of course it would not, and obviously this bill leaves the opportunity open. In prophetic vein the Hon. Richard Thompson suggested what might be done in certain directions. This might well be, once it is admitted by the Government and the people without a blush of shame, that poker machines are not a social evil.

The Hon. C. A. Dalton informed the House of the activities of a club to which he belongs. His club does some commendable charitable work and disposes of its profits to philanthropic organisations. However, I issue a warning. If a non-proprietary club is allowed by law to have

Colonel the Hon H. J. E. Clayton.]

poker machines, some of its philanthropic activities might be seriously curtailed. I tried to suggest this to the hon. member during his speech, but he was not in the mood to hear my whispered interjection. Fear the Greeks, even when they bring gifts! Hon. members who think that this measure is, not all beer and skittles, but all beer and poker machines, should beware lest when the Government seeks to extend an activity it does not in effect restrain it in a way that is not desired.

Another objection to the bill—and this is not the whispering, soft voice of conscience—is my general objection to the Government's controlling the social activities of anyone. Had I been consulted at the time that it was proposed to ban poker machines, I should have expressed this same view and encouraged a return to those halcyon days of which the Hon. G. H. Sutherland spoke. He must have been a young man, and there must have been no age limit, when he frequented the hotels of which he spoke, fraternised with his friends from the Royal Navy and played the machines. I should have objected to the proposal to ban them. Similarly I object to this proposal. If these machines are all right, let them be played. Let joy be unconfined! The Government should not impose restrictions on activities that have been approved by the community, though they might not have been approved by law.

I object also to the imposition of licence fees. This is a challenge to the Government to show that taxation is not its principal object in introducing the measure. The Government was quick on the draw. The action of the United Licensed Victuallers' Association presented a timely opportunity, which it did not fail to seize. The Government was concerned about its finances, and believing that it could kill two birds with one stone, turned the situation to its advantage by imposing a tax in the nature of a licence fee on the use of these machines. I wish that their use and the taxing of them could have been divorced; in joining them the Government's motive is under suspicion. The House has already been informed that about £7,000,000 a year is extracted from the public by

taxes on gaming. This measure will increase that amount. The Government should not tax any amenities of which it approves.

I deplore the action of the Government, by its agents, in encouraging gambling. Hon. members on both sides of the House have been besieged with doubts as to the wisdom of encouraging gambling in any form. The Hon. J. D. Kenny had grave doubts, and he has informed the House that he did not eventually make up his mind until this morning. When the House was dealing with the Child Welfare (Amendment) Bill, the Hon. J. A. Weir and the Hon. T. P. Gleeson impressed hon. members with the sincerity of their efforts to protect children and to encourage young people to become decent citizens. The Hon. J. A. Weir mentioned the activities of his union in encouraging youths in his occupation to equip themselves for hard work. This is the right answer to the problem of child delinquency.

Following his remark that he deplored gambling, I asked a question of him, and with the benefit of his long experience he told the House that in his opinion gambling tended towards child delinquency. However, by his interjections in this debate, the same hon. member seems to be in favour of this measure. Another way in which the Government encourages gambling and derives revenue from it is the State lottery. I recently visited Brisbane, where I saw people in the alleyways off the main street selling Golden Casket tickets. I admit that I bought one—and it was not unsuccessful. However, it was deplorable to see how youths and everyone else were encouraged to gamble. While the Hon. G. B. Rygate was speaking last night he said something about clubs, and I asked him how he knew that any club in which I was a member used poker machines. I thought that my statement about the clubs to which I belong was absolutely correct but I have since discovered that one of them, a bowling club, has some poker machines. I make this explanation because I wish not to be misunderstood. I have here a circular which demonstrates how wrong the Government has been in encouraging State lotteries. It is dated 6th April, 1956, and signed by Mr.

C. T. Tallentire, Director of Lotteries. I have not met him but I hope to do so, though his letter to me begins, "Dear Friend". The letter continues in these words:

Very many, very busy people cannot afford the time to secure tickets in the New South Wales State Lotteries. They have expressed the view that, for them at least, some system ought to be introduced so that they may invest in our lotteries with the least possible inconvenience and loss of time.

Accordingly, it is now intended to cater specially for these busy people. And it is in this respect that I write to you.

Now comes the clarion cry of glorious news:

You may now establish an account with the Lottery Office.

An account with the Lottery Office! I think that is deplorable. Even if the State finds it necessary to conduct lotteries, it is wrong to send circulars like this inviting people to open an account, just as one might with David Jones Ltd. or any other retail store. All hon. members know from their experience of life that many a household has fallen into debt because accounts were established here and there and used recklessly without the household having the funds to meet them. I do not believe that the Government favours this idea of establishing a lottery account. I am not pressing this point but it shows how far affairs have gone. The encouragement is to invest not in Commonwealth loans or in savings banks, but in lotteries.

The Hon. A. A. ALAM: Mr. Drysdale does the same thing in Tasmania.

Colonel the Hon. H. J. R. CLAYTON: Wherever it is done, it is evil and wrong. People should be encouraged to save money, invest it in a home, or put it to other sound uses, but instead they are asked to establish an account with the State lotteries. This circular advises people who are too busy to find the time to buy tickets at the lottery office to establish an account to which their winnings will be credited and their losses debited for so many lotteries. Such a procedure is wrong. My conscience tells me that this bill is wrong and I wish I could put forward arguments

strong enough to convince other hon. members to feel as I do about it. However, every hon. member must view it according to his own conscience. I propose to vote against the second reading of the bill. If the bill passes that stage I shall, by supporting an amendment that will be moved for the omission of the taxing clause, record my second protest, which is against the proposal to tax these machines, even if they are licensed.

The Hon. R. R. DOWNING (Attorney-General, Minister of Justice and Vice-President of the Executive Council) [5.25], in reply: As I intimated at the beginning of the second-reading debate, it is not my intention to engage in any academic discussion of the morality of various forms of gambling. I assure the House that I have no intention of departing from that intention and I shall not take up the time of hon. members by commenting on all the opinions that have been expressed as to the desirability or undesirability of gambling or of different forms of gambling. When I moved the second reading of the bill I gave the House the Government's reasons for bringing it down. The only matter to which I shall refer is the suggestion that no tax should be levied on the machines. The morality of taxing any gambling device stands in the same position, in my mind, as the morality of permitting any form of gambling. All legal modes of gambling have been taxed in this and most other countries and the proposal to tax licensed poker machines involves no departure from principle.

I do not propose to discuss whether it is an infringement of any moral code to tax poker machines or totalisators but I have one observation to make on the figures that were given by the Hon. H. S. Henley. He mentioned a bowling club that has poker machines and I am informed that if the turnover of those machines, of which he gave particulars, were taxed at the same rate as totalisators, the taxation would be approximately the same as is proposed under this bill. If the hon. member cares

to calculate the totalisator tax on the turnover that he mentioned for the poker machines, he will find that it is close to the tax that this bill will provide. I do not know the number of poker machines in the bowling club that he mentioned, but I understand that it would probably be four 1s. machines, three 2s. machines and two 6d. machines.

The Hon. H. S. HENLEY: Somebody must have told the Minister.

The Hon. R. R. DOWNING: That is the usual number of machines in a bowling club.

The Hon. H. S. HENLEY: It is the number in the club that I mentioned.

The Hon. R. R. DOWNING: The hon. member will see that the tax on the poker machines will be, if anything, less than the tax that a totalisator would pay on the turnover that the machines have. Therefore, the licence fees proposed are demonstrably reasonable.

Question—That this bill be now read a second time—put. The House divided:

Ayes, 27; noes, 14; majority, 13.

AYES.

Mr. Alam	Mr. J. L. Kenny
Mr. Cochrane	Mr. King
Mr. Colborne	Mr. Love
Mr. Concannon	Mr. Mahony
Mr. Coulter	Mr. Maloney
Mr. Dalton	Mrs. Melville
Mr. Day	Mr. W. T. Murray
Mr. Downing	Mr. O'Dea
Mr. Erskine	Mr. Rygate
Mr. Graves	Mr. Savage
Mr. Hackett	Mr. Sutherland
Mr. Henley	<i>Tellers,</i>
Mr. Jackson	Mr. C. J. Cahill
Mr. J. D. Kenny	Mr. Weir

NOES.

Mr. Ahern	Brigadier Playfair
Mr. Armstrong	Mr. Snider
Mr. Bridges	Mr. Sommerlad
Mr. Budd	Mr. Wilson
Mr. Carter	
Colonel Clayton	<i>Tellers,</i>
Mr. Falkiner	Mr. Hewitt
Sir Henry Manning	Mr. Warren

Question so resolved in the affirmative.

Motion agreed to.

Bill read a second time.

IN COMMITTEE.

(The Hon. L. S. SNIDER in the chair.)

Clause 3. The Gaming and Betting Act, 1912-1953, is further amended by inserting next after section fifty the following new Part:—

PART IIIA.

Poker Machines.

Division 1.—*Preliminary.*

50E. (1) A club licensed under this Part of this Act shall within three months after the date from which the license and each renewal thereof takes effect pay to the Minister license tax upon each poker machine kept, used or operated by such club at the rate imposed thereon by the Gaming and Betting (Poker Machines) Taxation Act, 1956.

The license tax so payable shall be a debt due from such club to Her Majesty and shall be recoverable in any court of competent jurisdiction.

(2) All such license taxes shall be paid into an account in the Special Deposits Account established at the Treasury to be called the Gaming and Betting (Poker Machines) Account.

The balance to the credit of such Account shall, at intervals not exceeding three months, be transferred to the Hospital Fund under the Public Hospitals Act, 1920, as amended by subsequent Acts.

The Hon. A. D. BRIDGES [5.36]: I move:

That proposed new section 50E be omitted.

This section provides for the payment of annual licence taxes; it is the taxation provision of the bill. Quite apart from the demerits of the proposal to permit the use of poker machines, it is appalling that the Government should contemplate entering the field of taxation as a partner of the clubs using these pernicious machines. I submit that the taxation of poker machines will encourage the use of these gambling devices. On the facts of it, if clubs that in the past have been using these machines contrary to law and have retained the profits from them for the provision of club services and activities are to maintain the same profit after the payment of taxation either they will have to increase the amount that goes through the machines or reduce the payout to members. This will inevitably

result in clubs generally seeking to increase the number of machines and encourage their further use. Apart from what I have already said about the moral danger in the use of these machines, it is wrong that the Government should participate in the process.

Question—That the words proposed to be omitted stand—put. The Committee divided:

Ayes, 26; noes, 13; majority, 13.

AYES.

Mr. Alam
Mr. C. A. F. Cahill
Mr. Cochrane
Mr. Colborne
Mr. Concannon
Mr. Coulter
Mr. Dalton
Mr. Day
Mr. Downing
Mr. Erskine
Mr. Hackett
Mr. Jackson
Mr. J. D. Kenny
Mr. J. L. Kenny

Mr. King
Mr. Love
Mr. Mahony
Mr. Maloney
Mrs. Melville
Mr. W. T. Murray
Mr. Rygate
Mr. Savage
Mr. Sutherland
Mr. Weir

Tellers,

Mr. Graves
Mr. O'Dea

NOES.

Mr. Armstrong
Mr. Budd
Mr. Carter
Colonel Clayton
Mr. Falkiner
Mr. Henley
Mr. Hewitt

Sir Henry Manning
Brigadier Playfair
Mr. Sommerlad
Mr. Warren
Tellers,
Mr. Ahern
Mr. Bridges

Question so resolved in the affirmative.

Amendment negatived.

Clause agreed to.

The Hon. R. R. DOWNING (Attorney-General, Minister of Justice and Vice-President of the Executive Council) [5.46]: I move:

That the following new clause be added:

4. The keeping, use or operation of poker machines at any time before the thirtieth day of June, one thousand nine hundred and fifty-six, by any club which made application for a renewal of a certificate of registration under Part X of the Liquor Act, 1912, as amended by subsequent Acts, before that day and whose application for renewal of the certificate of registration under that Part was refused and the use or operation of poker machines upon the premises of any such club by any persons before that day shall not be a ground upon which any objection may be maintained upon any appeal against the refusal of such renewal.

As hon. members know, objection was taken to the renewal of the licences of forty-seven clubs. Those clubs have lodged appeals against the refusal of the Licensing Court to renew their registrations. If the appeal court dismissed their appeals, even though this legislation were passed in its present form the clubs would be deregistered and would require to make fresh applications for registration. While awaiting re-registration they would suffer the disadvantages of non-registration. I have intimated that this legislation was introduced to meet a situation that had arisen as a result of the Licensing Court's decision and I have moved this amendment to make the legislation fully effective.

Amendment agreed to.

The Hon. A. D. BRIDGES [5.50]: I move:

That the following new clause be added:

5. Nothing in this Act shall be construed as authorising the use or operation of poker machines on any Sunday or on Good Friday or on Christmas Day.

Horse and dog racing are prohibited on Sunday, Christmas Day and Good Friday, on which days it is not legal to sell liquor in hotels. It is completely obnoxious, if gambling on a racecourse is prohibited, horse and dog racing cannot be indulged in and men and women cannot drink liquor on licensed premises on those days, that young men, young women and others should be able to go to licensed clubs and there indulge in the game of chance permitted by this bill. Whatever may be the views of hon. members on other aspects of the measure I cannot imagine their allowing these sacred days to be defiled by the use of these machines.

The Hon. R. S. JACKSON [5.52]: The amendment would defeat the whole objective of the bill. I have no objection to anyone attending church and being God-fearing, but small bowling clubs where members only meet on Saturday and Sunday would be seriously affected by the amendment. The limitation of the use of poker machines or the clubhouse on a Sunday would prevent members from gaining any benefits from their association on that

day. To a large measure the amendment would nullify the measure and should not be accepted.

The Hon. A. D. BRIDGES [5.53]: The moral welfare of the community is of infinitely greater importance than the interests of the few members of the club who would seek advantage from these machines.

Question—That the words proposed to be inserted be so inserted—put. The Committee divided:

Ayes, 14; noes, 26; majority, 12.

AYES.

Mr. Armstrong
Mr. Bridges
Mr. Budd
Mr. Carter
Colonel Clayton
Mr. Falkiner
Mr. Henley
Mr. Hewitt

Sir Henry Manning
Mr. Sommerlad
Mr. Warren
Mr. Wilson

Tellers,
Mr. Ahern
Brigadier Playfair

NOES.

Mr. Alam
Mr. C. J. Cahill
Mr. Cochrane
Mr. Colborne
Mr. Concannon
Mr. Coulter
Mr. Dalton
Mr. Day
Mr. Downing
Mr. Graves
Mr. Hackett
Mr. Jackson
Mr. J. D. Kenny
Mr. J. L. Kenny

Mr. King
Mr. Love
Mr. Mahony
Mr. Maloney
Mrs. Melville
Mr. W. T. Murray
Mr. O'Dea
Mr. Rygate
Mr. Sutherland
Mr. Weir

Tellers,
Mr. Erskine
Mr. Savage

Question so resolved in the negative.

Amendment negatived.

Bill reported with an amendment; report adopted.

GAMING AND BETTING (POKER MACHINES) TAXATION BILL.

SECOND READING.

The Hon. R. R. DOWNING (Attorney-General, Minister of Justice and Vice-President of the Executive Council) [6.0]: I move:

That this bill be now read a second time.

I do not propose to deal with the bill at any length except to say that its contents have been debated fully in the debate on the originating bill. A taxation bill is designed to give effect to the provisions outlined in an originating measure. In legislation of this nature, it is the practice for

an originating bill to be introduced and then the actual fees and taxation imposed are dealt with in a taxation measure.

The Hon. A. D. BRIDGES [6.2]: I agree with the Minister that this matter has already been debated at sufficient length and that there is no occasion to add much to what has already been said on the subject. It is sufficient to comment that, from the views already expressed by members on this side of the Chamber, it is clear that the majority of them were opposed to the taxation of clubs in the manner indicated apart from the source from which this taxation is to be obtained. Having regard to the fact that the Government is badly in need of funds and is looking everywhere for means of obtaining more money, this is the worst possible source of revenue for government purposes. It is tainted money! For that reason I completely oppose the bill.

Motion agreed to.

Bill read a second time and reported from Committee without amendment; report adopted.

TARONGA ZOOLOGICAL PARK BILL. SECOND READING.

The Hon. R. R. DOWNING (Attorney-General, Minister of Justice and Vice-President of the Executive Council) [6.5]: I move:

That this bill be now read a second time.

This short measure has two main objects. The first is to enable Sir Edward Hallstrom to continue in office as a trustee of Taronga Zoological Park until he attains the age of seventy-three years. The second is to make the trustees a corporate body and bring them, together with the park, under the Public Parks Act. Taronga Zoological Park comprises an area at Athol Bay of about 70 acres of land, which is dedicated as a site for zoological gardens. The area is under the care and management of individual trustees appointed under the Crown Lands Consolidation Act, 1913. Since the passing of the Trustees of Public Reserves (Limitation of Numbers and Retirement) Act in 1941, trustees cease to hold office from the day on which they attain the age of seventy years.

Sir Edward Hallstrom, who is President of the Taronga Zoological Park Trust, will reach the retiring age of seventy years on 25th September, 1956. The Government considers, however, that there are exceptional circumstances surrounding Sir Edward's position as a trustee that warrant his remaining in office for a further period of three years. Sir Edward has been a trustee of the zoo for the past fifteen years and was vice-president for several years before he became president on 8th March, 1948. During his long association with the zoo it has made outstanding progress, due to the personal sacrifices that he has made in time and money in improving the area and its general attractiveness to the public. In addition to his trust activities, the generous contributions made by Sir Edward to many very worthy public causes are well known. For many years he has given an outstanding example of public service to the people of this State, and there are many who have good cause to be grateful for his generosity.

Though Sir Edward will soon attain the age of seventy years his enthusiasm for his work is as keen as ever, and the energy and drive that he brings to his position on the trust are equalled only by his intense interest in zoological matters generally and Taronga Park in particular. Sir Edward has provided many thousands of pounds from his own private resources in his efforts to make Taronga Zoological Park outstanding among the zoos of the world. His business ability has been invaluable in trust affairs and his special knowledge of zoology has enabled him to take a very active part in the daily work of the zoo. During almost the whole of Sir Edward's term as a trustee of the park I have had the pleasure of being associated with him as a fellow trustee. It would be impossible for the people of this State to express adequately their appreciation for his magnificent work in making Taronga Zoological Park a place to which the public might have resort to see valuable exhibits that have been obtained from all parts of the world. Many of them have been donated by Sir Edward to the park.

His special zoological knowledge has enabled him to bring the park to its present excellent condition and to a position of prestige among the great zoos of the world. In addition, his business knowledge and ability have made it one of the best managed trusts in this State. I am confident that hon. members will wish to give their support to the provisions of the bill relating to the extension of Sir Edward's term of office as trustee. The second object of the bill is to make the trustees a corporate body and bring them and the Taronga Zoological Park within the provisions of the Public Parks Act. As I mentioned, it is at present a trust under the Crown Lands Consolidation Act. It is desirable that a trust of this nature should be a body corporate, and the provisions in this regard will greatly assist the work of the trust.

Bringing the trustees and the park under the Public Parks Act will result in the trustees' acquiring the powers conferred by that Act to purchase or take a lease of land required for use in connection with the zoo. For some years the trustees had been anxious to take a lease of land to grow fodder for the zoo animals. They could not legally do this, and Sir Edward Hallstrom came to the rescue by acquiring the land privately and supplying the zoo with green fodder free of cost. Hon. members who have visited the zoo recently will appreciate the vast quantity of green fodder that is necessary to feed the animals. That is one example of the benefactions of Sir Edward to this magnificent institution. The Minister for Lands intended to bring the park and the trustees under the Public Parks Act by administrative action, but the opportunity was offered by this bill to effect that change by legislation. The other amendments in the bill are of a consequential nature only and are not controversial. I commend the bill to the House.

Colonel the Hon. H. J. R. CLAYTON [6.12]: Every hon. member will have the deepest pleasure in supporting every word that has been said by the Attorney-General in praise of the activities of Sir Edward Hallstrom. He has rendered magnificent public service, and the least that we can do

in recognition of it is to adopt the Government's suggestion and unanimously agree to the extension of his term of office. The community will enthusiastically support the proposal. The provision that the trustees of the park shall be deemed to be trustees under the Public Parks Act is a splendid move and will have beneficial effects. I was a little apprehensive about clause 5, which provides that the rules and regulations made by the former trustees under the authority of the Crown Lands Consolidation Act shall be deemed to be binding with respect to the park land. That is a wide provision, but I am sure that it would not have been included in the measure unless those who drafted it were certain that it was necessary. I have much pleasure in supporting the motion.

Motion agreed to.

Bill read a second time and reported from Committee without amendment; report adopted.

With concurrence, bill read a third time and returned to the Legislative Assembly.

SPECIAL ADJOURNMENT.

Motion (by the Hon. R. R. Downing) agreed to:

That this House, at its rising to-day, do adjourn until Wednesday next.

ADJOURNMENT.

BUSINESS OF THE HOUSE.

The Hon. R. R. DOWNING (Attorney-General, Minister of Justice and Vice-President of the Executive Council) [6.19]: I move:

That this House do now adjourn.

The House has before it for consideration at the moment two bills—The Presbyterian Church (New South Wales) Property Trust (Amendment) Bill and Hunter District Water, Sewerage and Drainage (Amendment) Bill. It is expected that by next Wednesday a measure dealing with motor traffic and transport will have been considered in another place and will be available for consideration. The House will then have these three bills for consideration.

Motion agreed to.

House adjourned at 6.20 p.m.