

I well remember when I came back to this argument, at the time I was speaking of a few moments ago, that the particular thing the proprietors wanted in those days was a restriction on trading hours. That is what the question boiled down to. But during the course of the debate held here, and also as a result of much evidence given before the Royal Commission, I think that a satisfactory plan of control has been evolved; and as it is already being implemented, and has been carried on over the period of time that I have mentioned, I do not think the motion moved by Mr. Diver is really necessary.

THE HON. G. C. MacKINNON: I move—

That the debate be adjourned.

The Hon. R. THOMPSON: I was on my feet before Mr. MacKinnon.

The PRESIDENT: Will the honourable member resume his seat while I put the question? The question is, that the debate be adjourned.

Motion put and passed.

House adjourned at 9.55 p.m.

Legislative Assembly

Thursday, the 12th November, 1959

CONTENTS

	Page
ASSENT TO BILLS	3053
LEAVE OF ABSENCE	3059
RESOLUTION :	
State Forests, Council's message	3123
QUESTIONS ON NOTICE :	
Point Samson Water Supply—	
Shortage	3053
Provision of a road train	3054
Inquiries re de-salting plant	3054
Emu-proof Fences—	
Length and Cost	3054
Use of ringlock wire	3054
Rents and tenancies Act, legislation for continuance	3054
Causeway, clover-leaf system of approaches	3055
Open-cut coal, supplies to Government and payments to companies	3055
Offer of reward to police, statutory provision for offence	3056
Bookmakers' turnover tax, Treasury Department advice	3056
Stock Stealing—	
Incidence	3056
Police action	3056
Water boring, action to control price increases by firms	3056

CONTENTS—continued

	Page
QUESTIONS ON NOTICE—continued	
Maids Vale water supply, allocation from loan funds	3056
Country schools, installation of septic tanks	3057
QUESTIONS WITHOUT NOTICE :	
Water Boring—	
Action to control price increases by firms	3057
Restriction on inquiry by commissioner	3059
Workers' Compensation Act, amending legislation	3057
Point Samson water supply, provision of a road train	3057
Stock stealing, police action	3058
Monopolies and restrictive trade practices, duties of Director of Investigation	3058
BILLS :	
Marriage Act Amendment Bill, assent	3053
Main Roads Act Amendment Bill, assent	3053
Companies Act Amendment Bill, assent	3053
Katanning Electric Lighting and Power Repeal Bill, assent	3053
Supply Bill (No. 2), £19,000,000, assent....	3053
State Hotels (Disposal) Bill, assent	3053
Argentine Ant Bill, assent	3053
Oil Refinery Industry (Anglo-Iranian Oil Company Ltd.) Act Amendment Bill, assent	3053
State Housing Act Amendment Bill, assent	3053
Housing Loan Guarantee Act Amendment Bill, 1r.	3053
Entertainments Tax Act Amendment Bill—	
Notification of clerical error	3053
Com., report	3053
Hire-Purchase Bill, returned	3059
Betting Control Act Amendment Bill—	
Com.	3059
Report, 3r.	3064
Bookmakers Betting Tax Act Amendment Bill—	
2r.	3064
Com.	3070
Report	3072
3r.	3073
Betting Investment Tax Bill—	
2r.	3075
Com.	3087
Recom.	3116
Further report, 3r.	3123
Entertainments Tax Act Amendment Bill, Council's message	3123
Traffic Act Amendment Bill (No. 3), returned	3123
Road Districts Act Amendment Bill (No. 2), returned	3123
Municipal Corporations Act Amendment Bill (No. 2), returned	3123

The **SPEAKER** took the Chair at 2.15 p.m., and read prayers.

BILLS (9)—ASSENT

Message from the Governor received and read notifying assent to the following Bills:—

1. Marriage Act Amendment Bill.
2. Main Roads Acts Amendment Bill.
3. Companies Act Amendment Bill.
4. Katanning Electric Lighting and Power Repeal Bill.
5. Supply Bill (No. 2), £19,000,000.
6. State Hotels (Disposal) Bill.
7. Argentine Ant Bill.
8. Oil Refinery Industry (Anglo-Iranian Oil Company Ltd.) Act Amendment Bill.
9. State Housing Act Amendment Bill.

HOUSING LOAN GUARANTEE ACT AMENDMENT BILL

First Reading

Bill received from the Council; and, on motion by Mr. Ross Hutchinson (Chief Secretary), read a first time.

ENTERTAINMENTS TAX ACT AMENDMENT BILL

Notification of Clerical Error

THE SPEAKER: I have received the following letter from the Clerk of Parliaments:—

The Hon. the Speaker,
Legislative Assembly.

Dear Sir,

re Entertainments Tax Act Amendment Bill.

A clerical error has been revealed in the above Bill, which recently completed its passage through both Houses.

The nature of the error is as follows: In the heading of the left hand column of the schedule, the word "including" appears, instead of the word "excluding".

A study of the Bill and reference to the principal Act will show that the word "excluding" was intended; and this matter is now reported so that it may be adjusted under Joint Standing Rules and Orders No. 12.

Yours faithfully,
(Sgd) J. B. ROBERTS,
Clerk of the Parliaments.

To refresh the memories of members I will read No. 12 of the Joint Standing Rules and Orders, which is to be found on page 110 of the Standing Orders of the Legislative Assembly. It reads as follows:—

Upon the discovery of any clerical error in any Bills which shall have passed both Houses of Parliament, and before the same be presented to the

Governor for the Royal Assent, the Clerk of the Parliaments shall report the same to the House in which the Bill originated, which House may deal with the same as with other amendments.

That would imply that the Treasurer, who is in charge of the Bill, should move me out of the Chair in order that the correction may be made in Committee.

In Committee

On motion by Mr. Brand (Treasurer) the House resolved itself into a Committee of the whole for the purpose of considering the letter received from the Clerk of Parliaments. The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Brand (Treasurer) in charge of the Bill.

Clause 4—First and Second Schedules repealed and Schedule substituted:

Mr. BRAND: In order that the Clerk of Parliaments may be authorised to make the correction of the clerical error as recommended in his letter, I move an amendment—

That in the left-hand column of the heading to the schedule, the word "including" be deleted, and the word "excluding" substituted.

Amendment put and passed.

Resolution reported, the report adopted, and the Council acquainted accordingly.

QUESTIONS ON NOTICE

POINT SAMSON WATER SUPPLY

Shortage

1. **Mr. BICKERTON** asked the Minister for Water Supplies:
 - (1) Is he aware that 43 adults and 30 children reside at Point Samson?
 - (2) Is he aware that there are 20 houses plus two partly constructed at that port?
 - (3) Is he aware that most tanks on the houses are at this stage empty, or nearly empty?
 - (4) Is he aware that some residents are paying up to £1 per 44-gallon drum to have water carted from Roebourne?
 - (5) As he stated, in answer to a previous question, that assistance in regard to water supplies for this town would be given in cases of emergency, does he consider that a case of emergency now exists?
 - (6) Did he receive a letter from me pointing out the seriousness of the situation and requesting a conference with him and the Minister for the North-West? If so, will he explain why he has ignored my request?

Provision of a Road Train

- (7) Will he give instructions for a road train to transport at least drinking water from Roebourne to Point Samson until a more satisfactory system can be obtained?

Inquiries re De-salting Plant

- (8) Has his department had inquiries made overseas regarding a water de-salting plant? If so, what was the outcome of these inquiries, and is it a practical proposition for towns such as Point Samson?

Mr. WILD replied:

- (1) Yes.
 (2) Yes.
 (3) It is known that storages of household water at Point Samson are low and that water is being carted from Roebourne for a number of people.
 (4) Details of the cost of cartage of water are not known.
 (5) Yes, and similar conditions existed in previous years. Water has been and is available at a standpipe in Roebourne without charge.
 (6) Yes. A reply was held over awaiting information following the return of the Engineer, North-West, from a recent visit to the North including Marble Bar and the Roebourne area.
 (7) The question of supplying water to Point Samson is under consideration.
 (8) The department has extensive literature from overseas and from the C.S.I.R.O. A de-salting plant would not be a practical proposition at present for towns such as Point Samson.

EMU-PROOF FENCES*Length and Cost*

2. Mr. KELLY asked the Minister for Agriculture:

- (1) What was the cost of the emu-proof fence constructed from No. 1 to No. 2 rabbit-proof fences, and passing through Lake Moore for—
 (a) labour;
 (b) material;
 (c) other costs?
 (2) What was the length of this fence?
 (3) What is the estimated cost of the proposed emu-proof fence which will encircle the Westonia and agricultural portion of the Yilgarn Road Board districts?
 (4) Will standard rabbit netting be used in this fence?

- (5) If so, at what cost?
 (6) What will be the cost of plain and/or barbed wire to be used?
 (7) What is the anticipated cost of labour for this fence?
 (8) What is the approximate length?

Use of Ringlock Wire

- (9) As this fence is not designed to retard rabbits, would not ringlock wire be more effective as an emu-proof fence?
 (10) If ringlock were used, what would be the cost of—
 (a) wire;
 (b) labour;
 (c) other costs?
 (11) What would be the estimated saving in after maintenance costs, in avoidance of sand drifts, removal of rubbish collected and reduction of fire hazard by the use of ringlock?

Mr. NALDER replied:

(1) Total	£62,000.	
(a) Contractor's price including labour and minor charges		£ 24,393
(b) Materials	30,644
(c) Other	6,963
		<hr/> £62,000 <hr/>

- (2) 120 miles.
 (3) Approximately £75,000.
 (4) Yes.
 (5) £21,400.
 (6) £7,400.
 (7) £30,500.
 (8) 150 miles.
 (9) Rabbit netting is considered more suitable than ringlock for the proposed Yilgarn fence, both for the exclusion of emus and for the exclusion of vermin generally, including wild dogs.
 (10) The use of ringlock is not considered suitable for the reasons outlined. Information regarding cost is not available immediately but an endeavour will be made to obtain same.
 (11) There would be little or no saving in the use of ringlock. The main fire hazard is to posts, and it is considered this factor is constant.

RENTS AND TENANCIES ACT*Legislation for Continuance*

3. Mr. GRAHAM asked the Chief Secretary:
 (1) Is it intended to introduce legislation this year for continuing the operations of the rents and tenancies Act?

- (2) If not, why not?
- (3) If legislation is not introduced, will it mean that in future common law provisions will apply, and that as little as seven days' notice to quit residential premises will be lawful?
- (4) Is this considered a reasonable period for a family to obtain suitable alternative accommodation?

Mr. ROSS HUTCHINSON replied:

- (1) No.
- (2) It is considered that the necessity for this legislation no longer exists.
- (3) The duration of the notice to quit would be determined by the contract between the landlord and tenant. However, in the case of a weekly tenancy a bare seven days' notice only applies where it expires on the seventh day of any week of the tenancy and in consequence such notice can be as long as thirteen days. In cases of longer periodical tenancies longer periods of notice are requisite.
- (4) Having regard to all circumstances it is considered that sufficient time is granted, particularly as the period of notice is not the period of time that the tenant has to vacate. I would point out that in cases where the annual rent does not exceed £500, eviction proceedings would be taken in a local court and the Local Courts Act provides—

- (a) By section 99 (applicable where the tenancy is terminated by notice) that the magistrate at his discretion fix the date for possession.
- (b) By section 100 (applicable where there are certain arrears of rent) that the magistrate may fix the time for possession, but must allow at least 14 days to the tenant from the date of the hearing, but, if the arrears and costs are paid within such period then the order for possession lapses.

CAUSEWAY

Clover-Leaf System of Approaches

- 4. Mr. ANDREW asked the Minister for Works:
 - (1) Has his department, in recent times, given any thought to the provision of the clover-leaf system on the approaches to the Causeway?
 - (2) If so, have any plans been drawn?
 - (3) If not, does he not consider that the clover-leaf system will eventually have to be adopted?

Mr. WILD replied:

- (1) After the Causeway was opened in 1952 consideration was given to building a semi-clover-leaf treatment at both ends of the Causeway as the next stage in dealing with the increase in traffic over the Swan River bridges. It was decided that the heavy cost of such treatment would be better spent in providing another bridge over the river.
- (2) Answered by No. (1).
- (3) Maybe, in many years to come.

5. *This question was postponed.*

OPEN-CUT COAL

Supplies to Government and Payments to Companies

- 6. Mr. MAY asked the Minister representing the Minister for Mines:
 - (1) Has the Western Collieries of W.A. supplied open-cut coal to any Government instrumentality since the date fixed in the present coal agreement for the closure of its open cut?
 - (2) What quantity of open-cut coal has been supplied by Amalgamated Collieries of W.A. Ltd., over and above the quantity specified in the present coal agreement?
 - (3) Are any payments being made to Amalgamated Collieries of W.A. Ltd., or the Western Collieries of W.A., under any other arrangement than the present coal contracts?
 - (4) If the answer to No. (3) is in the affirmative, what are the details of such payments?
 - (5) Have any payments been made to any Colliery coal company since the date of the existing coal agreement under the previous cost-plus arrangement?

Mr. ROSS HUTCHINSON replied:

- (1) No.
- (2) This information is not available as both deep-mine coal and open-cut coal pass over the same gantry and the subsequent mixture cannot be specifically identified.
- (3) (a) Western Collieries—No.
(b) Amalgamated Collieries—Yes.
- (4) (a) Sick and holiday pay accrued to date of termination of previous contract.
(b) Workers' compensation—liability for which accrued as in (a) above.
(c) Sundry small payments for goods and services.
- (5) Yes.

OFFER OF REWARD TO POLICE*Statutory Provision for Offence*

7. Mr. EVANS asked the Minister for Police:

- (1) Is he aware of a news item appearing in the *Daily News* of the 10th instant under the heading "Reward Not Wanted"?
- (2) As the case in question involved the offering of money as a "reward" and not a "bribe," and as the magistrate and the prosecuting inspector both stated that this was the first time they had dealt with a charge of this nature, there being a nominal fine of £1 imposed, would he please state under which statutory provision the man concerned offended?

Mr. PERKINS replied:

- (1) Yes.
- (2) He was charged and convicted under section 16 of the Police Act, 1892-1952. He was represented by counsel at the hearing.

BOOKMAKERS' TURNOVER TAX*Treasury Department Advice*

8. Mr. OLDFIELD asked the Treasurer:

- (1) Did the Under-Treasurer make any recommendations to the Government as to what turnover tax should be paid by the off-course bookmakers?
- (2) If so, will he table the file containing the recommendations?

Mr. BRAND replied:

- (1) The part played by Treasury officers in relation to the sliding scale of turnover tax was simply to analyse various proposals referred to them by the Government, and no specific recommendation was made by the Under Treasurer.
- (2) Answered by No. (1).

STOCK STEALING*Incidence*

9. Mr. HALL asked the Minister for Police:

- (1) What is the incidence of stock stealing in this State, as reported, and can he give the respective figures of stock stolen, in their classifications, for the years 1956-57, 1957-58, and 1958-59?

Police Action

- (2) Does he think that the incidence of stock stealing in this State is beyond the capacity of existing country police units?
- (3) If the answer to No. (2) is "Yes," has he given consideration to establishing a special police squad to operate in country areas?

- (4) If the answer to No. (3) is "Yes," would the Government meet the cost of establishing a special police squad, or would there be a special charge on the farming community?

Mr. PERKINS replied:

- (1) These figures are not readily available, but can be obtained if the honourable member considers it essential.
- (2) No.
- (3) and (4) Country stations have been expanded so that at such centres as Narrogin, Northam, Geraldton, Bunbury, and Albany there is permanently stationed one detective, and in some places two, with other police officers and sufficient transport to deal quickly with any form of law breaking.

WATER BORING*Action to Control Price Increases by Firms*

10. Mr. JAMIESON asked the Minister for Police:

- (1) Has he power under the Monopolies and Restrictive Trade Practices Control Act, to take action against the water boring firms who have unanimously raised their prices since the water restrictions were imposed in the metropolitan area?
- (2) If so, will he have inquiries made and take the necessary action to prevent, among others, the Parents and Citizens' Associations which are desirous of putting in reticulation, from being exploited by firms during the currency of the emergency water restrictions?

Mr. PERKINS replied:

- (1) No.
- (2) Answered by No. (1).

MAIDA VALE WATER SUPPLY*Allocation from Loan Funds*

11. Mr. OWEN asked the Minister for Water Supplies:

- (1) Has any allocation been made from loan funds this financial year for the Maida Vale water supply scheme?
- (2) If so, what amount?

Mr. WILD replied:

- (1) No. Due to the cut in loan funds it became necessary this year to delete the implementation of the Maida Vale water supply scheme. If the residents are prepared to guarantee the revenue as previously requested, serious consideration will be given to placing this scheme high on the estimates for 1960-1961.
- (2) See answer to No. (1).

COUNTRY SCHOOLS

Installation of Septic Tanks

12. Mr. O'NEIL asked the Minister for Education:

Would he please give the House a progress report on the installation of septic systems in country schools, which were expected to benefit in this regard as the result of legislation introduced during the current session of Parliament?

Mr. WATTS replied:

Plans and estimates have been prepared for septic installations at 59 schools, involving approximately £50,000. Up to date 17 local authorities have signified their willingness to provide funds, and tenders for these schools are being called. As further advices are received from local authorities, tenders will be called progressively until a total of £50,000 is reached during this financial year.

13. *This question was postponed.*

QUESTIONS WITHOUT NOTICE

WATER BORING

Action to Control Price Increases by Firms

1. Mr. HEAL asked the Minister for Police:

With relation to question No. 10 on today's notice paper, the Minister answered part (1) by saying, "No." Would he explain why he has had no action taken under the restrictive trade practices legislation?

Mr. PERKINS replied:

Because Parliament so decided when the legislation was enacted.

WORKERS' COMPENSATION ACT

Amending Legislation

2. Mr. W. HEGNEY asked the Minister for Labour:

On the 30th September, in reply to questions submitted by me in regard to the Workers' Compensation Act, the Minister agreed that some of the major provisions of that Act in this State were far below those of a number of other States, and indicated that consideration was being given to the matter. Would he now state—

(1) What consideration has been given to the matter since my question was asked?

(2) Are any amendments to the present Act likely to be introduced this session?

(3) If not, why not?

Mr. PERKINS replied:

(1), (2), and (3) There will not be time to introduce any such amendments this session; but I have been having discussions with the Workers' Compensation Board on the points the honourable member raised. I am hopeful that after the session closes I will be able to go into more detail on these matters.

POINT SAMSON WATER SUPPLY

Provision of a Road Train

3. Mr. BICKERTON asked the Minister for Works:

With reference to part (7) of question No. 1 on today's notice paper, Mr. Speaker, the Minister replied that consideration would be given to the question of a road train. With your indulgence, Sir, I will read a brief note in connection with this matter. It is from a man who is apparently a New Australian, in Point Samson. I think that, to appreciate it, you will bear with me if I read the note more or less as it is written. The postal address is "Sampson Porta". It reads—

Sampson Porta,
via Roe Bournia.

Orta Bickerton,
House of Deputies,
Perth.

Dear Orta,

I worka and liva at the Sampson Porta
More common sense show I know I oughta
Cause I hava da momma, three sons and da daughta
And Orta we aint gotta da water.

The North she good place if only we standa
I sticka alright I'm proper the stranda
Aint got enough water to reach other landa
So Orta pleasa getta da water.

We don't wanta more letters and talk to outsorta
As the Englisha they usa we never been taughta
We wanta the promise that gives more than the naughta
Orta we wonta da water.

Now alla our family she bathe in the drumma
As she only four gallon there no rooma for momma
And this they call Spring, what appen in summa
Orta we aint gotta da water.

If Wilda he no do what we think
 he aughta
 Go see someone else you trya da
 Courta
 You tickle em uppa and showem
 no quarta
 Because, Orta, we needa da water.
 Jaza Garta

P.S. Please excusa spelling of water.

The Minister said he would give consideration to the question of this road train, and I ask him whether he could expedite it while the scheme for Point Samson is being looked into, because the situation there at present is very serious?

Mr. WILD replied:

I was wondering whether I could see the original of the letter that was sent to the honourable member.

Mr. Hawke: If the Minister is not careful he will see the bloke who wrote it!

Mr. WILD: All facetiousness aside, this question has naturally been engaging the attention of the departmental engineers for a long time. I would also remind the honourable member that it has been engaging their attention for the past six years. I am not just good enough that I can, in six months, do what should have been done in the past six years, but I can assure him that this Government will probably do more in the next two months than the previous Government did in the past six years.

STOCK STEALING

Police Action

4. Mr. HALL asked the Minister for Police:

I refer to the answer given to part (1) of question 9 which I asked the Minister today with reference to the incidence of stock stealing in this State. The answer was—

These figures are not readily available, but can be obtained if the honourable member considers it essential.

I know that representations were made to the previous Minister for Lands (Mr. Kelly) to ascertain what could be done in this matter. We have now discovered, as a result of the answer given to parts (3) and (4) of my question, that country stations have been expanded so that at such centres as Narrogin, Northam, Geraldton, Bunbury, and Albany there is permanently stationed one detective—

The SPEAKER: Will the honourable member get on with the question, please?

Mr. HALL: Will the Minister give this matter further consideration because, in my opinion, it is serious?

Mr. PERKINS replied:

I have been giving this matter serious consideration ever since I have assumed office. It is my considered opinion that the action taken is the most effective way to deal with the problem. We believe in the principle of decentralisation; and if cases of law-breaking are to be dealt with expeditiously, it is highly desirable to have both detective and other members of the Police Force as close to the scene of the crime as possible. That is the purpose of decentralising these activities.

WATER BORING

Action to Control Price Increases by Firms

5. Mr. HEAL asked the Minister for Police:

As a result of his answer to the question put to him by the member for Beeloo this afternoon—namely, that he has no power under the Act—would he ask the commissioner administering the restrictive trade practices legislation to investigate the position as requested by the member for Beeloo?

Mr. PERKINS replied:

It is the prerogative of any person to ask the commissioner to take action under the provisions of the Act. There is also an advisory committee in existence on which the Labour Party is directly represented. I have my doubts whether the member for West Perth has taken any action in regard to this matter.

Restriction on Inquiry by Commissioner

6. Mr. TONKIN asked the Minister for Police:

Will he give an assurance that he will not restrict the commissioner from taking action?

Mr. PERKINS replied:

Yes; I can assure the honourable member that I will not restrict the commissioner from taking action; it is not within my power to do so. The legislation in question has been enacted by Parliament; and since I have been administering the Act, I have given neither the commissioner nor any other person responsible for the administration of the Act any direction as to what they should do.

MONOPOLIES AND RESTRICTIVE TRADE PRACTICES

Duties of Director of Investigation

7. Mr. W. HEGNEY asked the Minister for Labour:

Are all the members of the staff who were employed on the 15th March still employed in the office, or is the Director of Investigation engaged on other work?

Mr. PERKINS replied:

The first responsibility of the Director of Investigation is in regard to the duties which he is required to perform under the Act. If he is not fully employed, other work is found for him, because it is thought that any officer employed by the Government should not be idle if there is useful work for him to do.

HIRE-PURCHASE BILL

Returned

Bill returned from the Council with amendments.

LEAVE OF ABSENCE

On motions by Mr. I. W. Manning, leave of absence for two weeks granted to Mr. Nimmo (Wembley Beaches) and to Mr. Mann (Avon Valley) on the ground of ill-health.

BETTING CONTROL ACT AMENDMENT BILL

In Committee

Resumed from the previous day. The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Brand (Treasurer) in charge of the Bill.

Clause 4—Sections 16A, 16B, and 16C added (partly considered):

Mr. HAWKE: Last night I took the opportunity to express strong views on the proposals in this Bill in regard to the amounts which will be made available to the Western Australian Turf Club, the Western Australian Trotting Association, and to other racing and trotting clubs in Western Australia. I pointed out that the proposals which will lead to the payment of approximately £133,000 a year to the Western Australian Turf Club were such that I could not agree with them. I do not think the State—certainly not the Parliament of the State—has any right to subsidise one racing club to the extent of £133,000 a year. That is a terrific subsidy. The proposals appear worse when consideration is given to the minor payments that will be made to other racing clubs. Last night the Premier quoted some figures showing how the Northam Racing Club will get an increase in subsidy from £300 to £1,400; how the Bunbury club will get

some small increase; how the subsidy payable to the Moora race club will be increased from £21 to £193; and how the Ashburton race club will receive an increase from £19 to £169.

The Treasurer also gave the figures of increase in respect of other country race clubs. When we examine them we find that those race clubs will benefit only to a minor extent, compared with the tremendous benefit which will be conferred on the W.A. Turf Club from this proposed subsidy. There is no need to pay all this money to the Turf Club, and there is no justification for so doing. The proposed subsidy to this club will exceed £2,500 a week. This is a subsidy to one race club, although certainly it is the biggest in the State, and it promotes race meetings on the average of at least once a week.

When we measure the proposed subsidy of approximately £133,000 against the present subsidy of £8,000 a year, we can see the tremendous increase involved. I am inclined to think that if the committee of the Turf Club had approached the Government to say, "We will run the club on the expenditure side without any say from you as the Government, and we will send you all the accounts and you pay them", the Treasurer and his ministerial colleagues would have agreed to the proposition.

To a large extent such a proposition is involved in these Bills before us. The £2,500 a week as subsidy is a large one for the Government to pay to the main racing club in this State. If the Government, under the proposals, undertook to increase the present subsidy of £8,000 to £52,000 to the Turf Club, that would be a good effort on the part of the Government. It would amount to a subsidy of £1,000 a week to the main race club. I am sure that the committee members, and the members of the Turf Club, would have had no reasonable grounds for complaint if the Government had decided to raise the present subsidy from £8,000 to £52,000. That would be a very generous subsidy. It would enable the Turf Club to effect all the improvements it seeks to carry out.

The Turf Club should not expect the taxpayers to finance the capital expenditure of the club. No sporting club in this State should expect that. If the Turf Club, or any other sporting club, wants to establish new large-scale capital improvements, that is the business of the club concerned; it should arrange and finance those improvements over a period of years.

If the Treasurer is so anxious to pay this huge amount of money from revenue to the trotting and racing clubs as a subsidy, I suggest that he reduce the amount it is proposed to pay to the Turf Club, and spread the amount so taken away from the Turf Club among the other racing clubs in the State. From my own

personal experience, I know that some race clubs in the country districts are living from hand to mouth, although we know that the Turf Club has been struggling financially also. Under these proposals it is intended to solve all the financial problems of the Turf Club, perhaps to put the Turf Club on a fantastically sound financial basis by the payment of this subsidy, and to leave some country club battling along, almost hopelessly, against its financial difficulties. What difference would an increase of £50 a year in the subsidy make to the Ashburton club, if that is the amount? What difference would an additional amount of £100 make to the Moora race club; or what difference would an increase of £200 make to the Pinjarra race club?

Mr. Brand: The increase in respect of the Pinjarra race club is well over £1,000. I want to put you right.

Mr. HAWKE: That is a very small increase, compared with the increase payable to the Turf Club. Many people associated with racing clubs in the country districts contribute money from their own pocket to enable the clubs to keep going. In addition, some members of country racing clubs put in a terrific amount of work, in the form of busy bees. Those clubs have the work carried out sometimes free of charge and at other times at half cost.

If the Government wants to do the fair thing, it should make a reasonable increase in the subsidy paid to the Turf Club, but not a shockingly extravagant increase which will place the Turf Club in clover financially while practically every other race club in the State will be left to battle along.

If the Government proposes to raise hundreds of thousands of pounds in additional taxation to give to the race clubs, why should it hand over practically the whole amount to the main club? Why should not the Government give to the race clubs in the country districts a bit of a lift? Why should not the Government establish them on a safe financial basis, and so give them a chance to increase the stake money and reduce admission fees, if that is to be part of the policy of the Turf Club when it receives this additional subsidy?

If the Turf Club receives all this money, it will be able to offer free admittance, pay the transport cost of the patrons to and from the racecourses, supply the people with free beer, double the stakes, and provide other amenities, unless the Turf Club has decided to use most of this money for effecting capital improvements.

Those of us who have any knowledge of the racecourses in the metropolitan area would admit there is tremendous room for improvement in regard to the facilities provided in the leger reserves.

Some of the facilities which are there are quite hopeless and out of date; and many facilities which should be there are not there at all. We agree with all that. But is it the business of the State and the Government to finance capital expenditure for these clubs?

As a matter of fact, we know that Governments in this State cannot finance their own capital expenditure to anywhere near the extent and speed required in regard to school buildings, hospital buildings, water supplies and the rest of it. I am submitting strongly that the proposals for the distribution of these tax proceeds to racing clubs and trotting clubs are ill-balanced and hopelessly out of gear. Broadly speaking, the proposals for the distribution of the money to racing and trotting clubs provide tremendous sums, particularly for the Turf Club; and, to a much lesser extent, for the W.A. Trotting Association.

The CHAIRMAN: The honourable member's time has expired.

Mr. TONKIN: It is provided in this clause that a bookmaker shall, in accordance with the provisions of the Act, pay investment tax on the whole of his turnover at the rate specified by section 3 of the Betting Investment Tax Act.

I want to pose this question for the Treasurer's consideration: Subsection (2) of section 5 of the Betting Control Act provides that no bet or transaction arising out of or in connection with a bet shall be enforceable at law. What is the position if a bettor is betting by telephone with a bookmaker? The bookmaker is called upon to pay the investment tax to the Treasurer, but the bettor could neglect to pay the bet. The bookmaker cannot take action at law to enforce payment of his bet; nor can he take action at law to enforce payment of the investment tax. Does the Government appreciate that in these circumstances the bookmaker will have to pay the investment tax?

Mr. Brand: If a bookmaker took such a bet on the phone, it would be a bad debt. It would be the same as a fellow ringing up a grocery order and ultimately not paying for it.

Mr. TONKIN: It is not the same at all, because the grocer could take action at law. The Bill provides that the bettor shall pay an investment tax, but the Government intends to collect it from the bookmaker in the first instance. Therefore, it is provided that the bookmaker shall pay the investment tax on the whole of his turnover. So the bookmaker is made liable with the intention that he, in turn, will get the money from the bettor.

Mr. Brand: It is the responsibility of the bookmaker to collect it. That is what the Bill says. It is the responsibility of the bookmaker to collect it whether it is as a result of a phone bet or a personal transaction over the counter.

Mr. TONKIN: It is the responsibility of the bookmaker because that is the easiest way the Government can get it.

Mr. Brand: It is the only practical way.

Mr. TONKIN: When introducing the Bill the Treasurer stated that it was the intention of the Government that this money shall be paid by the bettors; as a matter of fact, the Government does not care who pays it so long as it gets the money.

Mr. Brand: It is laid down in the Bill.

Mr. TONKIN: If the bettor does not pay the amount to the bookmaker, the Government is not concerned.

Mr. Court: How much do you think a bookmaker might lose through this?

Mr. TONKIN: It is the principle with which I am dealing.

Mr. Court: He would lose 6d.

Mr. TONKIN: No; considerable sums.

Mr. Court: It is up to the bookmaker to get better clients.

Mr. TONKIN: That's a fine thing! It is up to accountants to get better clients. I know of some accountants—perhaps Hendry, Rae, and Court is one firm—who have had debts.

Mr. Court: We accept them.

Mr. TONKIN: What a lot of claptrap that is!

The CHAIRMAN: Order!

Mr. Hawke: Why don't the clients get better accountants?

Mr. TONKIN: If there were anything in the interjection of the Minister for Railways, some businessmen would never have had debts.

Mr. Court: Why worry about this one?

Mr. TONKIN: It is a question of principle. The attitude of the Minister for Railways is: Why worry about anything affecting the bookmaker; he is a pariah.

Mr. Court: I am amazed that you would worry about a small thing like this.

Mr. TONKIN: The Minister does not appreciate that anyone will stand up for justice. That is what amazes him.

Mr. Court: I am amazed that you are worried about 3d. or 6d.

Mr. TONKIN: It is the principle I am concerned with. If the Minister for Railways has any interest in the position at all he will examine it. I am only using this as an illustration to show that there are aspects in the betting business in Western Australia in connection with this provision which require examination. No doubt, in due course, this point will be brought before the attention of the Government when the Royal Commissioner

makes his report, because it was submitted to the commissioner. Unlike the Minister for Railways, he was greatly interested, and asked for a further submission in connection with it. If it is the intention of the Government that one section of the community shall pay this tax, the Government should take steps to see that that section does pay it. It should not leave it to mere chance.

Mr. Wild: You are referring to telephone bets.

Mr. TONKIN: Yes; because there is no question of non-payment of a cash bet. An individual could make 10 or a dozen phone bets in an afternoon.

Mr. Wild: If these bookmakers are going to fare so badly, don't you think they will see that they get the 3d. or the 6d.?

Mr. TONKIN: That is bringing up another point which I will discuss on a later Bill. I think the Government has said that ostensibly this tax has to be paid by the off-course bettor, but some of the Ministers are inclined to think that the sums involved are small and that no notice should be taken of the point I have raised. I am certain that the matter will arise later on in some other way and the Government will be called upon to take notice of it.

The CHAIRMAN: Order! The honourable member's time has expired.

Mr. HALL: I think the Treasurer pointed out last night that this year the Albany club would receive an increase. I do not know whether it has occurred to him that the clubs which are closer to the metropolitan area are able to hold more meetings in a year than the clubs in decentralised areas. Therefore, the nearer clubs are able to attract greater attendances and more nominations of horses. In addition, they would pay higher stakes during the 12 months. For this reason the nearer clubs will receive more money than the decentralised clubs.

Mr. Brand: Last year payments were based on the stakes.

Mr. HALL: That is the point. I think the Treasurer should take into consideration the hardships that are suffered by decentralised clubs.

Mr. EVANS: The clause we are discussing deals with the break-up and distribution of the moneys collected by the Government from the S.P. betting industry. When speaking last night, the Minister for Railways drew comparisons between the amounts received by the racing clubs in South Australia and the amounts received by the racing clubs in Western Australia from the premises bookmakers. I asked by way of interjection whether he had ever seen the legalised premises shops in South Australia. They are at Port

Pirie, where the only legalised shops operate. The Minister did not answer the interjection—possibly because he has not seen them and does not know how they operate.

I can assure the Committee that I spent a whole day in Port Pirie in February this year and I examined the workings of the shops. It would amaze members who are perhaps familiar with the manner in which our shops operate to see the workings of the betting in the legalised premises in South Australia. For example, if one wants to make an investment of a double, one has to be in a shop at 9 a.m. when it opens. The shops are not open during the week; they open only on race days. They are not even open on Monday for paying out purposes.

The condition of the shops was poor, and not to be compared with that of the Western Australian shops. If a person wanted to back a double, he had to be at the shop by 9 o'clock. There would be in operation what we used to have in this State—silver doubles. There would be a silver double operating on the Melbourne races and the Adelaide races. The amount to be won in each case was £5 to 5s. Once the favourite double was laid, that was the end of it. I readily understood why people said, "If you want to back a double, you must be at the betting shops by 9 o'clock."

There was a notice in the shop which stated that if patrons wanted to invest on horses at starting-price they would have to do so before the first race in Melbourne; and the first race in Melbourne was about 12 o'clock midday, South Australian time. Therefore, in order to make an investment on any race, at starting-price, it had to be made before noon.

Then there was a bookmaker standing with his bag in the shop, and he would call certain odds. At another shop across the road, exactly the same odds were being called. There was no variation; the odds were fixed. If the horse was under 2 to 1, straight-out, the punter could not bet each way; and in certain circumstances he could not bet for a place. The betting was merely straight-out at the betting shop's own prices. Five minutes before the race was due to start, new prices would come through—they were called "wire prices"—and they were supposed to give an indication of the prices operating on the course.

I was interested in a horse called *But Beautiful* and on this particular day *Sir Blink* at 5 to 4 on was favourite for the race. I did not feel inclined to back him at those odds, and I looked for the next form horse which was *But Beautiful* at 5 to 2. I accepted those odds. However, when the papers came out the next day I found that the starting-price on the course of *Sir Blink* was 5 to 2, and not 5 to 4 on; and that the odds of the horse I had backed were 11 to 2, and not 5 to 2.

Now we can understand why the premises bookmakers can contribute so readily to the racing clubs in South Australia. If a backer wanted to have a bet on the Sydney races, those shops would not accept the bet; and they had never heard of Perth.

I pass now to the line of argument adopted by the Leader of the Opposition; namely, that if these measures are justified—I say they are not—then too much will be given to one club. The Kalgoorlie-Boulder Racing Club is to benefit substantially, but I do not think that club will benefit to the extent it deserves. I believe these measures are unjust. They are unpopular; and they are unsound; and it is my intention, if the Government will not budge, to vote against the various clauses, and this one in particular.

Mr. BURT: I feel I must comment on some of the remarks made by several members of the Opposition concerning the sum of money promised to the Turf Club from the investment tax. Everyone seems to lose sight of the fact that the turf clubs throughout Australia provide the means whereby starting-price bookmakers function.

Mr. Tonkin: Don't they race in the Eastern States?

Mr. BURT: I said, "throughout Australia." Without the turf clubs, there would be no racing, and the public would have to find some other means of filling in their leisure; and if they were addicted to gambling, some other means of squandering their wages each week.

The W.A. Turf Club has contributed in no small way to the revenue of the Government. I have some figures which show the tremendous impact that the legalising of the S.P. shops has had on the W.A. Turf Club. In 1953 the tote turnover was just over £1,000,000, and the admission receipts were £82,000. In 1954, the tote turnover had improved to £1,100,000, and the admission receipts to £83,000. In 1955—these figures are to the 1st of April each year—the tote turnover was £1,167,000 and the admission receipts were £84,000. The legalised betting shops came into force on the 1st August, 1955, and immediately the tote turnover figures and the admission receipts were affected.

In 1956 the tote turnover dropped to £950,000 and the admission receipts to £68,000. In 1957 the tote turnover figure was £784,000 and the admission receipts £55,000. In 1958 the tote turnover increased slightly because that was the jackpot year and public interest in racecourse betting was considerable. The tote turnover went up to £830,000 and the admission receipts to £60,700. In 1959 they dropped to an all-time low; because the tote turnover figures were 618,000; and the admission receipts, £44,000.

Mr. Bickerton: What was the drop in premises betting in that year?

Mr. BURT: I do not know; I do not think it was very great. There may have been an increase. The fact remains that from the day betting was legalised, up to the 1st April last, the tote turnover showed a decline of 47 per cent.

Mr. Heal: Can you say why it also dropped in Victoria and New South Wales?

Mr. BURT: It may have dropped a little owing to the times; but looking at the results of the last spring carnival, a week or two ago, and the results at Randwick a little earlier, there was no falling off in attendance.

Mr. Heal: We are talking about the results over a year; not a meeting.

Mr. BURT: I now wish to deal with the amounts paid to the Government by the Turf Club by way of tote tax and entertainments tax. In 1953 the Turf Club paid £110,000; in 1954, it paid £102,000; and in 1955, it paid £102,000. Then there was a decline in 1956, and the amount went down to £83,000, and in the next year to £68,000. In the jackpot year it rose slightly to £72,000, but it dropped back to £49,000 last year. In all, a total amount of £589,000 has been paid by the Turf Club to the Government since 1953. I cannot see that the promised subsidy of £133,000 is out of the way.

I have had quite a bit to do with some of the smaller country racing clubs in the outback. If the proposed legislation achieves the desired results, the country clubs will benefit by 9½ times more than the amount of subsidy they have hitherto received. That will be a tremendous increase. The clubs I have been associated with are on the Murchison. The four clubs in the Murchison association used to receive £204 a year from the Turf Club. After the Betting Control Board was established that amount dropped to about £140 a year, but it will be increased to about £1,200 a year when this legislation is passed. That amount cannot help but benefit racing in the back country; and racing in the back country is probably the only means of social get-together that the people have.

We do not have agricultural shows, and we are not able to have football or cricket carnivals as do the towns in the more populated parts of the State. The annual or biennial race meetings held in the mining communities and pastoral areas are looked forward to by one and all. The extra money that will be given to these clubs, as a result of the investment tax, cannot help but make for better meetings and for a better social get-together for the inhabitants of those parts. I support the clause.

Mr. HAWKE: I am sorry the Treasurer is absent for the time being.

Mr. Court: He will be absent for only a minute or two.

Mr. HAWKE: I want to make one last appeal to him in connection with the proposed basis of distribution of the subsidies to the racing and trotting clubs. If the Government is determined to hand out the total amount of subsidies to all racing and trotting clubs, as it seems determined to do, then, provided it can obtain the solid support of its supporters in this Chamber and in the Legislative Council, its determination will be carried into operation.

I still think very strongly that the Government is trying to do a most unbalanced thing by planning to pay £133,000 a year subsidy to the Turf Club and to pay, in effect, such small increases to the country racing clubs and the country trotting clubs. As I said before, a subsidy of £52,000 a year to the Turf Club would be big money. However, the members of the Government apparently think it would not be enough. Surely they would think £100,000 a year—or £104,000 a year, which would be £2,000 a week—would be sufficient. That is a mighty cash subsidy to pay to one club. The Government could then pay the difference between £104,000 and £133,000 to the country racing clubs and the country trotting clubs. That would give country racing and trotting clubs an additional share, over what is proposed, of approximately £29,000 per annum.

The member for Murchison is satisfied with chicken feed if he is satisfied with the proposals put forward to us by the Government. Apparently he is satisfied to see country racing clubs battling on; and apparently he is satisfied to see them increasingly go out of existence, as many of them have done since the war.

Mr. Burt: No; they will be ten times better off.

Mr. HAWKE: If the Government has all this money to give away to racing and trotting clubs, those clubs in country areas are entitled to a better share of it.

Mr. Court: Don't you think that a ten times increase is a very healthy one?

Mr. HAWKE: Ten times £20 is chicken feed in the operations of a racing club in the country.

Mr. Court: It is ten times what you were giving.

Mr. HAWKE: Yes. Ten times £30, as it would be in the case of Moora, Ashburton, and other smaller places, is not much. It has to be remembered, too, that quite a number of racing clubs in the country areas have gone out of existence because they could not keep themselves going.

Mr. Burt: They won't now.

Mr. HAWKE: No; but surely there should be some opportunity for those which have gone out of existence—

Mr. Brand: What racing clubs have gone out of existence?

Mr. HAWKE:—or suspended their operations, to come back into the field! If they have thoughts along those lines, and can make some sort of effort themselves, surely some of this money might be made available for the purpose!

Mr. Burt: I do not know of any that have gone out of existence.

Mr. HAWKE: I do not either; but I am sure that there would be a number since the war, and especially since the boom. The member for Murchison quoted some figures which showed a very bright situation for racing clubs in about 1952, 1953, 1954, and even up to 1955. Of course, we all know that after the war there was plenty of money around; there was surplus money in all directions. We know that wool hit the sky in regard to price in about 1953 or 1954.

Mr. Burt: It was 1951.

Mr. HAWKE: That only reinforces my argument and weakens the argument of the member for Murchison.

Mr. Burt: It is too much of a coincidence that the figures started to fall away when off-course betting was legalised.

Mr. HAWKE: I do not know that there was a falling away; I think the figures were falling away beforehand and they have been falling away since, and will continue to fall away for reasons which have been discussed here on previous occasions. I am sure the member for Murchison knows in his own mind that a number of important factors have contributed to the falling away in the racing game in several States of Australia.

We know how greatly the hire-purchase system has developed in recent years, and how an increasing number of people have become committed to hire-purchase—a great number of them are committed right up to the ears—and they have no money to go to the races, and a lot of them have no money to go to the betting shops.

Mr. Oldfield: Crook racing, too.

Mr. HAWKE: That is not for me to say or judge. There is the other factor which we discussed last night of young people not being interested in horse-racing or horses. They are interested in sports in which they can participate, or sporting activities which are carried out on wheels, particularly. I say again that, if the Government does get all this additional taxation, and proposes to pay such a huge amount by way of subsidy to racing and trotting clubs, more should be paid to the smaller clubs than is proposed, and less should be paid to the larger clubs. I think that would apply not only to the Turf Club but also, probably, to the Trotting Association.

I hope even at this late stage that the Treasurer and his colleagues will agree to have another close look at the situation. They might not be prepared to make any

alterations to this Bill in Committee at the moment, but I hope that before it gets into Committee in the Legislative Council they will have given more serious consideration to the proposed distribution of the moneys. I am convinced that if the Turf Club received £52,000 a year subsidy it could get along all right in regard to its normal expenditure and income. It would not be able to erect new grandstands and new everything else with that amount of money; but surely that is not a problem which the State should have to worry about!

If the Treasurer and his colleagues, on reconsideration between now and the time the Bill gets into Committee in the Legislative Council, think that £52,000 a year is far too small a figure for the Turf Club, let them give the club £75,000 or £100,000, but for heaven's sake alter the proposals significantly to ensure that country racing and trotting clubs, all of which are having a battle at least equal to that of the Turf Club, will receive a much fairer and therefore a much bigger share of the distribution that is proposed under these Bills.

Clause put and passed.

Title put and passed.

Bill reported without amendment and the report adopted.

Third Reading

Bill read a third time and transmitted to the Council.

BOOKMAKERS BETTING TAX ACT AMENDMENT BILL

Second Reading

Debate resumed from the 5th November.

MR. HAWKE (Northam) [3.40]: This is the Bill which imposes the proposed new rates of taxation on the turnover of off-course bookmakers. As this Bill is directly related to the one which we have just considered and passed, I took the opportunity when speaking on the other Bill at the second reading to say practically all I would wish to say about this Bill. But for the purposes of clear understanding, it might be advisable again to express the proposed new rates of turnover taxation.

As we all know, the existing rate is a flat one of 2 per cent., irrespective of how small or great the total turnover is per annum. The proposed new rates range from a minimum of 2½ per cent. to 3½ per cent. The 2½ per cent. rate will apply where the total turnover per annum does not exceed £50,000; this means that where the turnover is £50,000 exactly, or less, the turnover tax of 2½ per cent. will be applied. Where the turnover exceeds £50,000 but does not exceed £100,000, the new rate will

be 3 per cent.; where the turnover exceeds £100,000 but does not exceed £150,000, the proposed new rate is 3½ per cent.; and where the turnover exceeds £150,000, the maximum rate of 3½ per cent. will be imposed.

It has been said by several members who spoke on the second reading of the Betting Control Act Amendment Bill, that it is difficult to satisfy the off-course bookmakers as to which particular group should bear the biggest increase in taxation. I think it was the Minister for Works who told us that somebody had handed him a piece of paper with some writing on it suggesting that the biggest off-course bookmaker should pay 6½ per cent., and that the small off-course bookmakers should not pay any increase over the present 2 per cent. Someone else had told him that some big bookmaker had told him that the big bookmakers could not bear any more by way of increased turnover tax, but the smaller bookmakers could; and they should carry whatever increase in turnover tax the Government intended to impose.

Sitting suspended from 3.45 to 4.5 p.m.

Mr. HAWKE: I was referring to what the Minister for Works had said about some note which was supposed to have been handed to him by a small off-course bookmaker, telling him that the biggest off-course bookmaker could pay 6½ per cent. turnover tax, and that the small man could not afford to pay any more; I also referred to what the Minister had said about some big bookmakers claiming they could not pay any more, but that the small men could pay some more.

I think we can dismiss all that as being a bit of pushing and shoving—plus, I should think, some imagination on the part of the Minister for Works. I would not claim to know whether all of the rates set out here would be applicable; whether they could all be carried successfully. But I am sufficiently convinced in my own mind that those with a turnover of less than £50,000 would have a battle to pay any increase at all, and especially to pay the increase proposed in this Bill.

It must be remembered that all those coming within this bracket do not have a turnover of £50,000 a year. Some of them have a turnover of much less, down to as low as £20,000 a year, I should think. As the expenses of the smaller men will increase in other directions under these Bills we are discussing—all four of them—then clearly the smaller man will find it increasingly difficult to meet any increase in turnover tax.

Because I am practically convinced on that point, in respect of the majority of those who would have a turnover of less than £50,000 a year, I intend, in Committee, to move an amendment which would ensure—provided it was supported by a majority

of members during the Committee stage—that off-course bookmakers with a turnover of less than £50,000 a year should remain on the 2 per cent. turnover taxation. I think that would be fair, reasonable, and just in all the circumstances. I say I am not in a position to know with any degree of certainty whether the other proposed increases in the rates are fair and reasonable, and can be met by the business people concerned; and because of that, I am not prepared to move any other amendment in Committee except the one to which I have just referred.

MR. TONKIN (Melville) [4.9]: I said a good deal that was relevant to this Bill when I was speaking generally with regard to the first Bill which has been disposed of. But there were some points with which I did not have time to deal, and I propose to deal with them now. I endeavoured to show that the rate of tax which the Government was imposing was far too high, inasmuch as it is by far the highest in Australia; and added to the stamp tax—which will also be the highest in Australia—the impost will be one which the bookmakers could not satisfactorily bear.

The Minister for Railways, of his personal knowledge, would know that most of these off-course bookmakers employ reputable firms of accountants to do their books. I have some documents here which are signed by the accountants who attended to the books; and, from my knowledge of the accountancy profession, I am satisfied these firms are leaders in their profession. They have given their certificate, which they would not have given if the figures were cooked.

Furthermore, I think the Minister for Works felt that the Commissioner of Taxation was quite a tyro, and was having it put over him right and left. I do not consider that to be so. To start with, the Commissioner of Taxation, knowing the possibilities of false returns being put in, would be extra vigilant with regard to these particular people; and whilst I am not going to say that no false returns are being put in, because that would be foolish, I am of the opinion that there is less likelihood of false returns being submitted by these people than there is by quite a lot of other people.

If the Commissioner for Taxation is prepared to accept the figures showing the gross income and net income, who are we to say they are wrong? Until they are shown to be wrong, I think we have to accept they are right; and, if they are right, very little calculation will show that this extra impost, which from my calculations is about 80 per cent. of what they are paying already, will, in some cases, completely wipe out their profit; and in other cases reduce it to a very small figure.

Because I feel that is so, I say it is unjust to tax anybody in that way; it would not matter who he was, or how he

was getting his money. The income tax must be paid as well as the tax contained in this Bill; and I have yet to learn of any system of taxation in any country in the world which imposes taxation upon an income-earner because the source from which he gets his income is disliked by those who levy the tax. I never heard of any extra impost being placed on people who got their money from premises used as houses of ill-fame. Their income was treated in the same way as is income from other property.

Mr. Brand: They were never licensed.

Mr. TONKIN: There is no justification, because one does not like the bookmakers—and there are some people who abhor them, and think they are pariahs, and treat them as such—for imposing a system of taxation which is unconscionable. If this is referred to somebody who knows anything about it, it will be agreed that these rates cannot be paid. A further example of unfairness is that the Treasurer knows that the turnover is falling. According to the latest report issued by the Betting Control Board, dated the 31st July, 1959, the total off-course turnover for 1957-1958 was £18,372,968. For 1958-59, it had fallen to £17,249,457; or a reduction of £1,123,511.

So the turnover for this year, compared with that of the previous year, is already down by over £1,000,000. I predict that because of these increased rates, and the necessity for bookmakers to refuse to do a number of things which they now do, the turnover must fall further. I used an illustration here last night in this connection. The small bookmakers today will, as a matter of convenience, and in order to keep the business, take wagers which are far in excess of what they are prepared to risk themselves. They take the wager with the intention of passing on the amount they will not hold. As soon as they take the wager, they are liable for turnover tax on the total wager.

In future, if the rates are raised to this high level, the bookmakers will not be able to do that; and so when a client rings up and wants to invest £100, £200, or £300, and the bookmaker is only prepared to hold £50, the client will be told this. That will reduce the bookmaker's turnover. As a matter of fact, he might not even get the £50 from the client, because the punter might prefer to give it to one person who will take the whole amount rather than give a portion to one bookmaker and further portions to other bookmakers. Therefore, there will be a tendency for the turnover to go out of the small business and to collect at the top.

If that occurs, the total turnover must fall as the turnover figures today are swollen because bets are passed on from bookmaker to bookmaker and the original wager is multiplied a number of times. That

multiplication will become less and less because of the higher turnover tax involved, and therefore the total turnover must reduce.

The Government proposes to levy this higher rate of tax for the coming financial year at a rate based on last year's turnover. That is to say, if a bookmaker this year has a turnover of £200,000 which falls to £100,000 next year, he will pay tax on his £100,000 at the rate applicable to £200,000. Where is the justice in that? The Treasurer already knows that the turnover is falling. It has fallen £1,000,000 from last year and it will fall substantially because of this tax, as bookmakers will be obliged to refuse wagers which are larger than they intend to hold. That refusal will reduce the total turnover for sure.

Therefore we will have a man next year, whose turnover is considerably less than it is this year, paying a higher rate of tax than he ought to pay, because the Government is going to use the previous year's turnover to determine the rate of tax. Where is the justice in that? Surely that ought to be altered.

It is bad enough to impose these high rates in accordance with the turnover that is actually being imposed; but to impose these high rates on a fictitious turnover is indefensible; and yet that is the proposition. Members do not need to have a profound knowledge of bookmaking or wagering to see that what I have said will undoubtedly occur. In other words a number of smaller men down the ladder, who previously took wagers knowing they could pass the business on, and who were prepared to pay the turnover tax involved at the lower rate, will not now be able to do that or they will go out of business. Therefore they will either agree to accept a much smaller wager and actually take it; or, because they say they will only accept a smaller wager, they will not get the business at all but it will go somewhere else.

As a result, it is inevitable that many bookmakers will find that their turnover is going to be reduced substantially; but they will be called upon to pay on their reduced turnover at the rate applicable to the higher turnover that they had before. In my opinion that cannot be justified. I think the Government ought to attempt to meet that situation fairly and not try to extract from people money which they have not earned and have no possibility of earning because of the altered circumstances which will take place.

It is possible to find information which could guide the Government in regard to whether or not these imposts are reasonable. Reports are available from the Betting Control Boards of South Australia and Tasmania. Although the volume of off-course betting in South Australia is only about £700,000, nevertheless there is

sufficient there to show what the general trend would be in that class of business; and on the figures of profit made by those premises, these rates could not be successfully carried. Nor could they be carried in Tasmania.

There is a special factor operating in Tasmania which benefits off-course bookmakers. For example, the off-course bookmakers in Tasmania are also the on-course bookmakers and on-course bookmakers can fix the price. Some members here who have been to the races occasionally might know that two or three years ago, because the bookmakers wanted to discipline the Turf Club, they decided before they went to the races what odds they were going to put up about certain horses. Those odds were designed to ensure that the bookmakers would be able to meet their expenses.

It did not matter what volume of business was operating on the course, the bookmakers would not alter the odds about those certain horses; and it was a question of, "Take those odds or leave them". If the bookmaker on the course is in a position to fix the odds he is giving, he is also fixing the odds which the off-course bookmaker can pay. If the off-course bookmaker is a different man from the on-course bookmaker, the man on the course is not concerned with the final odds; but if the bookmaker on the course knows that the business in his shop has got to be paid at the odds shown on the course, he can reduce his liability in his shop by keeping his prices tighter on the course. In so doing, he can ensure that his business off the course will return him a larger sum of money than it would otherwise do.

In this State, however, the bookmaker off the course is dependent on the price fixed by the bookmaker on the course; and instead of being sympathetic to the man off the course, in most cases the on-course bookmaker is antagonistic to him and would be inclined to raise the odds rather than lower them.

I would say that despite the advantageous position of the off-course bookmakers in Tasmania, they could not carry this rate of taxation which the Government proposes to impose. If they could not carry it, how much more impossible would it be for the bookmakers in Western Australia? I suggest, in all fairness, that the Government should examine the position and not wait until December 1960 to see what will happen. It should make some attempt beforehand to find out just what effect this rate of taxation is going to have.

It seems to me that if the Government decides that these rates must remain, then it would give some relief if, instead of imposing these higher rates over the whole turnover, it would impose the higher rate only on the next layer of turnover. That

is to say, according to the Bill, turnover up to £50,000 is to carry 2½ per cent.; but if the turnover is between £50,000 and £100,000—supposing it is £75,000—then the rate is to be 3 per cent. on the whole amount.

I suggest it would be more reasonable to impose 2½ per cent. on the first £50,000 of the £75,000 and to impose the 3 per cent.—including the extra ½ per cent.—on the amount between £50,000 and £75,000. That would reduce the burden to a position, I think, where it would still be a heavy one, but where it would not be so heavy as to put a number of bookmakers out of business, as I am sure the present proposal would do.

It must be remembered that almost half of the bookmakers operating off the course are men whose turnover does not exceed £50,000. I asked for the figures in the House a short time ago, and those supplied to me are as follows:—

Out of a total of 220 bookmakers—

98 received less than £1,000 a week.

71 received £1,000 or more but did not exceed £2,000.

28 received £2,000 or more but did not exceed £3,000.

12 received £3,000 or more but did not exceed £4,000.

5 received £4,000 or more but did not exceed £5,000.

6 received over £5,000 a week, or £250,000 a year.

If the idea of the Betting Control Board is correct and a turnover of less than £1,500 a week does not ensure a living at the present rate of tax, what chance would there be of a business being carried on successfully with the taxation doubled? This is a matter which I feel should be referred to the Betting Control Board for its opinion. It ought to be asked whether, on a turnover of less than £1,000 a week, it considers—in view of its knowledge of the expense involved—that there would be sufficient income remaining to give a man a reasonable return for his labour and the risk which he runs with his money. There would be nothing unreasonable or unfair about such a proposition; and it would enable the Government to know, whereas at present it does not, but is imposing taxation on the hit-or-miss principle which is that if a man survives by December 1960 it proves he could survive; and if he is dead by then, it proves he could not survive. That is all there is to it.

I do not like that method. It is like a doctor wanting to try an operation and being doubtful about it. He wants to find out not whether he can keep the patient alive, but whether, if he does certain things, the patient will remain alive; and so, without finding out beforehand what the chances are, he does the operation and the man dies, after which the doctor says, "Oh, I have found out that

he could not stand it." That is precisely what is being done in regard to this taxation.

With reference to this tax, the Premier said, "We will know whether it is unfair and unjust by 1960"; and so, when we reach December, 1960, the Premier will say, "By jove! It was unfair and unjust", and that is all there will be to it.

Mr. Andrew: But he won't admit it then.

Mr. TONKIN: He will have to admit it, because the figures must be published and we will know.

Mr. Brand: If as many people go broke as you anticipate, we will not have any trouble about the distribution of the investment tax.

Mr. TONKIN: That is not my worry. I think the Premier is getting the taxation from the wrong source, and I will tell him that when we get on to that measure. At the moment I am dealing with the rates suggested with regard to the imposition of turnover tax. The turnover, as we know, is already falling; and the Premier would know that if he had listened to anyone with a knowledge of the game. Had he done that, he would know that the turnover will fall substantially as a result of this tax, because the bookmakers will have to go out of business.

What would the man who has been in the habit of taking wagers larger than he intends to hold do, when the cost of taking those wagers increased? Of course he would refuse to take them, and so his turnover would fall; but he would be charged a rate of tax, not on his reduced turnover, but on the turnover he had before the fall took place. Just imagine trying to apply that principle to income tax and saying to the farmer, "We will not fix your rate of tax on the income you obtain, but will say that your peak figure will determine your rate of tax. It does not matter what your income is next year; you will have to pay the rate of tax which applied to your income last year." How long would we stand for that? Yet that is precisely what this proposition means.

Take a man in any business and say to him, "The rate of tax which you have to pay—not the amount that you are to pay on, but the rate that you are going to pay with no adjustment subsequently to even it up—on this year's income is to be decided by what your income was last year." That is a vicious principle, and it will never go through with any vote of mine—no matter whose income is affected. It cannot be justified in any shape or form. It would be a different matter if it were possible to catch up with it later on, and if it could be adjusted in subsequent years; but as far as I can see, there is no provision for that in the Bill. I would

be glad to learn that there was such a provision in the measure, but I have looked for it and cannot see it.

We therefore get a situation where the turnover might fall in the next three years, if the man concerned remains in business that long; and with that fall in turnover, he will be paying a rate of tax determined by the higher turnover of the previous year. Who thought that one up? I have never heard of it with regard to any income in any country; yet that is the proposition contained in this Bill.

I trust that the Government will realise the injustice that this Bill involves, and will have a further look at it so that we may get a semblance of fairness in the taxation that we intend to impose. During the last election campaign my leader indicated that the Labor Party believed that further taxation could be imposed and would be imposed. His statement, which was published in *The West Australian* of the 13th February last, read—

The turnover tax on off-course betting was increased in 1956 and will be increased again on a graduated scale. Most people think their own taxation shockingly high, and the other fellow's absurdly low.

That was the clearly enunciated policy of our Party; and we believe there is room for increased taxation to be borne by off-course bookmakers; but I do not believe that we can take this amount of money from them. All I am suggesting is that the Government did not have sufficient reliable information before it in connection with this matter; and it should, even at this late hour, attempt to obtain that information, so that it will not make a fool of itself by imposing a tax which is sure to break down.

When the people of the State get to know of this principle of deciding the rate of tax on some previous turnover, without any relation to the existing turnover, I believe there will be a great amount of opposition through the State by all fair-minded people. There are many people who regard bookmakers as pariahs and the lowest of the low, and who are not prepared to grant them any attributes at all, although they go to the bookmakers when they want a donation for charity—that is the first place they go, because they know how generous these men are in that regard—and there are also many people who think that a bookmaker is a man to be kicked and stood upon. But I do not think that even those people would subscribe to a principle which taxes a man's income at a rate determined by a turnover which occurred some time before.

I venture to say that if the turnover were on the up and up, the Government would not be using this principle and would not be deciding to impose a rate of tax on this year's turnover determined by the previous year's turnover. It would then

decide to fix the rate on the current turnover, or maybe on the next year's turnover. It certainly would not fix the tax in this way. Just imagine a man who has been in the £200,000 per year bracket, and whose turnover falls to £100,000 per year—as I think is quite possible in the case of some bookmakers; just as I see the possibility of an increased turnover of certain bookmakers—those at the top, who will get the big wagers directly instead of indirectly as they get them now.

Imagine the position of the man whose turnover this financial year was £200,000 and who is in the £100,000 bracket next year! His rate of tax is going to be three per cent., and so he will pay that three per cent. tax on a reduced turnover—

Mr. J. Hegney: He will pay it on £100,000 which does not exist.

Mr. TONKIN: No; he will pay it on the actual turnover, but at a rate determined by £100,000 which does not exist. As I have said, that would not be so bad if he had a chance of evening it up next year; but he will not have that chance, because the same thing will apply again the following year if his turnover is on the down grade, as I believe it is bound to be; and so he will have a situation where year after year he will be paying a higher rate of tax than he should be paying. As against that, there will be a few big men at the top who will collect all those wagers, and who will be paying a rate of tax lower than they should pay.

Mr. Lewis: But what if the rate of turnover goes up?

Mr. TONKIN: That is what I am saying; there will be a few men at the top whose turnover I expect will go up. Take the wager which the Minister for Works referred to as piffle, but which I know actually took place; and as a matter of fact the wager was £800 and not £500.

Mr. Wild: How many of those would there be?

Mr. TONKIN: You said it was piffle.

Mr. Wild: I said it was piffle for anyone to offer such a wager to a small bookmaker.

Mr. TONKIN: I issue a challenge to the Minister. If I cannot prove that what I said was true I will resign my seat, on the condition that he agrees to resign his seat if what I said was true.

Mr. Wild: There might be one fool who would want to make a bet of £500.

Mr. TONKIN: I am making my offer with no reservations. Will the Minister accept it?

Mr. Wild: You give an isolated case. Last night you said it was a general practice.

Mr. TONKIN: There we go again!

Mr. Wild: Last night you said it was the general practice.

Mr. TONKIN: If you still think it was piffle, accept my challenge, and you are on a winner.

Mr. Wild: I say it is piffle, for you to say it is the general practice.

Mr. TONKIN: I am making no conditions at all to my offer.

Mr. Wild: So it was just one bet.

Mr. TONKIN: That is all I said.

Mr. Wild: No; you said it was a general practice. Read *Hansard* and see what you said.

Mr. TONKIN: You see, Mr. Speaker, how hopeless the Minister for Works is!

Mr. Hawke: The Speaker knew that long ago.

Mr. TONKIN: Perhaps we can now accept what I said as being true, and deal with it. The bookmaker who accepted that bet and passed all of it on with the exception of £50 could no longer do so, because he could not afford to pay turnover tax at the increased rate on a wager of that size. What will happen will be that that bettor, who is a man of very substantial means, will in future not bother about trying to get £50 on here and £50 on there, but will do his business with the man who will take the lot.

He will do his business with the bookmaker who accepts the whole wager. That will reduce the turnover of the first bookmaker by a substantial amount. However, the bookmaker with the reduced turnover—which will result under the new system proposed by the Government—will have to pay tax at the rate determined when he was doing more business. Has the Government no conscience? The Minister for Works certainly has none! If the Government seeks to bulldoze that principle through Parliament, I suppose it will be done; but if there is any justice in the Government's thinking, it will correct the anomaly.

The fair and reasonable thing to do would be to submit this proposition to knowledgeable people in no way associated with bookmaking; to obtain their opinions on the proposals in the Bill. If this were done, I am sure we would have a Bill placed before us containing entirely different proposals.

MR. WILD (Dale—Minister for Works) [4.46]: I want to make a few observations about this increased turnover tax. I draw members' attention to the public gallery and to the Speaker's gallery. They will note that both galleries are completely empty. To me that is the most significant feature concerning the interest taken in this Bill that I know of. It would appear that the proposals contained in this Bill are not as severe as some members would have us believe. Those members who were in this Chamber two and a half

or three years ago, when the original legislation was passed, will know that then the public gallery and the Speaker's gallery were packed with people.

We had a similar situation the other evening, when we had quite a number of people, who were interested in the Licensing Act Amendment Bill, sitting in the Speaker's gallery, because they were anxious to find out whether their business would be restricted or they would be granted an extension of trading hours. We would probably do the same if we were conducting such businesses. Those men look after themselves and their organisations pretty well.

Therefore, when I notice the complete absence of members of the public in either the public gallery or the Speaker's gallery this afternoon, it becomes quite evident that the bookmakers have accepted the principle. We went into Committee last night and the Opposition had the opportunity to do what it could by moving amendments; and yet, this afternoon, when what members of the Opposition term this "drastic" piece of legislation is before the House, there is not one single bookmaker occupying a seat in the galleries. To me, that is absolutely indicative that they were expecting this tax, and they probably thought they would be taxed more heavily.

In my electorate there are three bookmakers, all with a turnover of less than £50,000. The bookmaker at Gosnells would have a turnover approaching that figure, but the one at Kelmscott has only a small turnover. That man happened to be in the same battalion as the Premier and myself during the last world war. I therefore know him quite well, and I am certain that he would soon be telephoning me if he thought this legislation was going to be detrimental to him. However, not one of those three bookmakers has approached me to express his views on this legislation, and I would point out that I do not have a silent phone number. My name and telephone number are clearly shown in the telephone directory, and they always know where to find me. Not one of them has approached me and said, "Look here, Gerry, this Bill is too tough; and if it is passed, we will not be able to make the grade."

The lack of interest shown by those men indicates to me that this Bill is not half as severe as the Deputy Leader of the Opposition would have us believe. When his Government imposed the rate of 2 per cent. on turnover in the original Act, was it in any different position from that in which we are placed? Whom did they approach to advise them whether the 2 per cent. rate was equitable, or whether it would put into the Bankruptcy Court those bookmakers who have small turnovers, and force them out of business? They did exactly the same as we did. The

members of the previous Government had little or nothing to guide them, and they used their own initiative and judgment when they introduced the initial legislation.

We have seen the results of this legislation after it has been in operation for two years, and a significant feature arising from its introduction is that, when the Royal Commission on Betting was in progress, two bookmakers whose turnovers are in the top bracket were on a world trip. I would also remind the House that there was sitting in the gallery last night quite a decent chap and someone I have known for a number of years. This fellow started in a small bookmaking shop in Como and after he had been in business for eight or nine months he sold the shop for a handsome profit and bought another bookmaking establishment next to the Ozone Hotel. After conducting business there for approximately nine months, he sold out again, and bought a large bookmaking business at Bunbury. That gentleman was sitting in the gallery last night for some considerable time.

Mr. Evans: He was concerned, too.

Mr. WILD: He was; but he is not concerned this afternoon, apparently. Apart from not being concerned, I would say that if the members in this Chamber could make as much out of S.P. betting as that particular gentleman has done, I for one would be prepared to change places with him at any time. It is all very well for the Deputy Leader of the Opposition to say that bookmakers will not be able to afford this increased rate of tax. When this Bill was being debated yesterday, there were several bookmakers present in the gallery, but this afternoon there are only empty seats. I support the Treasurer on the second reading of this Bill.

MR. BRAND (Greenough—Treasurer—in reply) [4.51]: This is essentially a Committee Bill and as all the argument will be heard in Committee I do not propose to say anything further.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Brand (Treasurer) in charge of the Bill.

Clause 1 put and passed.

Clause 2—Section 2 amended:

Mr. HAWKE: This clause sets out the rates that are proposed to be made on the various brackets of turnover. The first one provides that on a turnover not exceeding £50,000 the rate shall be 2½ per cent. The present rate is 2 per cent. As I said when speaking to the second reading, these off-course bookmakers who have a turnover of less than £50,000 should not

have to meet an increased rate of tax, and therefore I propose to move an amendment to this clause in lines 14 and 15.

Mr. Tonkin: I would like to move an amendment before that.

Mr. HAWKE: Very well.

Mr. TONKIN: As I have said, to levy a tax at the rate determined by the previous year's turnover when the turnover is falling, would be unfair. Therefore, I move an amendment—

Page 2, line 8—Delete all words after the word "turnover" down to and including the figures "1954" in line 11.

That is to say, a bookmaker will pay on his current year's turnover at the rate determined by the current year's turnover and not at the rate determined by the previous year's turnover which I consider, in most cases, will be substantially higher.

Mr. BRAND: I cannot accept this amendment, because those who drafted the Bill did not include it.

Mr. Tonkin: That is a great reason.

Mr. BRAND: The argument advanced by the Deputy Leader of the Opposition was that we should base the rate on the current year's turnover. How can we do that? The same anomalies would occur in the current year's turnover as he suggests would occur if the rate were determined on the previous year's turnover. There would be periods during the year when a bookmaker's turnover would be higher than his normal weekly turnover: for example, when race meetings are held over long weekends, during the Christmas and New Year carnivals, and so on. This would make it difficult to assess the turnover in the current year.

There is only one way by which a reasonable assessment of the rate, fixed on the turnover, can be made, and that is to determine the rate on the previous year's turnover. However, I am prepared to give an undertaking that in those cases where it is shown that anomalies exist, some consideration will be given to them. Let us not overlook the fact that if consideration is granted to cases with special circumstances, an S.P. bookmaker might be encouraged, in an indirect way, to influence his figures to take advantage of that situation. I therefore propose to stick to the Bill, with the qualification that the proposal will be studied by experts to ascertain whether some consideration can be given to those men who can show that anomalies exist or that they will suffer hardship by the imposition of this tax.

Mr. TONKIN: It is clear that the Premier does not understand the position. He said that a bookmaker would be likely to "cook" his figures if the Committee agreed to the amendment. The proposal contained in the amendment is that a bookmaker shall pay the rate of tax on the current year's turnover as intended in the Bill originally. Therefore, if a bookmaker

were inclined to "cook" his turnover figures under my proposal, he could still "cook" them under the Premier's proposal.

Mr. Brand: He could not; it would be too late.

Mr. TONKIN: It would not be too late.

Mr. Brand: The assessment would be made on the turnover of the past year.

Mr. TONKIN: Of course it would! There would have to be succeeding years. The world will not end this year.

Mr. Brand: They will have to account for the sharp changes which take place.

Mr. TONKIN: Adjustments could be made. Let us take the following case as an example. Suppose the income of a farmer was £20,000 last year, but this year it is only £10,000. Suppose the system of income tax was to determine the rate according to the level of income in the previous year, and then to apply that rate of tax to the income in the following year; he would be paying at the rate of 17s. 6d. in the £, based on the previous year's income of £20,000, although in the present year he may have earned much less. He may have earned only £1,000 in the present year, but because his rate is based on the previous year's income he will have to pay at the rate of 17s. 6d. on that £1,000. That is the proposition envisaged under this Bill. It is absolutely iniquitous. I am suggesting that the rate of tax shall be determined on the current year's turnover and levied on that turnover.

Mr. Court: How will you be able to do that?

Mr. TONKIN: I can find a way, if the Treasury officers cannot. But there is one officer in the Treasury who can do that.

Mr. Court: How will you find the highest and the lowest?

Mr. TONKIN: By a system of provisional tax, as is applied under the income tax law.

Mr. Court: What a mess we will get into!

Mr. TONKIN: We have not got into a mess by applying the provisional tax in respect of income. Where there's a will, there's a way. There is no justification for this iniquitous method of raising the tax. To give to this Committee as a reason why we should not agree to the amendment the fact that it was not included in the Bill by the draftsman, is absurd. No matter how difficult it may be, we should do the fair thing. It is not fair to decide the rate of tax based on the turnover of the previous year. That may have no relationship whatever to the turnover of the year under consideration.

It is inevitable that the turnover of the majority of S.P. bookmakers will fall. I readily admit that a few of them will benefit from the larger wagers in the future, and there is a possibility of their turnover increasing. With a big majority, the turnover will decrease because of the readjustment of their businesses.

What justification is there to decide on a rate of tax from the previous year's turnover, and apply that rate to the reduced turnover of the following year? An anomaly can arise. An S.P. bookmaker whose turnover this year is £100,000, may have to pay more turnover tax than another bookmaker with a turnover of £200,000. The turnover of the first bookmaker may be £300,000 in the previous year, but in the following year it may be reduced to £100,000. In those circumstances he will pay more turnover tax in the following year, than the second bookmaker whose turnover in the same year is double that of the first bookmaker. That is an unfair system of taxation. To say that we should not alter this system because the people who drafted the Bill did not think about it, is ridiculous.

Amendment put and a division taken with the following result:—

Ayes—21.

Mr. Andrew	Mr. Lawrence
Mr. Bickerton	Mr. Molr
Mr. Brady	Mr. Nulsen
Mr. Evans	Mr. Oldfield
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Hall	Mr. Sewell
Mr. Hawke	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. Jamieson	Mr. May
Mr. Kelly	

(Teller.)

Noes—23.

Mr. Bovell	Mr. Lewis
Mr. Brand	Mr. W. A. Manning
Mr. Burt	Sir Ross McLarty
Mr. Cornell	Mr. Nalder
Mr. Court	Mr. O'Connor
Mr. Craig	Mr. O'Neill
Mr. Crommelin	Mr. Owen
Mr. Grayden	Mr. Perkins
Mr. Guthrie	Mr. Watts
Mr. Hearman	Mr. Wild
Dr. Henn	Mr. I. W. Manning
Mr. Hutchinson	

(Teller.)

Pairs.

Noes.

Ayes.	
Mr. W. Hegney	Mr. Mann
Mr. Norton	Mr. Nimmo

Majority against—2.

Amendment thus negated.

Mr. HAWKE: I move an amendment—

Page 2, lines 14 and 15—Delete the words "and three-quarters".

I discussed this point during the progress of the previous Bill. I have put forward the arguments which I think apply logically to this Bill.

Mr. BRAND: I oppose the amendment. The Leader of the Opposition contended that the small S.P. bookmaker will suffer as a result of the imposition of the increased turnover tax, and that in some centres he will be forced out of business. It was after a great deal of consideration that the Government decided to increase the rate of tax from 2 per cent. on a flat rate to 2½ per cent. in respect of the S.P. bookmaker with a turnover of £5,000 a year or under.

In the case of the S.P. bookmaker with a turnover of £20,000, the existing turnover tax is £400. Under the new formula

he will have to pay £550 a year. That is only an extra £3 a week. In my travels around the country towns I have seen many well-equipped S.P. shops set up under the requirements of the Betting Control Board. In my view, an increase of £3 a week in this tax will not cause the small S.P. bookmaker great hardship.

It is agreed by the Opposition that it is possible to impose an increased turnover tax on S.P. bookmakers. We have amended the scale to apply to the smaller operator as well as to the bigger one. There appears to be confusion among the S.P. bookmakers themselves—men with long years of experience in this occupation.

The document quoted by the Minister for Works was a well-prepared one, based on the opinion of four S.P. bookmakers in a very substantial town. They contended that the big S.P. operator should be taxed up to 6½ per cent. Against that, in the document which has been circulated to members of Parliament, the Off-course Bookmakers' Association indicated that the imposition of the increased turnover tax will force out of business the S.P. bookmakers with big turnovers. There is no consistency among the people themselves. The increase is what the Government thinks it should be and there does not appear to be any argument against it except that it is an increase and it will impose a hardship. That is recognised. I oppose the amendment moved by the Leader of the Opposition.

Amendment put and a division taken with the following result:—

Ayes—22.

Mr. Andrew	Mr. Lawrence
Mr. Bickerton	Mr. Molr
Mr. Brady	Mr. Norton
Mr. Evans	Mr. Nulsen
Mr. Fletcher	Mr. Oldfield
Mr. Graham	Mr. Rhatigan
Mr. Hall	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. J. Hegney	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Kelly	Mr. May

(Teller.)

Noes—23.

Mr. Bovell	Mr. Lewis
Mr. Brand	Mr. W. A. Manning
Mr. Burt	Sir Ross McLarty
Mr. Cornell	Mr. Nalder
Mr. Court	Mr. O'Connor
Mr. Craig	Mr. O'Neill
Mr. Crommelin	Mr. Owen
Mr. Grayden	Mr. Perkins
Mr. Guthrie	Mr. Watts
Mr. Hearman	Mr. Wild
Dr. Henn	Mr. I. W. Manning
Mr. Hutchinson	

(Teller.)

Pairs.

Noes.

Ayes.	
Mr. Heal	Mr. Mann
Mr. W. Hegney	Mr. Nimmo

Majority against—1.

Amendment thus negated.

Clause put and passed.

Title put and passed.

Bill reported without amendment and the report adopted.

Third Reading

MR. BRAND (Greenough—Treasurer) [5.21]: I move—

That the Bill be now read a third time.

MR. TONKIN (Melville) [5.22]: Before the third reading is agreed to, I want to refer to a remark which was made by the Treasurer earlier when he said there was confusion in the ranks of bookmakers as to the possible effect of this legislation. It seems to me that it is extremely likely the bookmakers would get their idea of the Government's proposals from *The West Australian*; and the proposals set out in *The West Australian* are not the proposals in the Bill. So unless the bookmakers who wrote to the Minister for Works or the Treasurer had a copy of the Bill or had spoken to someone who had a copy of the Bill, they would not know how they were affected by the proposals. How could they know? *The West Australian* set out that the tax was to be levied in grades. That is 2½ per cent. on the first £50,000, then a higher rate of tax, not on the whole of the turnover but on the second £50,000 of it; and a higher rate of tax, not on the whole of the turnover but on the next £50,000 of it.

I assume that the bookmakers, on reading that in the newspaper, would take it that that was the proposal in the Bill; but it is not the proposal in the Bill. So unless these bookmakers had actually seen the Bill or had spoken to someone who had seen the Bill, they would not be able to work out how they were going to be affected. It would be impossible for them to say whether the small bookmaker would be harder hit than the larger bookmaker.

Mr. Evans: That makes eyewash of what the Minister for Works talked about!

MR. TONKIN: Some further investigation should have been made by the Government if it wanted to do the fair thing; but going by the vote which was taken a short time ago on the principle of taxation, it is obvious that the Government is not concerned with fairness in the slightest degree. This is an entirely new principle in taxation. With regard to farmers, there are two principles involved in taxation: There is the provisional tax which makes provision for the case where there is a high income this year and a falling-off in income next year; and there is the averaging of incomes in order to determine the amount of tax that people will pay. That is done in order to make possible a fair adjustment over a period. But no adjustment is possible here.

If we take a suppositious case, we can have a man whose turnover this year is £250,000, and it falls next year to £100,000. In the year upon which the tax is imposed on the £100,000, he will have to pay tax at the rate determined on £250,000

turnover of the previous year. The following year, if the turnover falls another £50,000, he will have to pay tax on that reduced turnover at the rate determined by his higher turnover of the previous year. Then, in the third year, if his turnover falls still further, he will have to pay tax on that fallen turnover out of a smaller income at the rate determined by his turnover the previous year. I have never heard of such a proposal being introduced anywhere in the civilised world. It is entirely new and breaks all the canons of the imposition of taxation.

Mr. Evans: It breaks all the canons of decency.

MR. TONKIN: Yet no attempt is made by any of the Government supporters to take the Government to task in regard to this matter.

Mr. Lewis: How much does it mean in £ s. d.?

MR. TONKIN: Thousands of pounds. Take the difference between a £200,000 turnover and a £150,000 turnover. It is quite possible that a turnover of £200,000 under existing conditions will fall next year to £150,000 on account of some of the reasons which I have given. That man will have to refuse business which he is prepared to take under the lower rate because the higher turnover rate will be ruinous. He will say, "I do not want that business." It will mean that his turnover will fall because the smaller bookmakers will not take the large wagers; they will not pass through several hands as they do now. These large wagers, if made at all, will go straight to the top and will be made with the big bookmakers.

So instead of the turnover in connection with, say, a bet of £500 being something like £1,300 or £1,500, it will be only £500, because it will transfer only the once. That being so, there is a reduction of turnover right through the field. It is inevitable that the turnover, apart altogether from the ordinary conditions which appear to be operating, will be substantially reduced, because of these special considerations.

On top of that—I do not concede this argument, but it is one which the Government used—it is considered that more people will go to the racecourse; that they will be attracted there. We are told that the increase in payments to clubs will attract large attendances. I agree that that is very desirable. However, if it does, the people who go to the racecourse will not go to the betting shops to bet. So their wagers will have to be deducted from the turnover. There is no reason—if it occurs, and I do not think it will, but the Government says it will—why we will not further reduce turnover. So we must accept the position that in the majority of cases the turnover of bookmakers will be down in the current year. But they will

have to pay tax on these reduced turnovers at the rate applying to the amount of turnover in the previous year.

So we could quite easily get the situation of a bookmaker with a turnover of £200,000 last year having to pay at the rate set out in the Bill for a turnover of £200,000, but with a turnover this year of only £150,000. This means that on the turnover of £150,000 he will pay at the rate decided for a turnover of £200,000.

I repeat that I never believed I would ever hear of such a proposition with regard to taxation anywhere in the civilised world. If we attempted to apply this principle to farmers, we would have a revolution; and God knows what we would have if we attempted to apply it to members of Parliament; we can be sure, however, that it would not be passed.

Mr. Hawke: The Speaker would rule it out of order.

Mr. TONKIN: It would not matter how often the Party whip was cracked, if a proposition of that kind came to Parliament it just would not be passed. But of course it would not come here. Yet, because only bookmakers are concerned, the proposition is brought here. The Government dare not attempt it with anybody else, but it thinks that the bookmakers, who are regarded by some people as pariahs, can take it, and that nobody will be concerned. The Minister for Works thinks that because the galleries are not crowded with bookmakers, they are quite happy about it. But he would have it both ways, because if the galleries were crowded he would say the only time the bookmakers were here was when a Bill that concerned them was under discussion. So we can never win with him.

I make my final protest against the Bill at this stage. It contains the most iniquitous principle I have ever heard of. I have never heard of it before in any other place; and I do not think we are likely to hear of it again. This principle will be unique in the history of taxation anywhere in the world. I cannot understand the Country Party section of the Government supporting it for a second; because if it were applied to the farmers, there would be an uproar. Whoever heard of deciding a rate of taxation that had absolutely no relation to the amount of money to be taxed; because here the rate of tax has no relation to the current year's income or to the amount on which the tax is to be levied, but will be decided entirely upon the circumstances, which might be most abnormal and unusual.

The Treasurer himself said, in trying to give an illustration, that we could get one year, possibly, when there was a lot of interest in betting—when there was a special Melbourne Cup or something of that nature—and so turnover would be up. If that does happen, the bookmakers will pay in the following year taxation in accordance with the higher bracket, even though their turnover will be less than it was in the previous year.

Mr. Brand: Suppose they have no Melbourne Cup, and the turnover is down?

Mr. Hawke: No Melbourne Cup!

Mr. Brand: The Deputy Leader of the Opposition is speaking of a special Melbourne Cup.

Mr. TONKIN: I am only using the illustration that was used by the Treasurer.

Mr. Brand: What if it is down for some reason?

Mr. TONKIN: If the Treasurer wanted to disown the illustration, he should have told me so beforehand. That was the illustration he used to prove a point. He cannot use an illustration when it suits him and subsequently discard it. That was the Treasurer's illustration.

Mr. Brand: That is all right, too.

Mr. TONKIN: Surely that is fair enough. There is no method of adjusting the taxation under this proposal. If it were possible, with a change of circumstances, to level up the tax subsequently, it would not be so bad, but we can never catch up with it. There will be no chance, under this taxation proposal, of getting an adjustment which will make it fair.

If a bookmaker has a level turnover of £100,000 in three years, his rate of taxation will be the same throughout. But if he has a turnover of £300,000 in the first year, £150,000 in the second year, and £50,000 in the third year, he will pay a lot more in tax than the first person to whom I referred, because he happens to be unfortunate in having a falling turnover. What a ridiculous situation! A man whose business is level will remain on an even keel and will pay less taxation than a man whose business is falling away.

Will not anybody on the Government side get up and justify, or attempt to justify, the position? I repeat: I have never heard or read of a proposal of this nature anywhere. It remains for this Government to introduce this new principle of taxation which, I venture to say, will be condemned by all right-thinking people who know anything about the principles of taxation, no matter where they might be found, and no matter to which Party they might belong, because there is not a single argument which can be advanced to support it. I oppose the third reading.

MR. LEWIS (Moore) [5.37]: I do not profess to know anything about the racing game, but I am interested in the principle propounded by the Deputy Leader of the Opposition in regard to the rate of tax. In order to inform myself I have made a little calculation to test the incidence of this unfair principle as stated by the Deputy Leader of the Opposition.

Looking at the highest bracket in the Bill—turnover exceeding £150,000—on the figure mentioned by the Deputy Leader of the Opposition—£200,000—the tax payable, at the rate of 3½ per cent., would be

£7,000. I would like to be corrected if I make a wrong calculation. If the turnover fell to £150,000, the rate of tax would normally be, as stated in the Bill, 3½ per cent., which would mean a total tax of £4,875. But in the circumstances he would be taxed at the rate applying to his previous year's turnover, and that rate would be 3½ per cent. This would mean that his tax on £150,000 would be £5,250 instead of the amount I have just mentioned, namely, £4,875. In that instance he would pay £375 more than he would had his tax been assessed at the rate applicable to the amount of turnover on which he was taxed.

Mr. Tonkin: That is right.

Mr. LEWIS: Therefore the increased tax—if members like, the unjust extra tax—would amount to £375 a year to a bookmaker on what might be termed the second highest bracket mentioned in the Bill. When we come further down and take the example of a man with a turnover of £150,000 last year, we find that his tax, at 3½ per cent, would amount to £4,875. If by some chance his turnover was reduced to £100,000, he would, according to the rate set out in the Bill, namely, 3 per cent., normally have to pay a tax of £3,000. But since he has to be taxed according to the rate applying to his previous year's turnover—that rate is 3½ per cent.—his total tax would be £3,250. So in that instance he would actually be paying £250 more than the Deputy Leader of the Opposition maintains he should pay.

Although I personally agree with the Deputy Leader of the Opposition that the principle is wrong, I do not think the actual amount of money is of very great moment compared with the total amount of tax the bookmaker must be paying. I see an injustice in principle, but when it comes to the actual pounds, shillings, and pence, I do not think the principle has much effect.

Question put and a division taken with the following result:—

Ayes—24.

Mr. Bovell	Mr. W. A. Manning
Mr. Brand	Sir Ross McLarty
Mr. Burt	Mr. Naider
Mr. Cornell	Mr. O'Connor
Mr. Court	Mr. Oldfield
Mr. Craig	Mr. O'Neill
Mr. Crommelin	Mr. Owen
Mr. Grayden	Mr. Perkins
Mr. Guthrie	Mr. Roberts
Dr. Henn	Mr. Watts
Mr. Hutchinson	Mr. Wild
Mr. Lewis	Mr. I. W. Manning

(Teller.)

Noes—21.

Mr. Andrew	Mr. Kelly
Mr. Bickerton	Mr. Lawrence
Mr. Brady	Mr. Molr
Mr. Evans	Mr. Nulsen
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Hall	Mr. Sewell
Mr. Hawke	Mr. Toms
Mr. Heal	Mr. Tonkin
Mr. J. Hegney	Mr. May
Mr. Jamieson	

(Teller.)

Pairs.

Noes.

Ayes.	
Mr. Mann	Mr. W. Hegney
Mr. Nimmo	Mr. Norton

Majority for—3.

Question thus passed.

Bill read a third time and transmitted to the Council.

BETTING INVESTMENT TAX BILL

Second Reading

Debate resumed from the 5th November.

MR. HAWKE (Northam) [5.45]: I have made my views in connection with this Bill clear in the remarks which I made on the other two Bills dealing with the imposition of additional taxation upon the turnover of off-course bookmakers. This measure proposes to impose what is glamorously described in the Bill as a betting investment tax. The rates of tax to be imposed are 3d. in respect of each bet which is laid where the amount of consideration does not exceed £1, and 6d. in respect to each bet where the consideration does exceed £1.

This proposal is a winning bets tax, a losing bets tax, and all the rest of it rolled into one. The winning bets tax was bad in principle, mainly on the ground that a person had to pay the tax even if he had only one winning bet during the afternoon out of maybe five, 10, or more bets which he might lay. He could have finished up his afternoon at the races losing £100, £50, or £2; and yet he would still have had the winning bets tax imposed on him in relation to any single winning bet which he might have had. Because that tax was unfair, and to some extent vicious in principle, it was later abandoned, and has not been applied since in Western Australia.

However, this proposed new tax is worse by far than that tax was, because it means that both losing bets and winning bets will be taxed. This is a tax which is to be imposed upon punters who bet in off-course betting shops. The punters will not pay it direct to the Treasury, because that would not be practicable—it could not possibly be organised—and so the off-course bookmakers become responsible for the payment of the tax proceeds to the Treasury.

Goodness knows who will pay the tax! I suppose the punters in some instances and the bookmakers in others. However, as has been pointed out by other speakers in previous debates, the punters carry the whole burden of the racing game on their shoulders—or practically the whole burden. Occasionally a bookmaker gives the game away because he is losing too much; occasionally an owner gives the game away because he cannot afford to keep going; occasionally a trainer gives the game away because he is not making money at the

game; and I suppose occasionally a jockey gives the game away because he cannot make it pay. But for the most part bookmakers, owners, trainers, jockeys, and all the rest of them make it pay. It is an expensive game to run and the punters naturally have to carry a heavy financial burden of loss in the investments which they make in any one year.

The only justifiable comment which might be made there is that the business is voluntary so far as the punters are concerned. It is not compulsory by law for them to engage in wagering on racehorses; they do it from choice. Nevertheless, in their betting operations both on course and off course, they do contribute, by their losses, very large sums to the upkeep of bookmaking shops off course, to the upkeep of bookmakers on course, and to the whole rigmarole of the racing game and everybody who lives on it or by it. So it must be admitted that punters, whether they bet on course or off course, pay very heavily for the sport—if we can call it a sport—in which they indulge.

In that situation I see no justification for imposing this proposed additional burden on them. The amount of additional burden which this proposed tax would put upon off-course punters is estimated to be nearly £264,000. Clearly, many people will give betting away because of the imposition of this tax, not necessarily because they might not be able to afford to pay it and still do some betting, but because they will resent the imposition of it. It was the same when the winning bets tax was introduced on the racecourses. Many people who were regular racegoers gave the game away because they resented the imposition of what they considered was a very unjust tax to put upon them.

Most of those who gave the game away at that time were not poor people; they were men in the same financial bracket as the Minister for Works, and they could have afforded to stay on the racecourse and pay the winning bets tax. They could have afforded to continue their substantial betting operations, but they were so incensed, and they resented the winning bets tax so strongly, that they said, "We've finished. They can keep their races." Many of them have never gone back since, and I do not think they have even bothered to bet in the betting shops since they gave the racecourses away.

Mr. Ross Hutchinson: That was probably to their advantage.

Mr. HAWKE: Undoubtedly it was. However, I think the same situation will develop should Parliament agree to the imposition of this tax. It will be a nuisance in the first place because it is a tax which will apply to every bet made off course, especially in relation to the small bets which are made; and, off course, they are in the great majority. So in the first instance it will be a nuisance to the punters,

and it will be a nuisance to some extent to the off-course bookmakers. Also it will be looked upon as an unjust imposition by the punters when they have to pay it.

I am convinced that many of them will become so sore and disgusted about it that they will give the business away and not be interested any more in betting on horse-races. As someone interjected a few moments ago, that could be to their financial advantage. It might easily depend on whether their gambling instincts move them into some other field. They might take on tossing the pennies, or playing cards for money, or they might do anything which is available, apart from horse-racing, in order to indulge in gambling to the extent which they can afford.

Because I think the tax is unfair to those who engage in betting, and because those who do engage in it pay heavy taxation to the Government and to the clubs, I do not propose to support the second reading. I hope the Bill will be defeated.

MR. HEAL (West Perth) [5.55]: I desire to add my protest in regard to this measure. It is the first time I have spoken on any of these betting bills which the Premier has introduced, but I think this is most unsavoury, and it is certainly unjust as far as the punter is concerned. I think the introduction of the winning bets tax by the McLarty-Watts Government had something to do with the decline in attendances at the racecourses in the metropolitan area. I have forgotten the year in which the tax was introduced, but it has been brought to my notice that from that year onwards attendances at the metropolitan courses declined. When the Premier introduced the Bill he said—

As you know, Mr. Speaker, the off-course punter simply has to walk into the betting shop as it is registered today, and he is provided with a certain service. He has his bets and then goes out; but he contributes nothing at all to the clubs' revenues. I believe he should contribute in some way to the upkeep of the industry, particularly. That is, he should contribute the money necessary to maintain racing and trotting in the State. I should say that he should maintain it in the same way as it is maintained and subsidised from the betting tax in some, if not all, of the Eastern States.

I believe that statement to be partly true and partly untrue, because if there were no punters there would be no turnover tax, and it is from this tax that the Government has been able to subsidise the racing clubs since the Betting Control Act was passed. So in actual fact it is the punters' money which pays for the turnover tax. If they did not bet with bookmakers there would be no turnover on which to pay tax. As the Premier said,

the punter just walks in to the betting shop, has a bet and then walks out again; but I do not agree with the Premier when he says that the punter does not provide anything for the race clubs. I believe he does.

Mr. Brand: What does he provide, and how does he do it?

Mr. HEAL: What I have tried to show is that he provides the money to pay the turnover tax, because it is the punters' money on which the bookmaker is taxed, and it is from that tax that the clubs are subsidised. If a punter goes into a betting shop and has £2 or £5 each way on a horse a certain amount of turnover tax is paid on that bet; and so it is the punters' money that provides the bookmakers' income and also the turnover tax.

If the Premier owned a business and I bought a certain article from him I would have to pay a certain amount of tax on that article. Therefore I maintain that the punter does contribute something to the revenue of the racing clubs. I believe that the tax proposed is lopsided, because if a person has only 1s. 3d. each way on a horse he has to pay 3d. tax; and yet if the Premier has a bet of £50 each way on a horse he pays only the small sum of 6d. as an investment tax.

Mr. Brand: That would be the day!

Mr. HEAL: I am just giving an illustration. Ninety-nine per cent. of the people who go into the bookmakers' shops on a Saturday afternoon could not afford to go to the racecourse. I have called into these betting shops on a Saturday afternoon; and, in the main, the people who are there are those who have 30s or £2 a week each for their entertainment. That sort of person likes to spend an afternoon at the betting shop and have a few beers at the local hotel. He cannot afford to pay 14s., or whatever the admission fee is to go to the racecourse. By the time he had paid for his transport to the course and his admission fee, he would have only a few shillings which he could invest at the races.

The biggest percentage of people who patronise the betting shops today are in the low income bracket, with a small margin above the basic wage. I am sure that the sum of money which the Premier expects to get from this investment tax will fall far short of the mark because, instead of a person having a dozen bets a day, he will cut the number down, or cut them out altogether.

Mr. Brand: That would be a good thing for them and us.

Mr. HEAL: I also believe that to be so. But why put this investment tax on to the small man, as the Government intends to do? It will not worry, to any great extent, the person who bets in large amounts, but it will be inconvenient,

not only to the punter but to the employees working in the betting shops. It will be necessary for them to have one book to write out bets of under £1 and another book in which to enter bets of over £1.

That will cause some confusion among the bookmakers and the punters, because if a man has a bet of 2s. 6d. each way—which is 5s.—he will have to find an extra 3d. to pay over the counter, which, of course, might not always be convenient. I hope the House in its wisdom will see its way clear to defeating this Bill as it relates to investment tax. As the Leader of the Opposition said, when the winning bets tax was brought into operation it caused an outcry from many sections of the community. I am convinced that this Bill which seeks to impose an investment tax is no improvement on the one to which I have just referred; indeed it is a lot worse. Accordingly I hope that members in their wisdom will see their way clear to vote against the second reading of this Bill.

MR. TONKIN (Melville) [6.2]: In this proposal, again the Government breaks new ground, because no similar tax to this is to be found anywhere else in Australia. It is true that there are only two other States where off-course betting takes place, and where it could be applied in this way; but neither of those States has a tax of this kind. It is a tax, so the Government says, imposed for the purpose of making people—who the Government thinks make no contribution to racing—make a contribution to racing. After they have made that contribution the Government proposes to take a proportion of it into general revenue. I would like to know what argument can be advanced for specially taxing a section of the people who wish to enter an S.P. shop of a Saturday afternoon and place a bet.

Mr. Brand: For the same reason that you wanted to tax the people who attend the pictures at night.

Mr. TONKIN: That is another argument. If the Government considers this entertainment, then it should apply a tax similar to that imposed on live shows and the like. But recently we find that the Government has lifted the entertainments tax and now it is putting one on. The whole thing is off the rails.

Mr. Watts: There is no cost of admission on which to assess it; not in the S.P. shops.

Mr. TONKIN: Oh no! Deduct from the turnover of the S.P. shops the amount paid back to the bettor and the Attorney-General will soon find what the cost of admission is.

Mr. Brand: That would be most difficult to arrive at.

Mr. TONKIN: I do not think it would.

Mr. Brand: I bet some of the punters would be surprised when given the result.

Mr. TONKIN: They might be surprised, but they would be very foolish if they had any great surprise, because they have to find the money that they wager. It is a very simple matter for them to know whether they had more or less in their pockets the following week than they had the previous week.

Mr. Court: What about the punter who attends the racecourse and has to pay an admission fee and receives the same treatment from the bookmakers and the tote?

Mr. TONKIN: No he does not; the Minister does not understand the situation.

Mr. Court: Do you think the punters always win?

Mr. TONKIN: No; they lose in both places. But let us get down to some understanding. To start with, all punters provide the cost for everything. They pay for the racecourses, for the rangers, for the gardeners—

Mr. J. Hegney: For the hangers-on.

Mr. TONKIN: They pay the profit of the man who runs refreshment booths; they pay for the wages of jockeys, the training fees, and the prize money; in fact, they pay for everything that is incidental to the running of races. All this money comes out of the pockets of the people who bet on racehorses.

Mr. Watts: Would you not agree that it comes out of the pockets of only those who attend the racecourse?

Mr. TONKIN: No.

Mr. Watts: Why?

Mr. TONKIN: Because if the punters off the course did not lose any money there would be no off-course bookmakers.

Mr. Watts: On the other hand, if there were no racecourses there would be no possibility of betting in shops, because there would be nothing to bet on.

Mr. TONKIN: There are horse-races in other parts of the world.

Mr. Watts: I said if there were no racecourses there would be no means of betting on horses.

Mr. TONKIN: What bearing has that on the argument I am advancing? I am pointing out it is incorrect to say that the man who makes his wager off the course is making no contribution to racing, whereas the man who makes his wager on course, is. As a matter of fact the man who makes his wager off the course is making a bigger contribution to racing because, by virtue of the fact that he loses more money, he makes the incomes of those who provide the facilities for him; and the Government then taxes that income and takes the money into revenue, giving some to the clubs.

If the punters did not go into off-course betting shops there would be no income of off-course bookmakers to tax, and the Government would not have any money to give to the clubs as it is doing now. It all comes from the bettors off the course.

Mr. Watts: And if there were no racecourses there would be no possibility of anybody betting on horses.

Mr. TONKIN: That has no bearing on the subject.

Mr. Watts: It has.

Mr. TONKIN: It has not. The point is not whether there would be races or not; but whether, when there are races—as there are—the man who bets off the course makes any contribution to their upkeep. I say he does.

Mr. Watts: But not as substantial as those who go to the racecourse.

Mr. TONKIN: We now find a different opinion being expressed, because the Treasurer said they made no contribution.

Mr. Watts: Directly they do not, but those who go to the racecourse make a direct contribution.

Mr. TONKIN: How? By their admission charge?

Mr. Watts: And other things.

Mr. Brand: Totes.

Mr. TONKIN: That is no different from the tax on the bookmaker which is eventually finding its way to the club.

Mr. Court: Only a small off-course turnover tax is getting back to the club.

Mr. TONKIN: That does not alter the principle. I am not dealing with the amount that goes back to the clubs, or the amount the Government keeps, but with the question as to whether the man off course makes a contribution to racing. If all the shops closed tomorrow there would be no legal source of taxation on off-course bookmakers for the Government to make, and so there would be no money to go to the racing clubs from those concerned. That is surely elementary.

Mr. Watts: Then there would be a lot more people going to the racecourse who would pay fees and subscriptions, totalisator tax, and so on.

Mr. TONKIN: You think.

Mr. Watts: You think, and I think, and our thinks are as good as each other.

Mr. TONKIN: I want to attempt to show they are no different. Surely one must have regard for the trend. The Attorney-General is one who is of the opinion that the more people who stay away from the racecourse the more will go to the betting shops.

Mr. Watts: The more there are who go to the betting shops the less there will be going to the racecourse.

Mr. TONKIN: The member for Murchison had the same idea; namely, that the introduction of off-course betting was responsible for a reduction in attendances at racecourses. He believed that off-course betting had been on the up and up. It might surprise members to know that that is not so at all. As the volume of business has been falling on the racecourses so it has been falling in the off-course betting shops; not to the same degree, I admit, but it has been falling.

Mr. Watts: Was there not a time when the volume was increasing in the betting shops and going down on the racecourses?

Mr. TONKIN: I think there was in one year.

Mr. Watts: But it does not help to prove your point.

Mr. TONKIN: Yes it does, because one swallow does not make a summer and it is quite easy to get variations. As a matter of fact, if we look at the betting returns for South Australia and try to relate the experiences there we get some strange occurrences. For example, the percentage of gross profit on turnover in 1955-56 on all courses in South Australia was 3.24 per cent. But for the year 1957-58 it was 3.86 per cent. Although the gross profit on turnover on courses rose in South Australia in those years the attendances on the racecourses fell.

Another remarkable thing about it is that although the attendances at the racecourses have been falling in South Australia the size of the bet on the course has been increasing; and it is extremely difficult to be able to ascribe the reasons for this trend.

Mr. Watts: I should say it was because the smaller bettor was staying away, thus leaving the field open to those who have money to pay.

Mr. Graham: The rich getting richer and the poor getting poorer.

Mr. TONKIN: If that were so, it would hardly give the bookmakers a bigger percentage, because it is generally known that the bookmakers make most from what is called "mug money"; that is, from the small men who are unable to get information.

Mr. Ross Hutchinson: Most of it is mug money.

Mr. Watts: I think all of it is.

Mr. TONKIN: It is not possible to use the point raised by the Attorney-General a few minutes ago, and say that that point proves the argument one way or another. I do not think it can successfully be gainsaid that it is the punters, whether off the course or on the course, who make the contributions which go to racing. Although the punters off the course make no direct contribution by way of admission money, they do make a substantial contribution to the racecourse and

to the Treasury, because the Government taxes the bookmakers who get their money from the income which the punters lose in their shops. So in the final analysis it makes no difference whether that money had been taken directly from the punters straight into revenue.

As a matter of fact the proof is this: If one talks to bookmakers they will say that their opinions about these proposals is that they will pay the money anyhow. Even though the punters pay this investment tax it will be that much less money that they themselves will win from those bettors. So in the final analysis they might as well pay the tax in the first place. That is the opinion of the bookmakers, and it proves the point I am trying to make; namely, that it is not the bookmakers off course who are making a contribution to racing. They are making this contribution to racing on behalf of the punters who bet with them; and if the Government takes £264,000 a year from these people who are patronising the shops, there will be that amount of money less to go to racing.

Mr. Watts: Why don't you apply the same argument to the picture theatres?

Sitting suspended from 6.15 to 7.30 p.m.

Mr. TONKIN: I was endeavouring to say that the Government was going to take £264,000 out of racing each year by this investment tax, the result of which would be a diminution of bookmakers' turnover which would mean a reduction in the amount of revenue that would be derived from that source. Therefore, the Government's anticipations could not be realised. There are authorities to prove that contention, and I quote from page 11 of the *Annual Report and Accounts of the Totalisator Board of New Zealand*, as follows:—

It is evident that regardless of the approach, higher rates of deductions caused by an increase in taxation would lead to a reduction in totalisator turnover.

If a higher rate of taxation on the course leads to a reduction in totalisator turnover, it follows that an imposition of tax, which previously did not exist, on bettors who are patronising off-course betting shops will result in a diminution of money available for that purpose, and therefore reduce the turnovers of the bookmakers, which, in turn, would reduce taxation to the Government. I desire to quote further from the above report as follows:—

The consequences of an increase in racing taxation are many and varied. Since the amount that the public can and do pay for their betting is limited, an increase in the level of deductions will not call forth extra money.

Coming from the source from which it does, that statement must be regarded as authoritative, and the same conditions

will apply in Western Australia, with similar results. If more money is taken out of a limited amount of money which is available each year for betting on racing, then the turnover must continue to fall.

It is shown clearly from the figures which the Treasurer stated he expected to obtain from this source, that on all the bets made on the off-course premises, 34 tickets are made for bets under £1 for every five tickets for bets over £1. Therefore, the ratio is just slightly less than seven to one. That gives us a pretty good picture of the type of betting which is occurring. For every five tickets which are written for bets exceeding £1, there are 34 tickets written for bets under £1.

Therefore it is clear that this investment tax will fall mainly on the small bettor; and because of that, there is a greater likelihood of its effect being felt on turnover than if the bulk of the money were being taken from the larger bettor. The figures of the Betting Control Board in Western Australia show that the average-size bet in Western Australia for off-course bookmakers last year was 17s. 11d. That is the average. That indicates, on the figures that I have quoted, which are proved by the Treasurer's own figures, that by far the greatest amount of money which is to be taken by this investment tax will be taken from the smaller bettor. I compute on the Treasurer's figures that £204,000 will be taken from those people who make bets under £1 and £60,000 each year from those who make bets over £1.

That indicates the incidence of this investment tax; and because it is going to be applied that way, I repeat it will have a far greater effect on turnover than if the proportion was in the opposite direction. Events will prove whether that contention is right or wrong. However, it does not make any difference to the Government. The Treasurer is not even listening.

Mr. Graham: He could not care less!

Mr. TONKIN: That has been proved. The Government has made up its mind that no matter how unfair, unjust, and unreasonable these proposals are, it will proceed with them.

Mr. Graham: Led by the daily Press!

Mr. TONKIN: It does not have the slightest care in the world as to what will happen. But, of course, it will affect the Treasurer. He will find that the anticipated amount of money will not be available because he has neglected to make provision for these peculiar circumstances which are attendant on this type of betting.

We on this side propose to vote against this Bill because we believe that there is no justification for imposing this tax on the patrons of off-course betting shops; but that this amount of money, if it is to be paid to the clubs, should be taken from the increased turnover tax. The Government proposes out of this £264,000,

to pay £65,000 into Consolidated Revenue. What argument is there for asking bettors who are wagering less than £1 to make a contribution to revenue of £65,000 a year?

The Government is not providing any service for them. It has been argued here—and I think with some justification—that the racing clubs are providing the programmes on which the off-course patrons are betting, and so there is some reason for giving the clubs assistance to continue to provide such programmes. However, the Government does not do anything to aid the off-course betting patron, but it wants to tax him particularly to take £65,000 into Consolidated Revenue. I think if the money is going to be raised from this source, the whole of it should go to the clubs.

Mr. Brand: What was the justification for imposing the tax on the on-course punter?

Mr. TONKIN: None whatever; that is why it was taken off.

Mr. Brand: When did you take it off? You are referring to the winning bets tax. I am talking about other taxes.

Mr. TONKIN: There is no other tax on the punter on the course. The Treasurer had better wake up.

Mr. Brand: He pays entertainment tax.

Mr. TONKIN: The bettor does not pay any tax on the course. He used to. The McLarty-Watts Government imposed a winning bets tax, but that does not exist. That tax resulted in driving people away from the course. One of the biggest bettors who used to go to the course in those days stopped going because of the winning bets tax. He told me so himself; and he was a man who invariably bet in hundreds, and sometimes in thousands. He stayed away because of the winning bets tax which frequently cost him considerable sums of money when he had losses to meet.

That is the sore part about that tax. The bettor who has losses has to pay to the Treasury a winning bets tax because he won. All it was doing was to add to his losses, and that reduced the amount he had for wagering and reduced the amount received by the tote and the bookmaker. The proof that the winning bets tax was unsound is to be found in the fact that it was taken off.

We on this side of the House intend to oppose this Bill because we believe there is no justification for it. We agree that the racing clubs should be assisted, and should be assisted from the money derived from the turnover tax. If we are not successful in defeating the measure, we will endeavour to amend it so that no turnover tax will be paid on tickets under £1. It will have very little effect on the bettor who is able to make a wager greater than £1. A 6d. tax on his wager will not amount to a great deal in percentage, and only £60,000 is expected to be received by the Treasurer from that source.

However, we do not think that £204,000 should be taken from the bettors who wager less than £1. The majority of them wager a half-crown each way. We believe that to take £204,000 from those bettors and only £60,000 from the bettors who wager more than £1 a time is to have a system completely out of proportion. However, there is no proportion at all in the Government's proposals. A more disproportionate measure I have never before seen.

I already have spoken at some length on the point that the Government has fixed a rate of tax on a figure that has no relation whatever to the amount of a man's income or turnover. That is an entirely new principle, for which the Government no doubt should claim a patent. Not that anyone would be likely to adopt it, I suppose; but still, as the Government is the creator of the idea, there should be something to put it on record, because it will certainly go down as one of the masterpieces of the age. If there were any danger of that principle being applied to the income tax of farmers, unless they were all like the member for Moore, who feels that a mere £200 or £300 more or less makes no difference, there would be a great complaint about it. Those people who are not in the happy position where £200 or £300 either way makes no difference to them, must be very concerned about how the rate of tax is decided; but if one is in that happy position, one can take a different view.

There are some members in this House who are in that favoured position of not having to care about a few hundred pounds here or there; but I think we must consider the matter from the point of view of what is fair, reasonable, and just in all the circumstances. I can see nothing fair, reasonable, or just in these proposals.

I will tell the House why the Government is imposing a tax in this way. It knows that there are 34 tickets for under £1 sold for every five tickets for over £1; and so the Government says, "If we want to get a certain amount of money in hand we must put the tax on the greatest number of tickets, irrespective of the ability of the people concerned to pay, or the incidence of the taxation." And so that is what the Government does.

Let us see how it works out. A man rings up and has a bet for £50, on which he pays 6d.; while another man bets 2s. 6d. each way, and on that bet pays 3d. That is the Government's idea of equality in taxation; and it would be hard to justify. There are quite a number of bets which exceed £50; and they would be handled in the main by the bigger bookmakers, and so the investment tax on them will probably be lower, with the result that those men will pay it themselves; so in the final analysis we will probably find that the man making the big wagers will not pay

any investment tax at all, while the man making the small wager of 2s. 6d. each way will pay it.

Consideration should be given to what is likely to occur in these circumstances; and an attempt should be made to adjust the position equitably. Of course, the Government is not concerned in the slightest degree with equality, fairness, or justice; and so I suppose it will go on, in the way it has mapped out for itself. But make no mistake about it; the chickens will come home to roost! We are in the happy position that, as time goes on, we will get the returns of the turnover and will know the amount of revenue collected from the investment tax; and we will be able to see whose argument was the right one. That will not be much satisfaction to the people who have suffered in the meantime; and all we will be able to say is, "We told you so."

This is one of the cases where the proof is bound to come to light; and, when it does, the Government will simply shake its head, smile, and say, "Who'd have thought it?" and then go on and do something similar next session. We protest very strongly and oppose this Bill for the reasons which I have outlined; and, when the Bill is in Committee, we will make every endeavour to have it amended.

MR. BRADY (Guildford-Midland) [7.50]: As I said, when speaking to the second reading of the measure which forecast the introduction of this investment tax Bill, I think this form of taxation is nothing but daylight robbery. The Government is imposing this tax on the working man, over and above all the other taxes it has already placed on him in the last two or three months. As I said the other evening, the Government has already placed about six different taxes on the people up to date; and now we have this most iniquitous impost being placed on the punter, who will have to pay 3d. on any bet of up to £1, and 6d. on every bet of over £1.

The big businessman or professional man who bets anything from £10 to £30 or more will pay 6d., but the pensioner, the worker, and the wage plug who have 2s. 6d. each way must pay 3d.; and that is a most unfair method of taxation. As I said, when speaking to the other measure, I am not a betting man, so none of my money will go into this investment tax; but I want to see justice done in regard to the way taxation is being raised by the present Government.

There must be eight or nine different categories of people in my electorate who use the S.P. shops because it is not convenient for them to go to the racecourses. They include shift-workers, in the railways and elsewhere, contract workers—who may be trying to finish a job over the week-end—the man who is doing some

domestic job around his home, the man who cannot afford to take his wife to the races, the invalid pensioner, the unemployed, the old-age pensioner and many others. All those people will be called upon to pay this tax.

The Treasurer said it would be a good thing if none of these people had a bet; but it is rank hypocrisy for him to talk like that. It is quite in line with what the Attorney-General said when the legislation was first introduced in 1954. He said it was a bad thing to introduce legislation to legalise betting at the races; and now this Government is cashing in on it in order to use this immoral source as a means of getting money for Consolidated Revenue.

Apparently the Treasurer believes that if people do not go to the S.P. shop they will go to the races, but that is rank hypocrisy. How can he try to justify this taxation on the basis that it would discourage people from going to S.P. shops and influence them to go to the races? If the Government does not believe in S.P. shops, why does it not close them down and not try to tax them out of existence by an unjust tax? Recently the Government introduced legislation to reduce the entertainments tax in many directions; but because a man wishes to go into an S.P. shop for a 2s. 6d. bet he is to be made to pay this tax, win or lose. If he has eight two-and-sixpenny bets in the course of an afternoon, although he loses on each occasion, he will have to pay eight lots of tax. Probably the worst feature of the Bill is that Consolidated Revenue is to gain from this immoral practice of starting-price betting, which the Government feels is so bad for certain types of bettors.

Mr. Evans: But it is very good for the Treasury.

Mr. BRADY: Yes. As the Deputy Leader of the Opposition pointed out, the Government will pay the penalty in the long run because immediately this tax is implemented, the volume of betting will fall off and the turnover will decrease. There are a number of country towns where the S.P. bookmaker is barely making a living; and those men will go out of business—and some of them already have done so in the last couple of years—with the result that the Government will lose still further revenue. Anyone who reads the newspapers can see, almost every week, where S.P. men are surrendering their licenses and going out of business because they cannot make a living at it.

As the result of this tax many country towns will soon be without the normal facilities for betting to which the people are entitled; and before long we will find that illegal betting is returning. There will always be that type of man in a community who will consider the matter and say to himself, "It is worth the risk," and start S.P. bookmaking on the quiet in workshops, back lanes, and other places.

Mr. Roberts: Isn't that admitting that they could pay the tax?

Mr. BRADY: It is not. I think members have all been circulated over the last week with details of the expenses of running an S.P. shop. A man whose business totals £50,000 has a gross overhead cost of £2,294, or 8½ per cent.

The SPEAKER: Can the honourable member relate this to the Bill?

Mr. BRADY: Yes; I am going to relate it to the interjection of the member for Bunbury.

The SPEAKER: The honourable member should not reply to interjections.

Mr. BRADY: I am going to relate it to what has been said—

The SPEAKER: The member for Guildford-Midland must relate his remarks to the Bill before the House. The Bill, as I understand it, proposes to place a tax on bets, and it has nothing to do with the cost of running an S.P. shop. I want the honourable member to relate his remarks to the Bill.

Mr. BRADY: I have all due respect for your position, Mr. Speaker, and I will always pay you that respect and do the right thing, as a private member; but I am simply trying to prove that if such a big percentage is to be taken out of the S.P. betting the Government will cripple the S.P. bookmakers and defeat its own purpose of gaining more revenue. If you do not mind, I will continue.

The SPEAKER: That is entirely different from replying to interjections.

Mr. BRADY: The average bookmaker admits that his overhead cost is 8½ per cent. on a turnover of £50,000; but this tax will increase the percentage considerably, and there is also the license fee increase to be considered. With all these imposts it could easily be that the take-out in regard to betting will reach between 12½ per cent. and 15 per cent. which, as the Deputy Leader of the Opposition said, will reduce the turnover considerably, and in the long run the Government will cripple dozens of betting shops in districts where they cannot afford to pay all these taxes.

This is an unfair tax to impose on punters because recently the Government—to make a comparison—reduced the incidence of the entertainments tax and there is no doubt that many S.P. punters obtain their entertainment by patronising the betting shops. As I said the other evening, the man who goes into the S.P. shop neither gets the same returns nor enjoys the same facilities as the man who attends the racecourse. The Government argues that the betting shop patron should pay this tax because, at the moment, he does not pay any admission charges in the same way as the man who attends the racecourse.

At the time, I pointed out that the man who attends the racecourse enjoys at least half a dozen advantages over those enjoyed by the S.P. bettor. As the racegoer is on the course when the race is being run, he is able to obtain longer odds for his wager than the man who bets S.P. Furthermore, the man who lays his bet in the S.P. shop receives only the S.P. price as a result of the odds on the racecourse being reduced after the bookmakers have covered their expenses. So he cannot possibly gain any advantage over the man attending the racecourse.

Whilst I am not a betting man and this legislation does not affect me personally, a gross injustice will be done to the betting community, particularly the man who places his bet in the S.P. shop, and I consider he should not be penalised in this fashion. The figures produced by the Betting Control Board have been laid on the Table of the House during this session and they indicate that betting in this State has fallen away very steeply.

In 1959, the betting turnover was down £3,000,000 compared to the turnover figures for 1958. For many reasons, the turnover will continue to fall. The economic position of the State is not very sound at the moment, and there is no loose money available which people can invest on a horse. Therefore, in every way the taxation represents an imposition on the S.P. punter by the Government and it should not be agreed to. The Government is trying to force those people who wish to make a bet to attend the racecourse; and if the Government is honest in that approach, it should take steps to prohibit betting both on course and off course and not try to introduce a Bill which will impose a hypocritical tax such as this, the principal purpose of which is to give more money to the racing clubs.

This legislation sets out to raise more money by way of investment tax than the Government will receive by increasing the fees for bookmakers' licenses. This tax will bring in a total of approximately £264,000, £199,000 of which will be paid to the racing clubs, and £65,000 to Consolidated Revenue. There are many punters in my electorate and also in the Premier's electorate, including many wage-earners and small businessmen. Those people derive a certain amount of entertainment as a result of making bets on races, but this tax will prove to be entirely unfair to them.

Mr. Brand: The honourable member does not have to tell me about my electorate.

Mr. BRADY: I have been through the Premier's electorate and I probably know more about it than he does.

Mr. Brand: The honourable member does not know much about the betting side.

Mr. BRADY: I know a bit about the betting side also, and I am sure the Premier's electors will not appreciate the imposition of this tax; and I hope that, at the next general election, they will remember it was his Government that introduced it.

MR. EVANS (Kalgoorlie) [8.5]: Both you, Mr. Speaker, and the Premier, will not be surprised to learn that I intend to oppose this Bill. Before casting my vote on the second reading I would like to give the Premier and his colleagues an opportunity of listening to me after having heard the arguments put forward already by several members of the Opposition. However, if the Premier does not wish to listen to my contribution to the debate, it is not too late for him to keep in mind what has already been expressed by my colleagues on this side of the House in order that he may change his mind on the proposal contained in this Bill.

Mr. Brand: The honourable member should get on with his speech!

Mr. EVANS: The latest report of the Betting Control Board tabulates the amounts which have been received from turnover tax imposed on bookmakers throughout the State, but which have been obtained from bets placed not only on those race meetings held within the State, but also on race meetings conducted in the Eastern States. These figures are extremely interesting, inasmuch as they show it is estimated that in 1959 on every race meeting held within the State, £115,269 will be derived in tax by the Government; and from those races held outside the State, £153,386 will be derived in turnover tax by the Government.

[*The Deputy Speaker (Mr. Crommelin) took the Chair.*]

These figures illustrate that punters are showing a greater inclination to invest their money on Eastern States races. If the Government is correct in its argument that the S.P. punter is not contributing his full share to the racing game from which he derives some enjoyment and because of which he is given the opportunity to invest his money, the fact must follow that he is not contributing to the upkeep of racing in the Eastern States.

If the Government is sincere in saying that the S.P. punter must contribute to the upkeep of the sport, it should not retain the money that it intends to grab for itself, but should reimburse the Eastern States racing clubs. However, I have not heard any suggestion that the Government should do that; although, from the figures, it should, because most punters are investing their money on Eastern States racing. Although I would object to any suggestion such as that, the figures show the folly of the Government's argument. Apparently it is the best the Government can put forward at present. That

is why I am asking the Premier, before the Bill is passed, to consider what has been said by those on this side of the House. We know the Government has the numbers to bulldoze the Bill through and we know that Hitler used to commit similar acts; but only for a short period.

I now come to the argument that has been advanced in regard to the punter who has been described, in this debate, as the small punter. He is the man who is known as the "half-a-crown punter". If that punter desired to follow up his interest in racing on Saturday or any other race day, with 25s. in his possession with which to make his bets, he would, under the present scheme, be able to place ten half-crown bets.

Under the new scheme, however, he will have to pay an investment tax of 2s. 6d. and therefore he would be able to have only nine bets. Another S.P. patron who may, perhaps, be a businessman and one of the supporters of the Liberal Party, does not have to study every penny, and has ample money with which to bet. He likes to invest 25s. in one fell swoop on the horse he fancies. If he does, he will be required to pay only 6d. investment tax, whilst the small half-crown punter will be paying a total investment tax of 2s. 6d. on his several bets. That is neither fair nor just.

I will now attempt to explain why it is wrong to suggest that the S.P. punter does not contribute to the sport which affords him the opportunity to make a bet. The person who patronises the S.P. shop at present, as a result of the efforts of the Labor Government of 1953-56, is free to enter that shop to lay his bet without any fear, because those shops have been legalised. In that shop there is made available to him copies of various sporting newspapers, the names of the horses starting in each race are written on the blackboards, and he is able to hear a radio description of the race as it is being run.

All those facilities are available to him before he places his bet. However, he is unaware whether the horse in which he is interested is fit. As all members know, horses are much the same as human beings, in that they have their good and their bad days. Therefore, a man who attends the racecourse is able to inspect the horse to ascertain what his chances are. Sometimes one can tell whether a horse is going to win or not by looking at the face of the jockey or the trainer. Such an advantage is not enjoyed by the S.P. punter. He is completely in the dark as to what chance a horse has in any race.

After paying his admission money, the man who attends the racecourse is able to enter the betting ring and watch any money that is being laid on a certain horse. He is able to examine the horse in the birdcage; and, all in all, he has far more facilities made available to him before he places his bet than the person who

makes his bet in the S.P. betting shop. Figures prove that the man who regularly attends the racecourse meetings will lose far less than the man who makes his bet in the S.P. shop; that is, over a given period.

Mr. Perkins: Surely that would encourage people to go to the racecourse.

Mr. EVANS: The Minister did not hear the arguments that were put forward last night, or perhaps he did not understand them. Probably the latter is the real explanation. I have now given the Premier an opportunity to consider some of the arguments that have been put forward. If, in his folly, he uses destructive tactics, the onus will be on him. During the 1962 elections the people of this State will fight with the tenacity of Simmonds to see that the chickens come home to roost on the hustings, and that this Government is bundled out into the wilderness where it belongs.

MR. ROWBERRY (Warren) [8.16]: I am not a betting man. I know that much about betting that I refuse to bet. I am impressed by the solid, lucid, and well-reasoned arguments put forward by the Deputy Leader of the Opposition on this Bill and on the associate measures. I cannot say that I have been impressed by the reaction of the Government members. With one or two exceptions they have given the impression that they are merely puppets dangling at the end of a string.

The Government has a brief and brings it before the House. It has decided on certain Bills and it has introduced them. If we take the Government members away from the proposals contained in the Bill, they do not seem to have any answer. The most illogical argument came from the Premier. He said he wanted to discourage betting, and that he did not care if racing died out altogether.

Mr. Brand: The Leader of the Opposition said that.

Mr. ROWBERRY: Yet in this Bill, there is provision for the fostering and continuing of the chief means of betting in this State. I cannot see the logic or reason in his argument. If he wanted to stop people betting he should let racing die out; probably betting would die out with it. I think the other side of the question—that this tax will be a considerable source of revenue to the Government—is his great concern.

It intrigues me to consider how much revenue the Government derives from the weaknesses or indulgences of people. There is a tax imposed on tobacco; there is one imposed on liquor; and there is a tax on betting. There is a further weakness which afflicts mankind. I wonder whether, if we eliminated the three weaknesses covered by the taxes, the Government would turn to the other weakness of

mankind to raise revenue. I wonder whether it would impose a turnover tax on that weakness.

The Premier asks what is the good of betting to the community. I indicated that the revenue derived from betting enabled the Government to open certain railway lines which had been closed because of the economic aspect, and it has enabled the Government to provide money for the building of schools and septic systems therein. Most of that money is derived from the weaknesses of the people. I am opposed to the investment tax for the sole reason that its imposition will be detrimental to the class of people represented by those on this side of the House; that is, the working class.

It has been demonstrated that for every bet over £1, there are seven bets below £1. A good bookmaker, and thus a good businessman, fixes the odds according to the amount of money he holds. If we are to reduce his holding by this additional tax, we will reduce his opportunity to lengthen the odds. So the person who pays for the whole of this industry—that is, the punter—will be mulched further when he has a winning bet.

The Bill is designed against a certain class in the community. It is class legislation and it is a snobbish Bill, because seven bets are made below £1 as against one above that figure. I do not think that the imposition of the investment tax on the punters in S.P. shops will be the means of directing them to the racecourses. In these days the trend is against people attending the courses.

Why does not the Government allow the people to bet on motorcar and motorcycle races, or on football matches? Why should the Government only introduce legislation to enable the race clubs to foster betting? Why cannot the people bet on everything—foot-racing, athletics, or other sports? Why is the dice loaded in favour of the race clubs?

I oppose the Bill in its entirety because it discriminates against the working class, the people who like to spend their Saturday afternoons in betting. That is their business. For £1 a man can spend a whole afternoon betting in the shops on every race and so enjoy himself. If he wants to go to the racecourse, it will cost him £2 or so before he lays a bet.

MR. BRAND (Greenough—Treasurer—in reply) [8.22]: As no doubt this Bill will be debated in the Committee stage again, and its provisions were dealt with generally during the debate on the main Bill, I do not propose to say more than what I have already said. The Government has decided to impose what it terms an investment tax on the basis laid down in the Bill; namely, that 3d. shall be paid on bets up to £1 and 6d. on bets over that amount.

Essentially it was decided that the off-course punter, the person who is able to bet in the shops licensed by the Government, should pay something towards the upkeep of the industry. If the punter pleases to call his activity an entertainment or an investment, it does not matter to me. The Government believes that he should pay something for that privilege and for the facility made available to him by the licensing of S.P. shops; and that, in the main, the money should be allocated to the racing industry.

It is nothing new that the Government wants to support the racing and trotting industry in this State by the allocation of a substantial sum of money. From the figures already given in this House, it will be clearly seen that all other States in the Commonwealth contribute a very large percentage of their collections in this direction to the racing clubs. Therefore we, in this State, are not doing anything different. We are not taking any money from Consolidated Revenue to pay to the racing clubs. We are imposing a new tax; we are imposing a tax on the punter—the person who should contribute something towards racing and to its upkeep.

A great deal has been said about the effect of these measures on racing, and particularly on off-course betting; and that, as a result of the application of this tax, a situation will be created where the Treasurer will not derive as much income as he expects. All members on both sides of the House would not be concerned—I know I would not—if the turnover of the betting shops were to fall sharply.

As far as the racing and trotting clubs are concerned, it is their responsibility to attract patrons to their courses through improved facilities, more honest racing, and keener competition.

Mr. Lawrence: Are you insinuating that racing is dishonest at the moment?

Mr. BRAND: I am not insinuating anything. I leave the honourable member to insinuate what he likes. If as a result of this Bill becoming law, fewer people in Western Australia bet, then the Government will have achieved a lot. Whilst a few people may turn to playing cards as an alternative, as suggested by the Leader of the Opposition, not many will do so for entertainment. People will not turn to playing cards any more than they are doing at present. They will use the money which they are saving from betting to spend on other forms of sport and in other directions, thus contributing indirectly no doubt to the Treasury. I have no fear of any reduction in revenue as a result of the Bill becoming law. If there is not as much revenue collected as we anticipate, or if not as much is made available to the clubs as we expect, I shall not be worried one slightest bit.

I want to point out that by the end of 1960 the Government will have to consider whether or not it will continue the legislation setting up off-course betting shops. It will have to consider whether it will set up another system in its place. At the same time, the Government will have to consider the tax which is derived from off-course betting. By that time we will have had the opportunity of examining the effect of the proposals which we are bringing forward to this House. I imagine that as a result of this experience the Government will arrive at some satisfactory conclusion.

At present, the Government of the United Kingdom is considering the introduction of legislation to legalise off-course gaming and gambling. A copy of the legislation arrived yesterday, but I have not had time to peruse it; nor have I had time to ascertain what tax is intended to be imposed, or whether the tax is to be imposed on the bookmaker or the punter. No doubt some tax will be imposed in the United Kingdom.

In regard to the investment tax, I think it was the Chairman of the Betting Board who suggested, in the course of his evidence before the Royal Commission, the imposition of a winning bets tax; or, alternatively, some tax similar to the investment tax. He was a member of the political Party of the Opposition.

Mr. Lawrence: You do not know what he said in effect.

Mr. BRAND: I can produce his evidence. In suggesting a winning bets tax, the Chairman of the Betting Control Board must have had regard for all the problems raised by the Opposition speakers. As far as the winning bets tax is concerned, we are told it was iniquitous; that it was removed by the Hawke Government for that reason; and that it was responsible for driving people away from the course. Yet, for many years, South Australia has had a winning bets tax, both on and off course, and it certainly has not had the effect of driving patrons away from the race clubs there.

Mr. Tonkin: Upon what basis do you make that statement?

Mr. BRAND: From reports which I recently received from the Minister for Railways of South Australia (Mr. Dude). These reports showed that racing was thriving and maintaining its popularity. If there are a few people who decide that they are not prepared to go into betting shops to bet on account of the application of this tax, so much the better. I see no anomalies in the tax, and I see no hardship on the small bettor. An amendment has been foreshadowed by the Deputy Leader of the Opposition that bets under £1 be not taxed at all. I say there is no hardship in asking the off-course bettor

who wants to have a 2s. 6d. each way bet, or a 7s. 6d. bet, to pay 3d. It is an infinitesimal amount.

Mr. Lawrence: It is 10 per cent.

Mr. BRAND: I see no hardship in asking that person to pay 3d. towards racing and towards trotting which, by and large in Western Australia, have not been supported by the punter off course since the introduction of off-course legislation. As for the man who bets in quantities of £1 and over, surely he will not quibble about contributing 6d. for each bet of £1!

Mr. Lawrence: That is double-banking.

Mr. BRAND: If sharply reduced turnovers are experienced, and there is less interest in betting as a result of a reduction in income—as anticipated by some—so much the better. However, whatever is received by way of tax will be divided between the clubs and Consolidated Revenue, and by the same percentage as has been laid down in the Bills of which the House has already approved.

Question put and a division taken with the following result:—

Ayes—21.

Mr. Bovell	Mr. Lewis
Mr. Brand	Mr. W. A. Manning
Mr. Burt	Mr. O'Connor
Mr. Cornell	Mr. O'Neill
Mr. Court	Mr. Owen
Mr. Craig	Mr. Perkins
Mr. Crommelin	Mr. Roberts
Mr. Grayden	Mr. Watts
Mr. Guthrie	Mr. Wild
Dr. Henn	Mr. I. W. Manning
Mr. Hutchinson	(Teller.)

Noes—20.

Mr. Andrew	Mr. Lawrence
Mr. Bickerton	Mr. Moir
Mr. Brady	Mr. Nulsen
Mr. Evans	Mr. Oldfield
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Heal	Mr. Sewell
Mr. J. Hegney	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Kelly	Mr. May

(Teller.)

Pairs.

Ayes.

Noes.

Mr. Mann	Mr. W. Hegney
Mr. Nimmo	Mr. Hawke
Mr. Nalder	Mr. Hall
Mr. Ross McLarty	Mr. Norton

Majority for—1.

Question thus passed.

Bill read a second time.

MR. BRAND (Greenough—Treasurer): I move—

That the Speaker do now leave the Chair in order that the Bill may be considered in Committee.

Question put and a division taken with the following result:—

Ayes—22.

Mr. Bovell	Mr. Lewis
Mr. Brand	Mr. W. A. Manning
Mr. Burt	Mr. O'Connor
Mr. Cornell	Mr. Oldfield
Mr. Court	Mr. O'Neill
Mr. Craig	Mr. Owen
Mr. Crommelin	Mr. Perkins
Mr. Grayden	Mr. Roberts
Mr. Guthrie	Mr. Watts
Dr. Henn	Mr. Wild
Mr. Hutchinson	Mr. I. W. Manning
	(Teller.)

Noces—19.

Mr. Andrew	Mr. Lawrence
Mr. Bickerton	Mr. Moir
Mr. Brady	Mr. Nuisen
Mr. Evans	Mr. Rhatigan
Mr. Fletcher	Mr. Rowberry
Mr. Graham	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. Jamieson	Mr. May
Mr. Kelly	

(Teller.)

Pairs.

Noces.

Ayes.	
Mr. Mann	Mr. W. Hegney
Mr. Nimmo	Mr. Hawke
Mr. Nalder	Mr. Hall
Sir Ross McLarty	Mr. Norton

Majority for—3.

Question thus passed.

In Committee

The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Brand (Treasurer) in charge of the Bill.

Clause 1 put and passed.

Clause 2—Imposition of tax:

MR. TONKIN: When the Treasurer was replying to the second reading debate on this Bill, he made a remark which shows he has not a full appreciation of the arguments which are being advanced from this side. I agree that an impost of 3d. on a bet is neither here nor there. However, the Government proposes to collect £204,000 in threepences; and that will come out of the pockets of the people who are having bets of less than £1. It is the accumulation that matters; it is not the 3d. a time. The point is that the people who are going to pay 3d. a time are going to contribute £60,000 to Consolidated Revenue and to the racing clubs £204,000 of the £264,000 the Government expects to raise.

Those people who make bets of over £1 will contribute only £60,000. That is one of our objections—the disparity between the two. It is a fallacy to just have regard to the actual 3d. on a ticket. That would not affect a person if he had one bet in a year. But there is a body of people who wager regularly throughout the year. From that body of people the Treasurer proposes to take £204,000 a year from those who wager less than £1, and £60,000 from those who wager above £1. This makes a difference, because there will be substantially less wagered than is being wagered now.

It is clear from what the Treasurer said that he does not understand enough about the business to appreciate the effect of his legislation. I do not blame the Treasurer; but it is unfortunate for those who will be affected, because if he had more knowledge of the subject and a better understanding of the intricacies, he would not make the mistakes that he is making.

I do not know where he got his information about things booming in South Australia. The reports I have show that the

volume of business on the totalisator in that State is falling, and that the attendance figures are falling. Other parts of Australia, and indeed New Zealand, are having a similar experience. It was pointed out in an article I read a few years ago that unless some action was taken in New Zealand to assist the racing clubs they would be likely to go out of existence, despite the substantial assistance from the totalisator. This writer—I think he wrote under the *nom de plume* of "Kindergarten"—said that the situation in New Zealand was deteriorating and that the attendances were falling off, and so was the revenue of the clubs. That appears to be the position in the other States.

We get exceptions because at the recent Spring carnival at Flemington the attendances were well up and were comparable with those of previous years; but the general trend has been downward. However, that has not got much application to the provision of the investment tax here.

We on this side object because we say there is no justification for the Government, when it is handing out money in all sorts of directions to its own followers, to bolster up State revenues by imposing a special tax on bettors, who bet on less than £1 a time. There could be some justification if the Government raised money in this way and gave it all to racing. There might be some semblance of justification for the argument that these people were getting their enjoyment because races were run, and so they should do something to help them to be continued.

There is something in that argument; but I see no commonsense in the argument that the Government should tax a poor section of the community to the extent of £204,000, and put £60,000 into revenue. What makes the position worse is that from the investment tax the Government proposes to raise substantially more money than will come to it from the increased turnover tax. We on this side say that is unfair and unreasonable; that the clubs should be assisted from the turnover tax; and that this money should not be taken out of racing because, in the final analysis, this must affect the amount of money available not only to the Government but to the racing clubs.

I have already quoted from the New Zealand Totalisator Agency Board report, and I agree with the statement made there that if we lift money out of racing then, because there is only a limited amount of money available each year to pay for the upkeep of the courses and to pay for the totalisator staff, the bookmakers, and for the feeding and training of horses, jockeys' fees, and so on, the amount that is taken out will not be available for racing. We do not inject additional money into the amount that is available for racing because we levy a tax; we take from it a sum of money and put it aside.

I venture the opinion that one of the reasons for the decline in racing in Australia in recent years is the tendency of all Governments to impose a high rate of taxation on racing with the result that the sum of money available for the maintenance of racing has been reduced so that it is inadequate for the purpose. I ascribe the decline in racing more to that reason than to any other, including the establishment of off-course betting premises. We are told from time to time that the licensing of the totalisator in New Zealand and the supposed suppression of illegal book-making was intended to improve racing in that country; but the experience is the opposite. We find from the report of the Totalisator Board that illegal betting is rife in New Zealand. The word used in the report is "widespread."

That shows how difficult it is to prevent illegal betting if the conditions are such as to encourage it. We have to be careful here to see that a situation which was altered for the good by the legislation of betting shops—I refer to the elimination of illegal betting—is not re-established.

We had this farcical situation under Governments of all complexions: One could go to Collie and see illegal bookmakers in the main street with their blackboards and their wireless sets accommodating the punters who came to them, whilst the people who were trying to do the same thing in Fremantle and Perth were prosecuted week after week. The S.P. bookmakers operated with impunity at Collie under all Governments. That situation existed for years. The legalisation of the shops removed that feature. Illegal betting is practically wiped out. I am not going to believe that the legalisation of the shops has completely stamped it out; but if it is being carried on at all—and I do not know that it is—it is being carried on in such a small way as to be of no account.

But if the taxation burden is made sufficiently heavy—I can see the possibility of this investment tax being forced on the bookmaker and so increasing his expenses—then the off-course bookmaker will do what has been done in ages past; namely, when the law is unfair and too severe, men will take the risk of breaking it. When income taxation rates are too high, men endeavour to avoid the tax and take the risk—even though the penalty is severe—because the inducement is there; and I am afraid that is what is going to happen here.

It is extremely difficult, if not impossible, to prevent this. The mere fact that the authorities at long last in Great Britain are contemplating the introduction of legislation in order to legalise the position there, which is similar to ours, is proof that they have come to the conclusion that there is a lot of illegality which makes little or no

contribution to the revenue, so that it is desirable to do something in order to enable the revenue to gain.

I feel that the Government's consideration of this question has not been sufficiently good, ample, or critical to enable it to arrive at what is a reasonable or fair thing to do. We, on this side of the Chamber, are anxious that this tax should not be imposed, because we say there is no necessity for it, and because it should not be imposed on a section of the community to benefit Consolidated Revenue. I hope the Committee will not agree to it.

Mr. HEAL: I shall again briefly add my protest against the imposition of this tax. I think it is unjust, unsavoury, and out of balance. I protest against it also because it will hit the man who bets in a small way.

Let us look at the circular which I think all members have received. It is estimated that the big bookmaker who has an average turnover of £576,719 will issue 640,798 tickets; and of this number, those in excess of £1 will be 80,100. Consequently, 6d. will be paid on them. The number of tickets of £1 and less is estimated to be 560,698. Those will be issued to the persons who will pay most of the investment tax; they will pay 3d. on each ticket. I hope that the Government will not get as much investment tax as is envisaged. The anticipated sum is well over £200,000. I am sure the investment tax alone will keep many punters out of S.P. shops and will keep revenue not only from the racing clubs but the Treasury.

It is amazing that the Treasurer, when he introduced these Bills, said that the investment tax was the one that would help the racing clubs. Yet we find he will take a large proportion of this tax and place it in the Treasury. If he is going to impose this tax on these people, then it should all go to the racing clubs.

The Leader of the Opposition said that the W.A. Turf Club would have a handsome amount given to it—well over £2,000 a week. Clubs such as Northam, Bunbury and Pinjarra will receive additional assistance, but I am sure it will not be sufficient in relation to what the W.A. Turf Club will get. The Bill will pass this House, but I hope it will not pass the other place; that the members of the so-called House of review will see wisdom and throw it, as they have thrown many other Bills, out of the window.

When the Hawke Labor Government originally introduced the betting Bills, the present Premier and those who then sat behind him vigorously opposed the measures and voted against them. One would have thought that as soon as they became the Government they would get rid of the licensed S.P. shops and return to the unsavoury conditions that operated before. But no; this Government has carried on with those proposals and now intends to

increase the tax. I say to some of the back-benchers on the Government side that this tax will hit many of their electors, and they can be assured that their opponents in forthcoming elections will let the people know what they have done. I hope that members will vote against this proposition.

Mr. GRAHAM: This provision emanates from the pressure, agitation, and propaganda of the daily Press. The Government, in its usual supine way, has succumbed to the facade created by the Press, and has revealed that it knows very little about racing and betting; but like a madman, the Government is throwing things in all directions and expects to receive the plaudits of the Press because of its actions. This proposition is totally unreal and completely unwarranted, and the Premier seeks to justify the stand of his Government because of this holy of holies sport or industry of racing.

I wonder whether he realises that in one night many times more people attend the picture-shows as attend the weekly racing and trotting meetings. But I do not think one new theatre has been built in the suburbs in the last 20 years; they are closing down, being demolished, or being converted to other purposes. But that is where thousands of men, women, and children go to enjoy themselves.

I do not intend to go into the question of horses that are crook, and certain elements that get to work and so on, because you would not let me, Mr. Chairman. Yet the Government is prepared to impose a burden on people to maintain this so-called sport. Last week the Government's idea was to make it easier for the drinker; and this week it proposes to make things tougher for the punter.

I have no personal interest in this, because I have never been to a racecourse in my life, and I do not know what it is to have a bet. I have no prejudice against gambling and betting; if people like to enjoy themselves in that way, that is their business. But why all this concern about this sport or industry? If it folded up completely tomorrow how much worse for Western Australia would the position be? We would probably be better off. Probably a number of people would not be able to enjoy themselves in their customary manner; but, judging by their haggard faces and the sweat which is on their brows when they are trying to pick winners, it seems to be questionable whether there is any enjoyment in it. However, those people could still bet on Eastern States races.

The Premier hopes that this legislation will discourage some people from investing on horses. What opportunity has the person at Hall's Creek of attending headquarters or Gloucester Park next Saturday? Why should not people in places like that have an opportunity to put their few shillings on the races if they want to?

Why should those people have to pay tribute to somebody? Lots of people who are sport-minded and go to bowls, cricket, and so on, and are able to have their bets now, will be penalised. Apparently this Government thinks it would be better for them to give up their healthy recreation and go out to the course so that they can stand around there and find out the condition of the horses, how much money has been put on various horses, and the rest of it.

This is a proposition to hit the little fellow—the pensioner and the ordinary worker. Surely he is entitled to some recreation or enjoyment! If he prefers to have a flutter on the horses, at the sacrifice of a visit to the pictures or a few pots of beer, that is his choice.

Mr. Brand: Of course it is!

Mr. GRAHAM: Why should the Government exact about 10 per cent. tribute from him?

Mr. Brand: Threepence.

Mr. GRAHAM: It is 3d. on a 2s 6d. bet.

Mr. Bovell: If he has a pot of beer or goes to the pictures he still pays tax.

Mr. GRAHAM: Of course! But nobody is suggesting that because the Commonwealth Government extracts that, it is any justification for this Government to do the same thing.

Mr. Bovell: Your line of argument is entertainment and amusement.

Mr. Brand: You imposed the entertainments tax in the first place.

Mr. GRAHAM: We eased the entertainments tax.

Mr. Brand: You imposed it.

Mr. GRAHAM: We eased the entertainments tax as against that which was previously operating.

Mr. Bovell: The Commonwealth Government let it go.

Mr. Brand: You re-enacted it.

Mr. GRAHAM: Yes, but with concessions.

Mr. Brand: You did not worry about the pensioner then.

The CHAIRMAN: Order! The member for East Perth must keep to the Bill, which has reference to a tax on betting.

Mr. GRAHAM: This Government will be extracting something from people who will not be encouraged to go to the races because they are either too far away from the course; because they are shift workers; because they are enjoying some healthy sport; or, lastly, because they cannot afford to go to the course. I suppose the £65,000 which the Government expects to get under this heading will go approximately half-way towards subsidising some of those wealthy farmers we discussed the other night, whose net incomes are in excess of £5,000 a year. It is doing that at

the expense of the workers and the pensioners, and apparently that is good enough. The Government has already snatched 17s. 6d. a week away from the unemployed, and taken its advertising from a concern whose rates were cheap and given it to *The West Australian* after allowing it, first of all, to increase its advertising rates.

The CHAIRMAN: Order! The honourable member must keep to the clause.

Mr. GRAHAM: Yes. But this relates to the whole question. If the Government is squandering revenue in order to assist its friends, it has to recoup itself by imposing burdens upon the people; and it is taking fine care to see that the burden is imposed upon certain sections only. It must not offend the big noises. It is possible for the social characters who are members of the Liberal and Country Party to come from Pinjarra and Bunbury to headquarters.

I cannot see many workers or pensioners coming from those districts to Gloucester Park or headquarters to enjoy the amenities which will be provided. Scores of thousands of pounds will be spent on amenities there. The Premier said that the money would not be used for improving the members' lounges; but there is nothing to stop the racing clubs from doing that.

Mr. Brand: I did not say there was.

Mr. GRAHAM: The Premier said he would see that the Government would not do that.

Mr. Brand: I said I hoped they would not.

Mr. GRAHAM: As long as this Government is looking after the bigwigs, it is satisfied. It is about time it had some regard for the welfare and interest of the people. A tax of 3d. on a bet of 2s. 6d., and a tax of only 6d. on a bet of £100 is this Government's idea of fairness and equity. In my electorate the average bet would be only a few shillings; yet those people will be called upon to assist in building palaces, and improving the amenities at headquarters.

This Bill pleases the daily newspaper, and obviously no argument or protest of ours will be canvassed. I am informed that some concern has been expressed by the rank and file supporters of this Government, but they have been assured by the Premier that the people who will be paying this 3d. on the small bets are not Liberal voters, and therefore there is no need for the supporters of this Government to be perturbed because they will not be losing votes.

Mr. Bovell: How do you know?

Mr. GRAHAM: It will be the Labor people who will be paying this tax, and it has been said that "They won't vote for

the Liberals anyway." I can tell the Minister for Lands that that was the advice given to some of his protesting rank-and-filers by a member of the Ministry. I will say no more than that. As in so many other instances, political bias has obtruded itself into this argument. We will keep on protesting and informing the people; but, unfortunately, it is a difficult matter when virtually there is only one newspaper and it has shown its colours on many occasions.

The Ministry, of course, is pledged to this Bill; but I hope that some of the back-benchers on the Government side will have compassion for the small person who can afford a humble investment only, and that they will assist the Opposition in overcoming this injustice which the Government seeks to impose on the people I have mentioned.

Mr. TONKIN: In order to have it recorded, I would like to refer to a statement made by the Treasurer to the effect that the time will arrive in 1960 when consideration will have to be given to whether these betting premises are to be relicensed.

Mr. May: They will all be gone then, anyhow.

Mr. TONKIN: If the betting premises are able to stand up to this tax—and I have no doubt some of them will—and if they are in existence when the time comes for the Government to reconsider whether they are to be relicensed or not, I forecast that there will be that much pressure from the Turf Club to keep them operating, and from the Government members, that there will be no hope of their being delicensed. The Turf Club will not throw away £100,000 a year simply to have the shops closed. Their arguments will change then. They would have no hope in the world of getting that revenue if betting shops were closed tomorrow, and they would not kill the goose that lays the golden egg any more than would the Government.

So there is that solace for the book-makers, if they want it—namely, that the imposition of this tax would ensure their continuance. By its actions the Government is deciding now what will happen in the future. Let us try to imagine a Treasurer suggesting to Cabinet that he throw away £500,000, or the Turf Club or Trotting Association leading a deputation to the Treasurer and asking for the shops to be closed so that they will no longer get this substantial subsidy! The argument now being advanced for the closure of these shops will be completely dissipated, and in their place we will have enthusiasm for the nurturing of this goose that lays the golden egg. That will happen as sure as night follows day.

Clause put and a division taken with the following result:—

Ayes—19.

Mr. Bovell	Mr. Lewis
Mr. Brand	Mr. W. A. Manning
Mr. Burt	Mr. O'Connor
Mr. Cornell	Mr. O'Neill
Mr. Court	Mr. Owen
Mr. Craig	Mr. Perkins
Mr. Grayden	Mr. Watts
Mr. Guthrie	Mr. Wild
Dr. Henn	Mr. Crommelin
Mr. Hutchinson	

(Teller.)

Noes—20.

Mr. Andrew	Mr. Lawrence
Mr. Bickerton	Mr. Molr
Mr. Brady	Mr. Norton
Mr. Evans	Mr. Nulsen
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Heal	Mr. Sewell
Mr. J. Hegney	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Kelly	Mr. May

(Teller.)

Majority against—1.

Clause thus negatived.

Clause 3—Rates of tax:

Mr. TONKIN: Surely the Government is not going to proceed with a meaningless Bill; because, without clause 2, the Bill becomes completely meaningless. We are certainly not prepared to waste our time discussing such a measure. I would like to hear from the Government as to what it proposes.

Mr. GRAHAM: I move—

That progress be reported and leave asked to sit again at midday on the 25th December.

Motion put and a division taken with the following result:—

Ayes—20.

Mr. Andrew	Mr. Lawrence
Mr. Bickerton	Mr. Molr
Mr. Brady	Mr. Norton
Mr. Evans	Mr. Nulsen
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Heal	Mr. Sewell
Mr. J. Hegney	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Kelly	Mr. May

(Teller.)

Noes—21.

Mr. Bovell	Mr. Hutchinson
Mr. Brand	Mr. Lewis
Mr. Burt	Mr. W. A. Manning
Mr. Cornell	Mr. O'Connor
Mr. Court	Mr. O'Neill
Mr. Craig	Mr. Owen
Mr. Crommelin	Mr. Perkins
Mr. Grayden	Mr. Watts
Mr. Guthrie	Mr. Wild
Mr. Hearman	Mr. I. W. Manning
Dr. Henn	

(Teller.)

Pairs.

Noes.

Ayes.	
Mr. W. Hegney	Mr. Mann
Mr. Hawke	Mr. Nimmo
Mr. Hall	Mr. Nalder
Mr. Oldfield	Sir Ross McLarty

Majority against—1.

Motion thus negatived.

Mr. TONKIN: This is an astonishing situation. Without this clause the Bill is completely useless, because this is the clause which actually imposes the tax. The

Committee has decided against the inclusion of the clause—we think, quite rightly. It looks as though the hand of Providence entered into this to help the Opposition, because the Government appeared to have the numbers all the way through, and suddenly fell down badly. If the Government is capable of heeding a warning, this is probably it; letting the Government know it is doing the wrong thing.

Mr. Brand: The Lord moves in a mysterious way His wonders to perform.

Mr. TONKIN: He certainly does, because we have not seen much of the Electoral Districts and Provinces Adjustment Bill for quite a time.

Mr. Brand: We will not disappoint you.

Mr. TONKIN: What is more, we are not likely to see it; and it is not through any action on the part of the Opposition.

Mr. Brand: No; I don't think so.

The CHAIRMAN: Order! The clause deals with the rates of tax.

Mr. TONKIN: And what is the Bill?

The CHAIRMAN: We are dealing with clause 3.

Mr. TONKIN: And has the Bill any power?

Mr. Brand: That has nothing to do with it.

Mr. TONKIN: Without clause 2, has the Bill any power? What is your opinion, Sir?

The CHAIRMAN: The question before the Chair is as to whether clause 3 will stand as printed. That is the only question.

Mr. HEAL: Is this Bill in order, considering the fact that clause 2 has been deleted? I think it is out of order.

Mr. Perkins: Don't be funny!

Mr. Bovell: Grow up!

The CHAIRMAN: There is no point of order.

Point of Order.

Mr. GRAHAM: I would like to raise a point of order. I have vivid recollections of a division last week which arose because the Speaker ruled that a certain proposition was out of order on account of the fact that what had been submitted by the Leader of the Opposition, when incorporated in the Bill then receiving consideration, did not make sense.

Mr. Heal: This does not make sense, either.

Mr. GRAHAM: That is my point. Without the power to impose a tax—and that is what this Committee has decided—how in the name of all that is reasonable can we seek to lay down a schedule of the rate

of tax? I say I am being entirely consistent with the stand I took last week, and I will probably be the only one who is consistent.

Mr. Perkins: We could always add a clause afterwards.

Mr. GRAHAM: If a clause were added which was the same in substance and effect as the one deleted, I would say it would be out of order. The Minister for Transport had better think up another one, because I am certain that one will not work.

Mr. Court: I have seen it done on many occasions.

The CHAIRMAN: Order!

Mr. GRAHAM: I am raising the point of order on exactly the same grounds as the member for Subiaco acted upon last Thursday afternoon when we were considering the Licensing Act Amendment Bill. Then the point was that the amendment of the Leader of the Opposition when attached to the legislation did not make sense. In this case, if we attach clause 3 to this Bill it will not make sense without clause 2, and the Bill will therefore be unintelligible. I am asking you, Sir, to rule the Bill out of order.

Chairman's Ruling

The CHAIRMAN: The honourable member is wrong when he relates this particular case with what happened in regard to the motion of the member for Subiaco the other evening. Each clause is a separate part of the Bill, and we are now dealing with clause 3. The Bill is therefore in order.

Dissent from Chairman's Ruling

Mr. TONKIN: Then I must dissent from your ruling. I do so because, if it is competent for any Committee to vote against a clause and then subsequently reinstate it, we could spend the whole year on one Bill; because if the vote went against a clause, the Committee would be able to have another go at it.

Mr. Ross Hutchinson: It could if it had the numbers.

Mr. TONKIN: Do not Standing Orders count for anything? Of course they do not with the Chief Secretary!

Mr. Court: You did that on the Industrial Arbitration Act Amendment Bill one year.

The CHAIRMAN: Order! Will the Deputy Leader of the Opposition please submit his dissent in writing?

Mr. Tonkin: With the greatest pleasure.

[*The Speaker Resumed the Chair*]

The CHAIRMAN OF COMMITTEES: Mr. Speaker, whilst the Committee was considering a Bill for an Act to impose a tax on bets by bookmakers in registered

premises, the member for East Perth raised a point of order in view of clause 2 having been defeated. The contention was that the Bill, in fact, when dealing with clause 3, was unintelligible. I ruled that the Bill was in order and that the Committee was dealing with clause 3 as a separate clause in the Bill. The Deputy Leader of the Opposition then moved to disagree with my ruling as per the following motion:—

I move to disagree with the ruling of the Chairman of Committees—that further discussion on the Bill is in order—on the grounds that as clause 2, which imposes the tax, has been defeated, no tax can therefore be imposed and so discussion on rates of tax in clause 3 is futile.

The SPEAKER: I will leave the Chair until 11 p.m.

Mr. Court: Eleven p.m.?

The SPEAKER: I am sorry; I mean until 10 p.m.

Mr. Graham: You will probably need until 11 p.m. to make a decision!

Sitting suspended from 9.32 to 10.22 p.m.

Speaker's Ruling

The SPEAKER: I uphold the ruling of the Chairman of Committees. It seems that the important words in the motion to dissent from his ruling are the final ones: namely, "so discussion on rates of tax in clause 3 is futile." I cannot anticipate what the Committee will do in respect of clause 3 which, as it stands, is intelligible. I quote from *May*, page 515—

There is nothing to prevent a Committee of the whole House from negating a clause or clauses, the omission of which may nullify or destroy the Bill, and reporting the Bill as amended to the House.

I quote further from *May*, page 515—

Thus while a Bill cannot be withdrawn in Committee, for this requires leave of the House, a Committee of the whole House can indirectly achieve this object by reporting progress.

I would point out that the Committee has not agreed to report progress.

Point of Order

Mr. TONKIN: Before we deal with this matter, Mr. Speaker, I desire to raise a point of order. When we adjourned for the purpose of discussing this question you first of all thought of adjourning till 11 p.m., and then changed your mind and decided to adjourn till 10 p.m. At 10 p.m. I was in my place, waiting for the resumption, but you did not take your place in the Chair until after 20 minutes past 10. I now ask you whether, in view of the statement you made from the Chair,

that the House would cease its business until 10 p.m.—you not having taken the Chair at that time—you are now in order in carrying on the sitting of this House.

Speaker's Ruling

The SPEAKER: I believe that in these circumstances I am in order. I think that the Deputy Leader of the Opposition will realise that the suggestion that I would adjourn until 10 o'clock—the mention of 11 o'clock was a slip of the tongue—was for the convenience of members, so that they would know that I would not again take the Chair before 10 o'clock; and the fact that it took me rather longer to complete the actual drafting of the ruling is not of great importance. I rule that I was in order in coming back to the Chair, in circumstances such as these, when it suited my convenience. However, it is a matter for the House to determine.

Point of Order

Mr. TONKIN: I do not wish to test the House on that question. I accept what you say, Mr. Speaker, although I have some doubt about it; because when we adjourn, if we decide in the House to resume at a time other than the appointed time, it requires a special motion to enable us to do that, and we move a motion such as "that the House at its rising adjourn until such and such a time."

The SPEAKER: I would draw the honourable member's attention to the fact that he cannot deal with two points of order at the same time.

Mr. TONKIN: I know that it is somewhat difficult; but show me a way in which it can be avoided! It is not much good dealing with the second point last; and so I think you will agree that commonsense would determine that, if I am to raise the matter at all, I have to raise it before I deal with the other question; otherwise the position becomes an absurdity. However, I have no wish to press that. I simply raised the point; but if you are satisfied that it is all right, it is all right with me.

But I am not so satisfied with your other ruling, and I propose to move that it be disagreed with. We have a Bill before us which proposes to impose taxation; and clause 2 is the clause which imposes that taxation. The Committee negatived clause 2; or, putting it another way, the Committee decided that it would not agree to impose this tax.

Having agreed that it would not impose this tax, is there any commonsense whatever in the Committee proceeding to discuss rates of tax which are not going to be imposed? In your ruling you said you could not anticipate what the Committee will do on clause 3. I quite agree. Nor are we in a position to anticipate that the Committee will agree to putting back

clause 2. So, as you cannot anticipate that clause 2 will ever again be in the Bill, do you say that we ought to stay here—

Mr. May: I would draw your attention, Mr. Speaker, to the excessive noise in the House.

Mr. WATTS: On a point of order, Mr. Speaker, is the member for Melville in order in proceeding with this discussion without moving to disagree with your ruling? So far he has not done so.

Mr. TONKIN: I have moved to disagree with the ruling.

The SPEAKER: I understood that the honourable member had done so.

Mr. TONKIN: I feel sure that the Attorney-General would not take the stand he did in order to put me off my train of thought; but he certainly inconvenienced me somewhat by unnecessarily taking that line. I was endeavouring to show that, as you said you could not anticipate what the Committee would do with clause 2, and therefore you thought we should go on and see what we would do with it, Mr. Speaker, you cannot anticipate what we will do with clause 2, which has gone; and as clause 2 is the clause which imposes the tax, the Committee has decided that no tax is to be imposed. What sensible man will start to talk about a rate of tax which is not going to be imposed? We would be making ourselves ridiculous.

If the Government has in mind to try—and I say "try" because I do not think it has any power to do what it will attempt to do—to do what it wants to do, this Committee should report progress and then come back with this proposition after it has had time to go into the matter. But to ask us to proceed to discuss rates of tax which we have decided will not be imposed is to render the proceedings of Parliament futile.

Mr. Ross Hutchinson: Why should progress be reported?

Mr. TONKIN: Because the Bill is shot.

Mr. May: It is the opinion of this Parliament.

Mr. Graham: If there is any law in Parliament, the Bill is shot.

Mr. TONKIN: The Minister keeps interjecting, "It is only somebody's opinion". That is all it ever is—somebody's opinion—so that is a profound utterance. I ask you, Mr. Speaker, to reconsider the question along the lines of the ruling you have already given. We will not accept amendments if they are not intelligible; so how can it be intelligible to discuss rates of a tax that we have decided not to impose? I repeat, we cannot anticipate, although the Government thinks that it is going to be successful, that it will be successful in putting the clause back into the Bill. Neither you nor anybody else, Mr. Speaker, is entitled to anticipate that, no matter how good the chances may look.

Mr. Bovell: Your Government did it in 1957.

Mr. TONKIN: Did what?

Mr. Bovell: Exactly what is being done.

Mr. TONKIN: Find the illustration and I might agree with you.

Mr. Bovell: The member for South Fremantle was involved.

Mr. TONKIN: You find the illustration.

Mr. Watts: I have it here.

Mr. TONKIN: Then we will hear from the Deputy Premier.

The SPEAKER: Order! I do not think that is relevant to the particular point.

Mr. TONKIN: Had you prevented the Minister from stating it, that might have been so, Mr. Speaker.

Mr. Heal: This is an entirely different case.

Mr. Bovell: I know all about it because I was the Opposition Whip at the time.

Mr. TONKIN: If we can get down to the vital points in this matter: I reiterate that, firstly, clause 2, which has been defeated by the Committee was the one which imposes the tax—and the Committee has decided not to impose it—and clause 3 decides the rate of tax. What commonsense could there possibly be in proceeding to discuss, possibly for hours, rates of a tax which is not in existence; and, on the decision of the Committee, is not intended to come into existence?

If you are going to rule that way, Mr. Speaker, and occupy our time in that manner, it is a most astonishing decision, and I would like to test it out by putting the question to the House.

Mr. MAY: Mr. Speaker, am I entitled to discuss this matter now?

Mr. Tonkin: Of course you are!

The SPEAKER: I have given my ruling and there is a motion before the Chair to dissent from my ruling. That is what is being debated at the moment; and if there is to be any discussion, now is the time for it.

Mr. MAY: Thank you. I wanted to point out that clause 2, which has been defeated by the Committee, clearly sets out the position. It states—

A betting investment tax is imposed by this Act and payable under the Betting Control Act, 1954, at the rates specified in section 3 of this Act, upon each bet made in registered premises by a bookmaker or his employee on his behalf.

Mr. Lawrence: Mr. Speaker, I cannot possibly hear what is being said because the Minister for Lands is giggling.

Mr. MAY: That clause has been struck out of the Bill by the Committee; and clause 3, which immediately follows it,

merely sets out the schedule of the rates to be applied if clause 2 is agreed to. But, as clause 2 has been defeated, we cannot agree to fix a rate on something that is not there. Therefore I support the contention of the Deputy Leader of the Opposition that this matter is not in order.

Mr. HEAL: Last week we had a situation similar to this, and I am sure the member for Subiaco will agree with the point of order raised by the member for Melville.

Mr. Guthrie: It was entirely different.

Mr. HEAL: Let me quote from *Hansard* in regard to the point of order raised by the member for Subiaco. He said—

I wish to raise a point of order and submit to you, Sir, that the amendment moved by the Leader of the Opposition is out of order. The effect of that amendment will be to render the entire Bill out of order.

Now that clause 2 of this Bill has been defeated by the Committee, surely the Bill must be ruled out of order on the same grounds as the proposition was ruled out of order last week. I am sure the member for Subiaco, who is a legal man, will have something to say in relation to this aspect.

Mr. GRAHAM: I disagree with your ruling, Mr. Speaker; and before dealing with that matter, might I be permitted to mention that at page 316 of the 15th edition of May's *Parliamentary Practice* it is stated—

During the suspension of the sitting, the Speaker, the mace being left upon the table, retires from the House and returns at the appointed hour.

The mace did not remain upon the table, and neither did the Speaker return at the appointed hour.

The Deputy Leader of the Opposition has raised a point of order, and the member for West Perth has indicated that a point of order was raised by the member for Subiaco last Thursday on the same sort of issue. I can speak with some feeling on this matter, because I was in the position of supporting you, Sir, against my own Leader and Deputy Leader; and I think I was the only member of the Opposition who voted with the Government in support of your ruling, on the basis that the amendment moved by the Leader of the Opposition, if agreed to, would render that portion of the Bill unintelligible.

Surely the same point arises here! We are about to discuss a rate of tax when we have already decided that no tax is to be imposed. It is all very well for somebody to suggest that perhaps the matter can be corrected at a later stage. Last Thursday the amendment moved by the Leader of the Opposition might have been unintelligible at that stage; but who

is to say that subsequently, upon recommitment, it might not have been put in order and made intelligible? But no! You, Mr. Speaker, surveyed the situation as it was, and gave your reasons as to why it should be ruled out of order—because it did not fit in; it did not make sense; and it was unintelligible. The point was made by the member for Subiaco, and upheld by you, and you were supported by a majority of the House.

Surely it is not to be suggested that within a week there is to be a complete reversal of form! Are there no principles? Is there no honesty reposed in those who sit on the other side of the House? They must support me on this occasion as they voted with me on the last occasion. If there is anybody whose conscience is clear in this matter it is the member for East Perth.

Mr. Brand: What about the people who voted against you on that occasion?

Mr. Toms: Our consciences are clear, too.

Mr. Brand: I am not talking about consciences.

Mr. Heal: What about yours?

Mr. GRAHAM: Other members of the Opposition last Thursday held a point of view which they expressed and upon which they voted accordingly. Since that time the House has made a determination. It has agreed to a ruling, and it would appear that it has been accepted by members of the Opposition; but members of the Government voted with me that your ruling, Sir, was correct.

With the greatest respect, I say now that I am surprised at the agility with which you are able to come to a conclusion which is directly opposite to the conclusion that you reached last Thursday evening. Rulings on procedure, as all members know, become precedents which will be quoted by future Speakers when similar points arise. Therefore, this is not a matter of political convenience, but a question of law and order in parliamentary proceedings.

I will now summarise the position of the members of this Parliament. Last Thursday evening I agreed with the viewpoint expressed on whether the question of a proposition before the Committee was intelligible or otherwise. Tonight I adopt the same stand. Last Thursday evening Government supporters agreed with that viewpoint, and I hope they are sufficiently consistent to adopt the same viewpoint this evening. With the exception of myself, members of the Opposition took the stand that they did, and had a certain proposition determined. They are now prepared to abide by the decision which Parliament made.

Therefore, every member—and this should include yourself, Mr. Speaker—should be in agreement with the point

taken by the Deputy Leader of the Opposition that, because of what has transpired, the matter we are considering does not make sense; it is unintelligible and therefore should be disallowed. Or, in other words, the Bill should be put aside, because it consists of only two clauses, one of which means nothing as the other has been deleted. If the Government has any honesty or shows any consistency in regard to the propriety of Parliament to abide by the rules of this House as declared a week ago, there should be unanimous support for the motion to disagree with your ruling.

Mr. WATTS: I am sorry I cannot agree with the member for East Perth, because the circumstances tonight are by no means similar to those which existed last Thursday. On Thursday night the Leader of the Opposition proceeded to move an amendment to a clause in the Bill. The trouble with that amendment was that if it had been inserted in the clause it would have made the clause and the Bill—because it happened to deal with the change of hours in licensed houses—practically unworkable, if not completely so.

Mr. Graham: How workable was this clause?

Mr. WATTS: In this case, as it so happens, clause 2 has been deleted from the Bill; but in my opinion there is no reason why a discussion on the Bill should not proceed and the question of what should be done with the Bill subsequently—as clearly indicated by you, Sir—is one for this House to determine. There has been no amendment, similar to that moved last Thursday by the Leader of the Opposition, to a clause in the Bill. The circumstances bear no resemblance to each other. If there had been an amendment moved to clause 2, which amendment would have made the Bill unworkable, in all probability the honourable member could have followed up his argument.

Mr. Graham: How workable is this Bill?

Mr. WATTS: It is a matter for the House to determine what will happen to the Bill. The House is entitled to proceed to the conclusion of the Bill, as the Chairman of Committees has already observed. If the Committee were still sitting, clause 3 would now be before the Committee. When the Committee has dealt with clause 3 it will follow the usual procedure of making a report to you, Sir, and then the question of what shall be the fate of the Bill can be determined. I am sure that you will agree, Mr. Speaker, that the circumstances are entirely different, and there is no reason why the sound ruling you gave, supported by an authority we all recognise in this Chamber, should not be upheld, and I certainly support it.

Mr. EVANS: I do not intend to make a lengthy speech. Nor do I intend to be presumptuous; but after listening to the

Attorney-General I desire to make some brief comments. The Minister drew a comparison between the situation which existed last Thursday night—and in which we were keenly interested—and the situation which exists tonight. He said that an amendment had been made to the Bill as a result of which you, Sir, decided that the Bill had been made unintelligible and unworkable. In my opinion, a similar situation exists tonight because the Bill before us now has been amended. If we look up the definition of the word "amendment" we find that to amend is to change something, and this Bill has certainly been changed. An amendment has not been made to add something, but an amendment has taken something from the Bill. I contend that the Bill has been changed; and therefore the position is not so different from that which obtained last Thursday night, and I support the motion to disagree with your ruling.

Mr. GUTHRIE: I entirely agree with what the Attorney-General has said. This is a totally dissimilar situation to the situation we dealt with last Thursday night. First of all, the House was in Committee as a whole on Thursday night. In Committee, the Bill is dealt with clause by clause, and the only concern of members is for the clause that is being dealt with by the Committee at the time. What we did last Thursday has nothing to do with what we are doing this Thursday. Last Thursday we had a clause before us and an amendment was moved by the Leader of the Opposition which rendered the clause unintelligible. You, Sir, ruled quite correctly and the House supported your ruling.

Tonight we have before us clause 3, and I defy anybody in this House to point to a single word in the clause which he considers is unintelligible. That is the only point with which we are dealing. It is considered that we are not entitled to anticipate what may happen to the clause. The Deputy Leader of the Opposition appreciates that, but he does not appreciate that any member might add another clause if he so desires which might make the Bill unintelligible.

Mr. Tonkin: That would be a good job.

Mr. GUTHRIE: In my opinion, we are dealing only with clause 3 and there is nothing unintelligible in that.

Mr. TONKIN: The member for Subiaco just said he defied anybody to prove that clause 3 of the Bill is unintelligible. He based his argument on that. Clause 3 reads—

The rates of the betting investment tax imposed by this Act—

This Act does not impose any tax.

Mr. Guthrie: It is still not unintelligible.

Mr. TONKIN: I assume that we are discussing clause 3 which, as I said, reads as follows:—

The rates of the betting investment tax imposed by this Act—

When we read that we know that we decided not to impose this tax. If that is intelligible to the member for Subiaco it certainly is not intelligible to me. Fancy talking about rates of tax imposed by the Act when we have just refused to impose the tax, and the Act no longer imposes a tax! We are not permitted to anticipate what will happen. In considering clause 3, we have to consider the rates of investment tax imposed by this Act.

If we are to consider it intelligibly, we will have to move to delete the words, "imposed by this Act," because they have no right to be there, as we have decided not to impose the tax by this Act. That was the only argument used by the member for Subiaco, apart from the fact that he said this was not comparable with what happened the other evening. There was no attempt to deal with the question as to whether, in view of the fact that as the House had decided not to impose the tax—and clause 3 refers to a tax which the Act imposes—it was intelligible. How can we intelligibly consider a tax which the clause says has been imposed by the Act when the Act does no such thing? The point we have to consider is—

Mr. Guthrie: The point we have to consider is whether it is intelligible.

The SPEAKER: Order!

Mr. TONKIN: If your ruling is to be accepted, Mr. Speaker, it will mean that hours and hours of discussion could go on, which would be completely futile in certain circumstances. Surely we are not here for that purpose. We are here to consider the legislation before us and to proceed to deal with it as the opportunity arises. We are not here to discuss questions which, as they stand, appear to be an utter futility; and that is what this does at the time. So I suggest we have a clear course to follow in connection with this matter; namely, to disagree with the ruling you have given.

Motion (dissent from Speaker's ruling) put and a division taken with the following result:—

Ayes—20.

Mr. Andrew	Mr. Lawrence
Mr. Bickerton	Mr. Moir
Mr. Brady	Mr. Norton
Mr. Evans	Mr. Nulsen
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Heal	Mr. Sewell
Mr. J. Hegney	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Kelly	Mr. May

(Teller.)

Noes—21.

Mr. Bovell	Mr. Lewis
Mr. Brand	Mr. W. A. Manning
Mr. Burt	Mr. O'Connor
Mr. Cornell	Mr. O'Neill
Mr. Court	Mr. Owen
Mr. Craig	Mr. Perkins
Mr. Crommellin	Mr. Roberts
Mr. Grayden	Mr. Watts
Mr. Guthrie	Mr. Wild
Mr. Fenn	Mr. I. W. Manning
Mr. Hutchinson	

(Teller.)

Ayes.	Pairs.	Noes.
Mr. W. Hegney		Mr. Mann
Mr. Hawke		Mr. Nimmo
Mr. Hall		Mr. Nalder
Mr. Oldfield		Sir Ross McLarty

Majority against—1.

Motion (dissent from Speaker's ruling) thus negated.

Committee Resumed

[The Chairman of Committees (Mr. Roberts) in the Chair.]

Mr. TONKIN: Would you please read clause 3, Mr. Chairman?

The CHAIRMAN: There is no necessity to do so.

Mr. TONKIN: Would you not do that on request?

The CHAIRMAN: There is no necessity for the Chairman to read the clause.

Mr. TONKIN: I am sorry that you are so disobliging, Mr. Chairman. I will read it for you.

Mr. Brand: That's the spirit! There's co-operation for you!

Mr. TONKIN: It reads as follows:—

The rates of the Betting Investment Tax imposed by this Act—

Do you, Mr. Chairman, know of any tax imposed by this Act?

Mr. Perkins: It is not an Act yet.

Mr. TONKIN: Or by this Bill?

The CHAIRMAN: Order!

Mr. TONKIN: I propose to move to delete paragraph (a) of this unintelligible clause referring to a tax which the Committee decided not to impose. It reads as follows:—

(a) where the amount of money paid or promised as the consideration for the bet made does not exceed one pound, the sum of threepence in respect of that bet;

I am conscious of the fact that we are only fiddling about, because the Committee has decided not to impose any tax, and trying to decide who shall pay a tax we are not to impose seems to me to be ridiculous. At what rate is the tax, which is not to be imposed, to be determined? This does not make sense. The Opposition is coming to expect anything from this Government. Standing Orders mean nothing to it. The Government drives a coach and four through them when it suits the Government. Previous practice means nothing to it.

In order to carry on this farce, I propose to utilise the time allotted to me to talk about this proposition which cannot be imposed and which cannot be collected. This tax is expected to yield £264,000, of which £204,000 is to be obtained from bettors who wager in amounts

less than £1. The figures which the Premier gave us show that for every five tickets issued over £1, there are 34 tickets for bets under £1.

So it is very clear that this provision was framed deliberately to take advantage of the great number of tickets in the lower category, irrespective of the ability of that group to meet the impost successfully. I admit that the tax on its own, at 3d. on a ticket up to £1, and 6d. on a ticket over £1, is a fractional amount. Standing alone it would not affect anyone to a great extent. But when that amount is multiplied by the thousands and thousands of bets—many hundreds of which would be made by each bettor in a year—then the contribution of these individuals in a year will be very substantial.

Indeed, the tax from the bets in the lower category will total £204,000 a year, so we will miss the point entirely if we think of the tax in terms of 3d. or 6d. a ticket. We must consider what the tax will cost the bettors over a period of 12 months. Every person betting in the lower category will make a contribution towards the total of £204,000. If there are 204,000 bettors they will each pay £1. What justification is there, side by side with this tax, to impose a tax of only 6d. on bets over £1, irrespective of how much greater it is than £1, and from which source only £60,000 is to be obtained?

The Government has not attempted to justify any part of this Bill, because the Bill cannot be justified. The Government throws the Bill before us and tries to bulldoze it through, regardless of Standing Orders or procedure. We on this side are very much opposed to that conduct and we will do what we can to restrict the action of the Government, and to bring it back to its senses.

Naturally we will attempt to defeat the Bill, as would have been done if we had the correct rulings in connection with this matter. If we fail to defeat the Bill because the Government has the numbers, then we will attempt to amend it in this way, in order that relief can be afforded where the burden is too onerous.

If the Government wants money for the racing clubs I do not object to its being obtained by a tax of 6d. on wagers of over £1, but I object in principle to the whole tax. If this additional money is to be found for the clubs I am prepared to agree to its being found from those who are in a position to wager in amounts over £1. We should not take the money from the pool invested by the larger number of off-course bettors, who make wagers in amounts less than £1.

In effect, by imposing this tax, the Government will lift from the resources of that category of bettors a sum of £204,000 each year, if the Government's anticipation is realised. Of course, it will not be.

I do not think it is a fair proposition to take that large sum from the very limited resources in that category.

With regard to tickets over £1 resulting from wagers made by men who bet to that extent, the pool of resources is much greater. The impost of £80,000 a year on that category of bettors would not be so much a burden as is the £204,000 on the lower category. The only explanation which we can find for lifting taxes in this way is that the Government made calculations to indicate the wagers in the different categories. It desired to obtain a certain amount of money for the purposes of this Bill, and it decided to obtain it in the manner set out, irrespective of the incidence of the tax.

The Opposition is unanimously opposed to this investment tax, which is an entirely new tax in Australia. So far as I know it has not been imposed anywhere else. The Government has lost its senses entirely in respect of taxation, and is introducing any measure which occurs to it, without proper examination, and from all accounts regardless of Treasury advice. The Government has brought about a very strange situation, which it will live to regret. I oppose the provision in this clause. I therefore move an amendment—

Page 2—Delete paragraph (a) in lines 3 to 6.

Mr. BRAND: I cannot agree to this amendment. I have clearly indicated the reasons of the Government for desiring to retain both levels of tax; that is, 3d. on bets up to £1 and 6d. thereafter. If the amendment is agreed to I can see a situation arising where many bets of £1 will be made, not only by the small fellows who bet 5s. and 10s., but by many people who can well afford to bet in larger amounts. Instead of making a bet in one lump, say £3, a person would make three separate bets of £1 to achieve his object of paying less tax.

It has been realised by the Government that the greatest number of bets are made in amounts under £1. It was for that reason that the Government decided to impose a tax of only 3d. I repeat what I said before: that I do not consider this tax will cause any hardship. If a person is prepared to risk 2s. 6d. on a bet, I feel we are justified in asking him to make this infinitesimal contribution to the business of racing and trotting. People do not have to bet unless they want to. If they do not want to pay the tax they do not have to go into the betting shops. The Deputy Leader of the Opposition said that would be the position.

Mr. Tonkin: Did I say that?

Mr. BRAND: The honourable member said that there will be many people who will resist this tax.

Mr. Tonkin: Did I say they won't go to the betting shops?

Mr. BRAND: The honourable member said there would be fewer people going and that there would be a falling off; and that the Government would not receive the income it anticipated.

Mr. Tonkin: I said that.

Mr. BRAND: What did it mean?

Mr. Tonkin: It does not mean what you are saying.

Mr. BRAND: It means exactly what I am saying.

Mr. Tonkin: I will show that it doesn't.

Mr. BRAND: I thought we were going to make some progress. I feel the reasons given are logical and sound. Therefore, I oppose the amendment.

Points of Order

Mr. BRADY: I am in a quandary as to who is going to pay this tax. The Bill does not say whether the tax will be imposed on the racecourse, off the racecourse, or where. I find it difficult to discuss this Bill as I do not know upon whom the tax will be imposed. I was wondering whether you, Mr. Chairman, could give a decision in that regard. I understand it is possible this Bill will be recommitted. But in that case a clause cannot be added; the Bill can only be amended.

Mr. I. W. Manning: How long have you been in this Parliament?

Mr. BRADY: Longer than the honourable member.

Mr. I. W. Manning: What did the Labor Party do in 1953?

Mr. BRADY: One has to keep to Standing Orders.

The CHAIRMAN: Order! Is the honourable member bringing up a point of order?

Mr. BRADY: I was wondering whether you could inform me upon whom this tax will be imposed. The Bill does not say. Secondly, I consider that this Bill has been carried on because it will be recommitted. Could you, Mr. Chairman, tell me whether this Bill can be recommitted?

The CHAIRMAN: Order! I can only deal with one point of order at a time. It is not my responsibility to inform the honourable member what can be done in the Bill; he should ask that question of the Minister.

Mr. BRADY: I am not clear in regard to this matter, and it should be adjourned in order to obtain some clarity. It says this in Standing Orders—

The CHAIRMAN: Is this another point of order?

Mr. BRADY: Yes. I will quote the following Standing Orders—

298. When a Bill is reported without Amendments, the adoption of the report may be immediately moved.

299. On the Motion for the adoption of the report, the whole Bill may, on Motion, be recommitted, and further Amendments made, but a subsequent day to that on which the second report is brought up shall be fixed for moving the adoption of such second report, and the Bill, as reported with such further Amendments, shall in the meantime be printed. If no amendments have been made the report may be at once adopted.

In each case, those Standing Orders refer to amendments. Standing Order No. 300 deals with the third reading.

The CHAIRMAN: Order! I cannot accept the point of order the honourable member is trying to bring up at this stage. The question before the Chair at the present time is an amendment moved by the Deputy Leader of the Opposition to delete paragraph (a) of clause 3. Unless the point of order has reference to that amendment, I cannot accept it at this stage.

Mr. BRADY: Every member of this Committee is entitled to know who is going to pay this tax. I am not clear on the matter; and I am sure that position applies to 90 per. cent. of the members of the Committee.

The CHAIRMAN: Order! I cannot accept the explanation of the member for Guildford-Midland. I must insist at this stage that unless the point of order is on the matter before the Chair I cannot accept his explanation.

Committee Resumed

Mr. BRADY: I move—

That progress be reported and leave asked to sit again.

The CHAIRMAN: Order! The honourable member cannot move to report progress at this stage.

Mr. BRADY: I think I can move that progress be reported and leave asked to sit again.

The CHAIRMAN: I suggest to the honourable member that as he has just made a speech he cannot move that motion.

Mr. JAMIESON: I move—

That progress be reported and leave asked to sit again.

Motion put and negatived.

Mr. JAMIESON: I am sorry that we were not able to report progress at this stage because it seems that in order to get out of the mire in which we find ourselves it will be necessary to report progress and go into the matter again. I support the

amendment moved by the Deputy Leader of the Opposition for the deletion of this subparagraph, which sets out a rate of tax which we have decided not to impose by an earlier decision of the Committee. Even if this tax were to be imposed, it would be unjust to people who are small bettors. On a minimum bet of 2s. 6d., a 10 per cent. tax is a lot of money. If we ever at a later stage impose a tax in regard to this matter these people should be exempt. I support the move by the Deputy Leader of the Opposition to delete these paragraphs.

Mr. MOIR: I am rather at a loss as to how to proceed to discuss this particular clause, because it does not tell us who is to be taxed, where, or why. However, I will endeavour to do my best.

Mr. Graham: It does not even say they can be taxed.

Mr. MOIR: I gather from the Treasurer that he proposes to tax small punters who attend off-course betting shops. Is it so reprehensible for a person wanting to wager a modest sum in a legalised betting shop that he has to be singled out for a tax? The same person going to the race-course would not have to pay any tax at all.

Are we to take it that the purpose of this tax is to drive people to the race-courses? Are we to take it that the Government views with such strong disapproval the fact that people enter these legalised betting shops in order to place a small wager of under £1, that it is going to tax them? Why not impose a tax on everyone who has dealings with the share-broker? Because surely it cannot be denied that such people are speculating just as much as the man who bets on a horse! Of course, it must be agreed that so far as this Bill is concerned no mention is made as to what the bet is to be made on. We do not know whether it is on horses—

Mr. J. Hegney: Dogs!

Mr. MOIR: Yes, or dogs!

Mr. Graham: It could be the Liberals.

Mr. MOIR: I would not bet on them; they are unpredictable. I am very much opposed to any tax being placed on any section. It is again a sectional tax. Of course, as we know, this Government singles out different sections of the community on which to impose taxation.

Mr. Graham: Everyone but its own mob.

Mr. MOIR: The Treasurer said it would be a very good thing if people were precluded by this tax from going into these legalised betting shops.

Mr. Brand: They would not be precluded; it would be a matter for their own choice as to whether they went in or not.

The CHAIRMAN: Order!

Mr. MOIR: They certainly would not be free to make any choice as to whether they would pay this tax.

Mr. Brand: That is the position with most taxes.

Mr. MOIR: If they went into one of these shops to have a wager of 2s. 6d., they would have to pay this tax. They would have no choice. We may have different ideas as to the iniquity of persons wagering money on anything.

Mr. Brand: They are free to do as they please.

Mr. MOIR: After all, that is for the individual to decide; and while legislation is provided to permit the operation of these off-course betting shops, surely we should not hold our hands up in horror because people use them. It seems to be an amazing attitude for the Treasurer to take. The shops are provided, and then he is prepared to do everything he possibly can to prevent people patronising them. The Treasurer is imposing this tax on people who gain enjoyment from a modest wager. Is he prepared to single out other sections of the community and impose a special tax on them? Is he going to place a special tax on golfers, tennis players, or swimmers?

Mr. Evans: Or TV viewers?

Mr. MOIR: Yes, on anyone at all. It seems a most remarkable thing that because people favour some special form of entertainment they are singled out and a special tax is imposed on them. I oppose this tax, and I want to say that it is the first time I have been allowed to speak on something that is not relevant to the Bill.

Mr. GRAHAM: Surely the attitude of the Treasurer reveals a complete lack of humanity—

Mr. Brand: Don't talk rubbish!

Mr. GRAHAM: —on his part and on the part of his political Party.

Mr. Brand: Don't talk rubbish!

Mr. GRAHAM: Let us have a look at the situation. These people of exceedingly limited resources who enjoy endeavouring to pick their winners—a pastime, as indicated earlier, which does not appeal to me—apparently gain a great deal of pleasure and satisfaction out of investing a few shillings on their fancy. This Government—I say this for the record—has no mandate for this action.

Mr. Jamieson: It certainly has not.

Mr. Brand: Not another mandate question!

Mr. J. Hegney: They fought it out at Middle Swan.

The CHAIRMAN: Order!

Mr. Brand: It was quite clearly stated that we would impose a tax.

The CHAIRMAN: Order!

Mr. GRAHAM: I would like an election of the people of Western Australia as soon as possible; in fact, the earlier the better whilst some of these things are still fresh in their minds. In that case, far from having a mandate, the Government would be counting the number of its remnants.

Mr. Evans: Would it have any left?

Mr. GRAHAM: I will not speculate on that one. Here the Government is imposing a tax of 3d. on a 2s. 6d. bet. If a person of humble circumstances during the course of a weekend invests, at 2s. 6d. a time, a total of £1, he pays 2s. tax. In other words, there is a tax of 10 per cent. imposed on him.

One of the friends of the Premier—a Liberal for certain—who has a wager of £100, will pay only 6d.; and that is not 10 per cent., but 1/40th of 1 per cent., which would be levied on him; and the Government thinks that is fair play and a reasonable proposition. I say it has been deliberately designed to hit the little fellow and embarrass him, while at the same time making things easy for a person of substance. Sixpence is nothing to one who can invest anything from £10 to £100; but a person who wishes to play with £1 on a Saturday afternoon and evening will be called upon to pay an additional 2s.; and that, of course, typifies the attitude and make-up of this Government.

Mr. Burt: Who is worse off if the horse gets beaten?

Mr. GRAHAM: Is the member for Murchison akin to a certain princess who got married; and, when she learned of certain things, inquired whether there were similar experiences on the part of the ordinary people, and was horrified to learn that there were? Apparently if one has plenty of money and is in a position of privilege it is quite right to enjoy everything, and the State will subsidise one. Such a person will be enabled to go about his gambling in even greater luxury than he can today; but there would be about 50 per cent. of the people in my electorate who would find it impossible to become regular patrons of the races; yet that is the kind of thing the Government stands for.

Mr. Moir: One hundred per cent. of the electors of Murchison would be unable to attend the races.

Mr. GRAHAM: The Government believes in beating people into submission—

Mr. Brand: You should know something about that.

Mr. GRAHAM: Only what I have learned from the present Government. I know the attitude of some supporters of the Government in regard to various matters; but because of certain powers and influences, they are afraid to speak and vote in accordance with their views and beliefs.

Mr. Brand: They are not.

Mr. GRAHAM: The Government is saying to the workers, the pensioners, and other people of small means, "We do not want the bookmakers to contribute to the turnover tax. We want to put this additional impost of 3d. for every 2s 6d. bet on you, in order to discourage you." I wish to put this proposition to you, Mr. Chairman, and to the Deputy Leader of the Opposition; as I understand it, he has moved to delete paragraph (a)—

The CHAIRMAN: That is correct.

Mr. GRAHAM: I desire to move an amendment which under other circumstances I am confident the Government would be prepared to accept. I desire to insert words after the word "made" in line 5. I wonder whether the Deputy Leader of the Opposition would agree, subject to leave being granted, to move his amendment in two sections; although, if he does not succeed in the first instance, I doubt whether he will continue. In other words, if he would move for the deletion of paragraph (a) down to and including the word "made" in line 5, I could move my amendment.

The CHAIRMAN: I cannot give a direction in this regard. There is an amendment before the Chair.

Mr. TONKIN: I am prepared, if the Committee agrees, to meet the wishes of the member for East Perth, because that would not prevent me from proceeding with my purpose. I could test the feeling of the Committee by moving the first part of the amendment, if you would permit that. If you prefer it, I will ask leave to withdraw my amendment, and then move a further amendment to delete all the words from (a) in line 3 down to and including the word "made" in line 5. If I succeed in doing that, I take it there will be no need for the member for East Perth to go any further. If I do not succeed in doing that, there will be no sense in my attempting to proceed further, in which case he could go ahead.

The CHAIRMAN: I suggest that the honourable member seek leave to withdraw his amendment, and then move his alternative amendment.

Mr. TONKIN: I ask leave to withdraw my amendment.

Leave refused.

Mr. TONKIN: The Committee is not prepared to co-operate, but that is nothing new on the part of this Government, and it does not worry me in the slightest degree. When the Premier was speaking earlier, he said that I said this investment tax would cause the punters to stay away from the betting shops; and I am telling the Premier that I said no such thing; because I do not believe that. I agree that that view was expressed from this side

of the House, but there is room for a difference of opinion in connection with this matter. My view is that practically the same number of bettors will continue to bet, but they will have less money with which to bet in the course of a year, and because of that the turnover will fall.

If we take £204,000 out of the pool of money that is being used by a certain category of bettors in a year, obviously they will have that much less money with which to bet, and so they will make fewer wagers, of smaller amounts. That is what has happened on the racecourses already. It happened when the winning bets tax was imposed, and it is referred to in the report of the Totalisator Agency Board of New Zealand.

For anyone who knows anything about the subject, the position is crystal clear; because there is no source from which new money is injected into the pool of money available for financing racing. Very few new people go to the races. One sees on the racecourses the same faces year after year. The people who like that sort of entertainment and who have made it a habit to go to the races continue to go, but there are very few new faces seen.

When these people have their money taken from them by increased taxation they still go, but they bet less. There are some who, when taxation is savage, stay away. I happen to know of one, and I think the Minister for Works would know him too. He was probably one of the biggest punters in Western Australia for many years; he frequently handled big commissions on behalf of others as well as himself. But when the winning bets tax was imposed he stayed away from the races; and, as far as I know, he has never been back since.

Mr. Brand: Not even when it was repealed?

Mr. TONKIN: No.

Mr. Brand: That is a good thing.

Mr. TONKIN: When the tax was lifted I think he went to the trotting, and I think he still goes there. He told me with his own lips that the reason why he ceased going to the races was the very heavy burden of the winning bets tax which, on his own calculations, would have cost him hundreds of pounds a year. His racing activities already cost him hundreds a year; because, like all punters, he would lose in the long run. He was a man who might wager £2,000 or £3,000 in an afternoon, and could lose that amount. But if he happened to back a winner, and it returned him £500, even if he was £1,500 down on the day, he would have had to pay £25 winning bets tax on top of it.

The injustice of that was such that it soured him and he stayed away, which may have been a good thing for him but not so good for the racing club or the bookmakers. But I do not advance the

view that the investment tax will keep the small punters away. I know that the Leader of the Opposition thinks that way, and he may be right. All we can do is express our own view. My own view is that the people who get their fun this way—and I know there are some members of Parliament who cannot appreciate that anybody can get fun out of losing money—would prefer it to spending their money on liquor.

Mr. Bovell: They get something for it if they do that.

Mr. TONKIN: Yes, maybe sclerosis of the liver. They have certainly exchanged their money for something. There are so many angles to this. I know of cripples who are more or less bedridden, but who look forward to Saturday afternoons listening to the wireless and making a few small wagers of 2s. 6d. for a place. They might risk 5s. for the day; if they happen to fluke a dividend in the first race, they can carry on for a little longer. They look forward to the Saturday's racing from week to week, and I would not deny them their fun. Probably they get more pleasure out of it than if somebody were to take them to a live show at the theatre, or even to a picnic.

That is their entertainment and they look forward to it, and why should they not have it since it harms no-one? We might say that the pensioner, who has little money at his disposal, is foolish to spend a portion of the little money he has on betting. It depends upon the point of view. Some of these people would be prepared to go without a meal because of the kick they get out of betting each weekend. Why should not they do that if it suits them?

Mr. Graham: They do win sometimes.

Mr. TONKIN: Yes! but they lose more often than not. I do not want to be dogmatic about this, because I have no figures from which to make my calculations; but it appears to me that, small though this 3d. tax might be, it is a larger impost than the 1s. in the £ winning bets tax. If a person has five wagers in an afternoon, under this tax he will pay 1s. 3d. It could be that that person selects one winner. The rate at which the winning bets tax was previously levied would not return as much to the Treasury on the operations of that bettor as on the tax of 3d. for every bet that is made; because it is obvious that the proportion of winning bets to the total of bets made must be very small.

This tax is far heavier than any winning bets tax imposed anywhere in Australia, and I am strongly opposed to it. There is no argument about the people whom this tax will affect going to the course. What good would they be to the course—the people who are betting 2s. 6d.

each way? There is no provision on the course for such a bet to be made. So they would go there and look on, if they had any money left after paying their expenses to get there. That is the reason why the number of small bets is so large. There are 34 bets of under £1 made for every five bets over £1. The reason is that there are so many people, such as I have mentioned, who cannot go to the racecourse; and who, so far as revenue being obtained for the racing club is concerned, would be of no value if they did. Therefore, there is no sense in their going to the course.

However, why should they be subject to a high rate of tax because they wish to indulge in a little enjoyment or excitement by having a bet? Everyone knows all gambling is foolish; but one still sees business men who, regularly, play cards for money. I know of people who have done very well by investing large sums of money on the stock exchange. They buy shares in the hope that they will rise and that they will be able to sell them at a profit. If they make a mistake and the shares fall, they lose, and it is well known that fortunes have been lost overnight. That is gambling; but nobody attempts to place a special tax on those speculators. In essence, there is no difference between that form of gambling and wagering on the result of a horse-race.

Mr. J. HEGNEY: I move—

That progress be reported and leave asked to sit again.

Motion put and a division taken with the following result:—

Ayes—20.

Mr. Andrew	Mr. Lawrence
Mr. Bickerton	Mr. Moir
Mr. Brady	Mr. Norton
Mr. Evans	Mr. Nulsen
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. J. N. Rowberry
Mr. Heal	Mr. Sewell
Mr. J. Hegney	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Kelly	Mr. May

(Teller.)

Noes—21.

Mr. Bovell	Mr. Hutchinson
Mr. Brand	Mr. Lewis
Mr. Burt	Mr. W. A. Manning
Mr. Cornell	Mr. O'Connor
Mr. Court	Mr. O'Neill
Mr. Craig	Mr. Owen
Mr. Crommelin	Mr. Perkins
Mr. Grayden	Mr. Watts
Mr. Guthrie	Mr. Wild
Mr. Hearman	Mr. I. W. Manning
Dr. Henn	

(Teller.)

Pairs.

Ayes.	Noes.
Mr. W. Hegney	Mr. Mann
Mr. Hawke	Mr. Nimmo
Mr. Hall	Mr. Nalder
Mr. Oldfield	Sir Ross McLarty

Majority against—1.

Motion thus negatived.

Mr. GRAHAM: It has been a well-established practice in this Chamber that common courtesy is shown to a member who seeks to withdraw an amendment

which he has submitted earlier in the proceedings. I am not pleased with the abrupt way the members of the Government refused that customary courtesy to the Deputy Leader of the Opposition; and in consequence, so far as I am concerned, certain Ministers and others can attend a function tomorrow with bleary eyes and perhaps punctuate the speeches that are made with a yawn or two.

This Government is endeavouring to be a bit smart tonight, but so far as I am concerned I am smarting under the treatment that has been meted out to my Deputy Leader. Because of what is proposed in it, this innocuous clause is biased against the person of small means. The amendment seeks to exempt entirely those persons who make bets not exceeding £1. My amendment was designed to give the greater part of that which the Government desires the Bill to give. Whether the Government accepts it, I do not know; but it would be far more acceptable than the amendment moved by the Deputy Leader of the Opposition.

If the Premier and his colleagues think they have shut me out, I can assure them that they have not, because I can move my proposal a little later but expressed in many more words. I sincerely hope that because of this gross discourtesy shown by the Governments, all members will, from time to time, condemn this Government for its lack of consideration of the Deputy Leader of the Opposition and for adopting a "could-not-care-less" attitude. I know of a person who made a bet of £800 off course. In the future, on such a bet that person will pay 6d. tax.

That person will pay 6d. If the pensioner is on the pension long enough to invest £800 in half-crowns members can work out for themselves that it would be impossible. The Government apparently considers this sort of thing fair play. Because the Opposition seeks to ameliorate the lot of those who enjoy their punting as much as those who invest large sums, we are treated in this peremptory fashion by the Government and its supporters; accordingly if their eyes bear some resemblance to Subiaco football club colours they have only themselves to thank for it when they preen themselves in opening the Tonkin bridge tomorrow. So at this stage I make a strong protest at the action of the Government in its treatment of the Opposition and its proposed treatment of the small people in the community; because, as I have already indicated, the Government is not prepared to accept the deletion of paragraph (a) as submitted by the Deputy Leader of the Opposition.

Mr. EVANS: I predicted that chickens would come home to roost on the election hustings in 1962. But it seems they have come home to roost tonight. It looks as though the Government backed a double in relation to this measure, and the

measure relating to the electoral districts. We are debating a clause part of which the Deputy Leader of the Opposition has moved to delete. It is a clause that cannot operate even if the Committee by bulldozing tactics passes it, because the machinery clause imposing the tax has been struck out. Accordingly we are in order in speaking to something that is highly disorderly, because it is not strictly in accord with the clause before the Chair. Reference has been made to the taxing of the little fellow who it was said was hit to leg. That is certainly not cricket though it may be French cricket.

The big fellows, on the other hand, are being let off, because the Government believes that the majority of them are its political friends. The Government has thrown courtesy to the winds, and it will find in turn that the people will have long memories in 1962; memories aided by members of the Opposition. I oppose the introduction of a tax on the small bettor, because it places him in a most invidious position as compared with the big bettor who will only have to pay 6d. for the large sums he might invest.

The reason of the Government seems to have disappeared. It backed a double and the second leg did not come off. It was my intention to move for a referendum on this question. Had I done so, the Government would have been up in arms.

The CHAIRMAN: Order! The honourable member will speak to the amendment before the Chair.

Mr. EVANS: It is difficult to do so, Mr. Chairman, because the whole thing is most disorderly; and if I were to obey your ruling, you yourself would be out of order.

The CHAIRMAN: Order!

Mr. EVANS: I oppose the clause as printed and support the Deputy Leader of the Opposition.

Mr. HAWKE: I have not a clue as to why the Government is persisting with this clause, or any part of it; because obviously with the deletion of clause 2 from the Bill, clause 3 has no meaning. It does not make sense. At present the Bill contains clause 1, which is the short title.

The CHAIRMAN: Order! I cannot allow the Leader of the Opposition to continue in that vein, because this has already been decided by the House as a whole.

Mr. Heal: Not as a whole.

Mr. HAWKE: I wish you had allowed me to finish my sentence, Mr. Chairman, because I would have linked it up with the clause under discussion. It would take me 30 seconds to do so, with your permission.

The CHAIRMAN: The Leader of the Opposition has my permission.

Mr. HAWKE: The Bill consists of clause 1, which is the short title; there is no clause 2 at all, and clause 3 (a) reads—

The rates of the betting investment tax imposed by this Act are—

- (a) where the amount of money paid or promised as the consideration for the bet made does not exceed one pound, the sum of three pence in respect of that bet.

What is the betting investment tax now? How can we discuss something that does not exist in the Bill? Nobody can tell us what the betting investment tax is, because there is no such tax in the Bill. The whole thing is meaningless, because the Bill imposes no tax. The part of the Bill that imposed the tax has disappeared, and I only wish I had been here to help it disappear. At present, clause 3 is not comprehensible.

When the Bill was first introduced, the betting investment tax was to be a tax payable under the Betting Control Act upon each bet made in registered premises by a bookmaker or an employee on his behalf. But that provision has disappeared. When we refer in paragraph (a) to "where the amount of money paid or promised as the consideration for the bet" we are referring to a term which cannot be distinguished or specified. What is the tax which paragraph (a) would impose? What are we talking about when we refer to a tax of 3d. on a ticket? The bet is non-existent.

I was amazed that a ruling had been given earlier to the effect that clause 3 was in order, and that it was legally understandable and enforceable if the Bill became law. Clearly it would not be. To the extent to which this clause can be comprehended, the tax is to apply on course as well as off course. How can we set down rates of taxes when there is no provision to impose the tax?

I remember the member for Subiaco moving to disagree with your ruling, Mr. Chairman, the other evening, in relation to an amendment which I moved. He argued that the amendment I was then trying to put into the Bill was not capable of being inserted in the Act and could not be operated upon in law. You disagreed with him, and so did I. I now say that paragraph (a) of this clause cannot be applied, and enforced or understood.

The CHAIRMAN: I draw the honourable member's attention to the fact that the question of whether the Committee could continue with clause 3 was decided about 1½ hours ago. So I cannot allow the honourable member to proceed. The question before the Chair is whether the words in paragraph (a) should be deleted.

Mr. HAWKE: I am arguing that paragraph (a) must be deleted, as well as paragraph (b), because they have no meaning in law. Who is to collect the tax if this Bill is passed? There will be no obligation on anyone to collect it. The bookmakers both on the course and off the course can ignore this tax. The Ministers of the Government are wasting the time of Parliament on a hopeless proposition. They should accept the situation and allow this Bill to disappear altogether. The Government should abandon the Bill, and tomorrow or some time afterwards look into the possibility of introducing another Bill. That is the sensible and proper thing to do. I hope the Attorney-General will take charge of the situation, because both the Treasurer and the Minister for Works appear to be asleep.

Mr. EVANS: The Leader of the Opposition has made the position quite clear to most members. For that reason I move—

That the Chairman do now leave the Chair.

Motion put and a division taken with the following result:—

Ayes—20.

Mr. Andrew	Mr. Lawrence
Mr. Bickerton	Mr. Moir
Mr. Brady	Mr. Norton
Mr. Evans	Mr. Nulsen
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Heal	Mr. Sewell
Mr. J. Hegney	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Kelly	Mr. May

(Teller.)

Noes—21.

Mr. Bovell	Mr. Hutchinson
Mr. Brand	Mr. Lewis
Mr. Burt	Mr. W. A. Manning
Mr. Cornell	Mr. O'Connor
Mr. Court	Mr. O'Neill
Mr. Craig	Mr. Owen
Mr. Crommelin	Mr. Perkins
Mr. Grayden	Mr. Watts
Mr. Guthrie	Mr. Wild
Mr. Hearman	Mr. I. W. Manning
Dr. Henn	

(Teller.)

Pairs.

Ayes.	Noes.
Mr. W. Hegney	Mr. Mann
Mr. Hawke	Mr. Nimmo
Mr. Hall	Mr. Nalder
Mr. Oldfield	Sir Ross McLarty

Majority against—1.

Motion thus negatived.

Mr. J. HEGNEY: I listened attentively yesterday to this debate, particularly in regard to imposing 3d. tax on small bettors, and the only answer the Treasurer has given is that it is a very small tax. He said it was infinitesimal. In total it amounts to £264,000, which is very substantial.

Mr. Brand: That applies to any tax, however small. You get a big total.

Mr. J. HEGNEY: This is a large amount of money to extract from small bettors, or workers, who patronise the betting shops in order to channel some of it back to the racecourse in order to keep racing going.

The owner of a betting shop opposite the Sandringham hotel in Belmont showed me his books, and over a period of only one month the two largest bets were one for 10s. and one for £1. All of the others were for 2s. 6d. or 5s. The people in that locality are within walking distance of the racecourse, but they are not interested in seeing the horses run. If they attended the course they would also have to pay an admission fee, so they patronise the legalised betting shops. Before the shops were legalised, the only legal place to have a bet was on the racecourse.

Mr. Evans: That was not legal either.

Mr. J. HEGNEY: I think the impost of 3d. on the small bettors is unfair and unjust. The Government is making a terrific drive to get as much revenue from betting as it can, in order to channel money back to the racecourse. It is well known that throughout Australia attendances at the racecourses are down, just as they are in Western Australia. This is also the position in States where S.P. betting has not been legalised.

I suggest that the Government of the day could do much more for the people in the country with that money than by sending it back to the racecourse. The Premier has said that he received a mandate to impose this tax. The Swan electorate is where this could have been made an issue, but the bookmaker candidate who opposed me at the last election did not succeed. In fact, at several public meetings this matter was not raised by that candidate. The tax of 3d. on each 2s. 6d. bet is particularly oppressive. Last week we dealt with the Licensing Bill and it is a wonder the Treasurer did not suggest a tax of 3d. to be imposed on people as they enter a hotel bar.

Mr. Evans: The Commonwealth Government gets that.

Mr. J. HEGNEY: Yes, by excise tax. The total amount to be raised from this tax will be £264,000, which is a substantial sum of money. The Attorney-General is also the Minister for Education, and it is a wonder he did not strive to have a good proportion of this money channelled to the Education Department where it would be put to better use. Had the Treasurer been honest, he would have brought down a Bill to repeal the Betting Control Act if he wants this type of betting to be discontinued. I would be lacking in my duty if I did not express the point of view of the people in my district. I support the amendment.

The Deputy Chairman (Mr. Crommelin) took the Chair.

Mr. EVANS: An amount of £264,000 is expected from the collection of this tax. Who will be responsible for it? I object most violently to the principle of the tax itself, and I have mentioned the reasons

why. The small investor will pay much more in the way of taxation than the larger investor. Figures which I obtained from the Treasury sheets issued by a bookmaker in Kalgoorlie for last Saturday show that he had 386 tickets written out on bets over £1 and that he had 1,121 tickets for bets under £1. Therefore the ratio is 386 as against 1,121 or over 3 to 1.

Mr. Lewis: In which category do you put the bets of £1?

Mr. EVANS: Amongst those of up to and including £1. If the Government should, by some underhand method, bulldoze this Bill through its remaining stages and then have an amendment moved in another place, I can guarantee that the Bill will be challenged in the law courts, and I am sure it would be thrown out. To save the Government time and other people a lot of expense, I suggest the Government should throw it out now.

Mr. ROWBERRY: I also want to add my support to the amendment for reasons I have already stated. I object to the Treasurer continually reiterating that this amount is infinitesimal. Most of the people I know bet in small amounts of 2s., and 3d. on 2s. equals 12½ per cent. I object to this tax because it is an impost on certain people in the community. This is a snobbish Bill and is in line with all the taxation legislation that has been introduced. It is directed against people in the lower income brackets. Before he was elected, the Treasurer said that he stood for all of the people, but I think his attitude has proved that is not so. I support the amendment.

Mr. HAWKE: I want to know what bet this clause is referring to. Obviously it is the most essential word in the clause. Can the Treasurer, by brief interjection, tell us? Can the Minister for Industrial Development, with his accountancy knowledge, tell us? Can the Minister for Works, with his practical experience of the racing game, tell us? Can the Attorney-General, who is legal adviser to the Government at ministerial level, tell us? I will not bother the Minister for Health. Clearly no member of the Ministry can tell us what the words "the bet made" mean, because they have no meaning; so why are we wasting time discussing this clause or any part of it? Can you tell me, Mr. Deputy Chairman? No! I will not ask Mr. Clerk.

What a hopeless and impossible situation we are in! No wonder the Minister for Police has gone to the back bench. He knows the police could not do a thing with this provision if the clause were passed into law; just as the Attorney-General knows the Crown Law officers could do nothing about it; and just as the Treasurer should know—I doubt whether he does—that the Treasury officers could do nothing about it.

I think the Treasurer is making a farce of parliamentary proceedings by continuing the sitting of this Chamber to discuss this Bill. If he wishes to continue the sitting, for Heaven's sake let us abandon this Bill and get on to business which is properly before the House and which has some meaning and body. This thing is dismembered and has had the bomb, so to speak. I would hope that you would take a stand on this matter, Mr. Deputy Chairman. I have asked most of the Ministers in turn what the words "the bet made" mean, and they cannot tell me, because the words mean nothing as the Bill now stands. All we are doing now is mucking around discussing something which has no meaning.

Mr. Brand: I know who is doing the mucking around.

Mr. HAWKE: Why does the Treasurer insist on proceeding with this Bill, which has been disembowelled owing to some mix-up between Government members?

Mr. Brand: Parliament will take appropriate action to put the bowels back into the Bill, if that is what you want.

Mr. Graham: When?

Mr. Brand: Very shortly.

Mr. HAWKE: We have already had one butcher's strike this week; and we do not want another by virtue of the Treasurer trying to prevail on members of this Committee to enter the butchering trade. He is reducing the proceedings of Parliament to a stupid level. Clearly the sensible thing would be for the Government, if it wants this money, to abandon the Bill and arrange for the Attorney-General to confer with his law officers and have a new Bill prepared and introduced for the consideration of Parliament. I think that the sooner paragraph (a) is struck out the better; and, in fact, I think the whole Bill should be abandoned.

Mr. I. W. MANNING: I move—
That the question be now put.

Mr. May: The motion has not been seconded.

The DEPUTY CHAIRMAN (Mr. Crommelin): Is there a seconder?

Mr. Brand: Yes. I second the motion.

Mr. Tonkin: Who seconded the motion?

The DEPUTY CHAIRMAN: The Premier.

Motion put and a division taken with the following result:—

Ayes—21.

Mr. Bovell	Mr. Lewis
Mr. Brand	Mr. W. A. Manning
Mr. Burt	Mr. O'Connor
Mr. Cornell	Mr. O'Neill
Mr. Court	Mr. Owen
Mr. Craig	Mr. Perkins
Mr. Grayden	Mr. Roberts
Mr. Guthrie	Mr. Watts
Mr. Hearman	Mr. Wild
Dr. Henn	Mr. I. W. Manning
Mr. Hutchinson	(Teller.)

Noes—20.

Mr. Andrew	Mr. Lawrence
Mr. Bickerton	Mr. Molt
Mr. Brady	Mr. Norton
Mr. Evans	Mr. Nulsen
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Heal	Mr. Sewell
Mr. J. Hegney	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Kelly	Mr. May

(Teller.)

Pairs.

Ayes.	Noes.
Mr. Mann	Mr. W. Hegney
Mr. Nimmo	Mr. Hawke
Mr. Nalder	Mr. Hall
Sir Ross McLarty	Mr. Oldfield

Majority for—1.

Motion thus passed.

Amendment put and a division taken with the following result:—

Ayes—20.

Mr. Andrew	Mr. Lawrence
Mr. Bickerton	Mr. Molt
Mr. Brady	Mr. Norton
Mr. Evans	Mr. Nulsen
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Heal	Mr. Sewell
Mr. J. Hegney	Mr. Toms
Mr. Jamieson	Mr. Tonkin
Mr. Kelly	Mr. May

(Teller.)

Noes—21.

Mr. Bovell	Mr. Lewis
Mr. Brand	Mr. W. A. Manning
Mr. Burt	Mr. O'Connor
Mr. Cornell	Mr. O'Neill
Mr. Court	Mr. Owen
Mr. Craig	Mr. Perkins
Mr. Grayden	Mr. Roberts
Mr. Guthrie	Mr. Watts
Mr. Hearman	Mr. Wild
Dr. Henn	Mr. I. W. Manning
Mr. Hutchinson	(Teller.)

Pairs.

Ayes.	Noes.
Mr. W. Hegney	Mr. Mann
Mr. Hawke	Mr. Nimmo
Mr. Hall	Mr. Nalder
Mr. Oldfield	Sir Ross McLarty

Majority against—1.

Amendment thus negatived.

Mr. GRAHAM: I intimated earlier that I intended to move an amendment. The Government, in brutal fashion, paid the greatest discourtesy to the Deputy Leader of the Opposition, and, therefore, I was unable to move in the matter. However, I will get over it in this way. I move an amendment—

Page 2, line 6—After the word "bet" add the following words:—

"provided however that the provisions of this paragraph shall not apply in respect of any bet which does not exceed five shillings."

Apparently the Government is determined that it will extract everything possible from small bettors; but surely it is not intent on tackling people who bet in amounts ranging from 2s. 6d. to 5s. I should say the average person would not be bothered making separate bets of just a few shillings each in order to save 3d., but the person who is a regular bettor in small denominations surely should not be called upon to pay up to 10 per cent. additional on his investment!

The term investment is a gross exaggeration of the situation because it is nothing more nor less than a gamble. If the Government desires to tax investments, why does it not have a crack at the Stock Exchange, and the transactions that take place there? The Government will not touch that because, in the main, people dealing on the Stock Exchange are in the Liberal Party category—the upper crust. The average worker has no interest in shares and does not know anything about bulls and stags and buying on a rising market and selling on a falling market, and so on. If he wants to gamble he has a bet, plays cards or sometimes two pennies. He cannot afford the terrific cost of getting to a racecourse; and, secondly, he cannot afford to bet on the course.

Those people do not have any opportunity to attend a racecourse, even if they could afford to do so. Persons who are aged, or who suffer from some physical disability, irrespective of their circumstances, cannot attend a racecourse. Persons in the most humble circumstances who can afford only the smallest bet are to be the people who will be socked by this Government.

The imposition of a tax is entirely different when it is a question of imposing it on an admission charge to witness an entertainment; but in a betting shop it is a question of a person walking in, lodging a sum of money, and walking out again, which could all be done in about 30 seconds. Yet the man who does that is expected to pay a tax. What opportunity have the people in the outback to attend races? Because of the disabilities they suffer, the Government intends to hit them with a big stick. Those people will have a great deal of pleasure for certain in 2½ years' time, or in a shorter period than that if there is any opportunity afforded them. They will have a great deal of satisfaction in indicating what they think of this Government and its treatment of them in regard to this tax.

I am merely seeking to exempt those persons from the payment of the tax on all bets between 2s. 6d. and 5s. Is that too much to ask? In order to avoid the payment of 6d. tax, no person would be prepared to abuse this concession by making 50 bets of 2s. 6d. each. Therefore, this proposal does not lend itself to the abuses that are imagined by the Premier. Is the Government so devoid of the capacity to govern and so determined to hit the small man that it will not grant this small concession? I hope I am not mistaken in my estimation of the Government's attitude, and that the Treasurer will not only astound and please, but also satisfy the members of the Opposition by agreeing to this amendment.

Mr. BRAND: I do not propose to accept this amendment. We have made our position quite clear during the many hours

of debate on this Bill. If the Government had decided that there should be any exemption, it would have been included in the Bill. The member for East Perth has emphasised that 5s. is only a small bet to be exempted. In reply, I would point out to the Committee that the sum of 3d. is only a small tax to impose. Therefore, I oppose the amendment.

Mr. HAWKE: The Treasurer has told us that had the Government made a decision to provide for exemption it would have been in the Bill when it was introduced. No doubt that would have been so.

Mr. Brand: Of course it would!

Mr. HAWKE: I am glad to have the Treasurer's agreement on that point. The probability is that the Government did not even think of exemptions. The Treasurer's attitude is quite clear. He has told us, beyond any doubt, that the Government is out to sock everyone, even the poorest person in the community who has a small flutter on racehorses from time to time. Listening to the Treasurer one would think the punters make no contribution to the racing game. All punters are making a contribution to racing all the time. They sustain racing both directly and indirectly; and, what is more important, they sustain it in the taxes imposed on the bets they make.

From what the Treasurer has said, it would appear that the only contribution a person laying a 5s. bet would make is the 3d. tax proposed in this paragraph. That is too silly for words. The money invested by these people becomes part of the bookmakers' turnover tax.

Mr. Graham: And a stamp tax of 1½d.

Mr. HAWKE: The Treasurer should not fool himself by saying these people will only pay 3d. a bet and that will be their sole contribution, because they make contributions in the losses they suffer, and by the taxation imposed on them. So the small investors are being slugged very substantially at the moment. Yet the Treasurer wants to slug them another 3d. for each 2s. 6d. or 5s. they invest. In later proposals we find the stamp duty on betting tickets is to be increased.

I suppose the Treasurer will say the bookmakers will pay that. If he knew more about the position he would know the punters pay the lot. I think the Treasurer overlooks the fact that a great deal of the money invested by all punters is invested on Eastern States racing at set prices; not at starting-price. So the off-course bookmaker can trim his set price on Eastern States races sufficiently to enable him to finance the extra stamp duty; and to the extent the bookmakers do that; to that extent will the punters have to pay. The member for East Perth is justified in trying to exempt the punters

who bet 5s. and less. However, as I said before, the paragraph has no meaning, anyhow.

Mr. FLETCHER: I support the amendment, because this tax is to be imposed on people least able to pay, and they should be protected. With the removal of clause 2, the Bill is a shadow of its former self. It has been more than gelded. The proposed amendment might make the Bill more responsible. The Treasurer has shown his partisanship in the measures he has introduced this session; and, in doing so, he is hastening his Party's political demise. If he requires a source of revenue, let him tax the whisky and cigars consumed at the Weld Club or the Commercial Club; let him tax the bets placed in those clubs, rather than the humble bet of 2s. 6d. or 5s. placed by the small punter. The amendment has merit, and members opposite should show tolerance to the people we are attempting to protect.

Mr. BRADY: I support the amendment, and marvel at the modesty of the member for East Perth in moving it. I should have thought he would have reduced the amount to 1½d. However, no doubt he is trying to be co-operative and has moved that a tax be not imposed on amounts below 5s. That is reasonable, having regard to the type of punter involved. There are thousands of punters who would be no good to the betting fraternity on the racecourse or to the bookmakers or race clubs, because they have not enough money to make their presence felt. There is a big percentage of punters in the community, such as invalids, unemployed people on social service benefits, and small bettors, who wish to frequent S.P. shops rather than go to football matches, cricket matches, or baseball matches.

It is a big imposition on these poorer sections of the community. It has been stated that all the taxes will be paid by the punter. At least 11 per cent. is deducted from the amount he invests; of that, about 8 per cent. goes towards the overhead expenses and 3 per cent. towards the profit of the bookmaker.

There is also increased taxation in other respects. Bookmakers' license fees are to be increased; stamp duty is to be increased; and the investment tax is to be imposed. All these will have to be met by the punter. In all, there will be a tax of 15 per cent. on punters betting in the shops. This will have the effect of eliminating the punters and closing the S.P. shops, especially those in the country.

The investment tax is most iniquitous, in view of all the other taxes which the punter has to pay. Already during this session of Parliament the Government has seen fit to impose taxation in respect of the fire brigade, regional planning, vehicle licenses, drivers' licenses, Swan River conservation, and for other purposes. Under

the Bill before us the Government wants to tax the underprivileged section of the community.

If the money derived from this tax were to be spent on education, or on the provision of water supplies, electricity, and other essentials for the community, I would not protest so strongly. The tax is to be borne to a large extent by the underprivileged section—the basic wage worker, the unemployed, the person in receipt of social service payments. If such a person has £1 with which to bet, and he has eight bets of 2s. 6d. each, he will have to pay 2s. in investment tax. That amounts to 10 per cent. of his investment. If he were to bet in amounts of 2s., he would be able to have 10 bets, but the investment tax would rise to 2s. 6d.

The small punters represent one-third of the patrons of S.P. shops. If they bet at the rate of 2s., they will pay 12 per cent. of their £1 in investment tax. People who attend other forms of amusements are to pay less, because the entertainments tax has been reduced.

The amendment to exempt bets of 5s. and under is rather modest. The Government should support it. I would be failing my electors if I were to allow this Bill to pass through without making a strong protest, because there are eight or nine S.P. shops in my electorate, and one-third of the patrons are made up of small bettors. Their view is entitled to be presented in Parliament.

I hope that members on the Government side will see the fairness of the amendment. They must realise that the Government has gone to the limit in socking the people by introducing all these taxation measures during the session. While the Government intends to impose these taxes it is, at the same time, proposing to hand out enormous concessions and subsidies, amounting to hundreds of thousands of pounds to favoured sections of the community.

These taxes would represent a minimum of 15 per cent., which is a colossal amount of tax to take from one section of the community. The first people to go to the wall will be the owners of the small betting shops in the country. The Treasury will next feel the impact, and ultimately the racing game itself.

Mr. EVANS: There is a great deal of merit in the amendment and I strongly support it. Many arguments have been put forward from this side of the Chamber during the course of this debate, appealing to the Government to have some sympathy for the small punter, particularly the punter who has limited means. I refer especially to pensioners and people on fixed incomes. Of necessity they have to make small bets below five shillings.

Therefore, I ask the Government at this late stage to give consideration to those people. I would be inclined to think that even members of the Government in the individual Party rooms or the joint Party rooms put up this case themselves. I do not think I would be far wrong in that assumption. If those members hold that belief they should not depart from it simply because the Treasurer has said, "No." I have only assumed that some of the Government supporters have voiced the same arguments that have been expressed from this side of the House.

The expected revenue from this tax, as published in *The West Australian* of the 9th November, is £264,000. The article in the paper mentioned that of this amount the bulk will go to the racing clubs. The amount mentioned as being channelled to the racing clubs is £210,000—a difference of £54,000, which I assume will go to the Treasury. I believe the intention of bringing this legislation forward was to give an adequate and justifiable return to the racing clubs. With that view I do not disagree. However, I cannot agree that the Government is justified in taking a fair share of that money into its own coffers at the Treasury. If the amendment is accepted, the racing clubs need not suffer. There is a margin of £54,000 which could absorb the loss of revenue.

Some speakers have said that if the tax is imposed punters may be inclined either to limit the number of their bets or to cease betting altogether. In either case, the revenue received by the Treasury via the bookmaker will be decreased. I fail to see how these people will go back to the course, as has been suggested by the Treasurer and other speakers. So far as the small punter is concerned—the man who bets 2s. 6d. or 5s.—I do not think the Turf Club would be particularly interested in him, as the amount of money he would invest on the course would be limited.

I appeal to the Treasurer to accept this amendment. I have tried to make my comment at this stage in a calm and cool manner; and I hope the Treasurer will adopt those methods and examine the situation before using his numbers to blast the amendment out of existence.

Mr. HAWKE: It is appropriate at this stage to compare the attitude of the Government towards many of the people covered by this proposed amendment with the attitude of the Government in relation to the imposition of entertainments tax in some fields. A person having eight 2s. 6d. bets on a Saturday afternoon would, under paragraph (a), pay 2s. in taxation. That would be for an investment of £1.

We had a Bill here not so very long ago which reduced the maximum entertainments tax to be charged in respect of any admission to anything to 2s. Under the measure, a man paying £4 admission to

attend a prize fight would pay only 2s. tax, whereas the 2s. 6d. bettor, if he expended £4 during the week, would pay a total of 8s. in tax. In addition to that tax the small punter, through his investment with the bookmaker, helps to pay the turnover tax and the increased stamp duty tax. That is how the Government is placing such an unfair burden on the small off-course punter. There is a lot of betting on boxing, and the man of means who pays £4 to see a prize fight can bet on the result without paying any tax at all on his bet; yet the Government is hell bent in its chase after off-course punters generally, and particularly the small bettor. Why cannot the Government leave the small people alone and get its revenue from those who can afford to pay? I support the amendment.

Mr. JAMIESON: The proposed tax on the small bettor represents 10 per cent. on his investments, and that is a proposal I cannot support. If the Government agreed to the amendment, the incidence of the tax on the small bettor would not be nearly as high as the Bill proposes. The Government has already refused to exempt bets of up to £1 from taxation; but the amendment, if agreed to, would give some relief from the exorbitant tax proposed to be levied on the small punter. The off-course bettors in my electorate are almost all very small punters; and I will do everything I can to lighten the incidence of this tax in regard to them. I support the amendment.

Mr. GRAHAM: It appears that the Premier has been afflicted with the unfortunate malady known as "Perkinsitis," as a result of which he will not agree to any amendment of any measure, irrespective of the merits of the case. The member for Mt. Marshall has contributed little to the debate apart from a few interjections; but when we were discussing another measure which occupied a great deal of the time of this Chamber, he was most concerned about the rights of the people. He was not advocating the cause of the breweries, hotels, or clubs; but the right of the individual to enjoy certain things without the hindrance of the law. If he is consistent he will have some compassion for the people in the lower income group.

Mr. Cornell: I think I have told you before that there is no consistency in this game.

[*The Chairman of Committees (Mr. Roberts) resumed the Chair.*]

Mr. GRAHAM: I am beginning to learn that. I only wish I had before me a copy of the platform of the Liberal Party so that I could relate it to the heartless attitude of the members of that Party in respect of this issue. As I look at the member for Leederville, I am reminded that he once took the oath of Hippocrates; I think most of his colleagues took the oath of hypocrisy.

The CHAIRMAN: The honourable member must relate his comments to the amendment.

Mr. GRAHAM: I think they are relevant. Supporters of the Government are pledged to certain principles which they are violating. They are not prepared to give this small concession to people who are just as much entitled to have their fun in backing horses as the person at Peppermint Grove who goes to the races in a Jaguar, and can enjoy all the luxuries which are available at the Turf Club, and which will be considerably improved when this legislation is passed. These luxuries will be provided by the threepences that the Government will get from the pensioners, the widows, the poor people, and so on. Most of my colleagues have suggested that I have not gone far enough with my amendment; but surely it is not too much to ask the Government to grant this concession.

Mr. Fletcher: It is not much.

Mr. GRAHAM: Actually the concession which is sought is paltry, but it will mean something to the people who are about to be exploited if the Government has its way. It will be a tax of 5 per cent. instead of 10 per cent.

We on this side have endeavoured forcibly to persuade the Government; and we have spoken quietly and appealingly, but apparently without result. I did not think any Party would play politics on this matter, but that apparently is what is happening on the other side.

Mr. NORTON: With most forms of taxation, such as the turnover tax, gift duty, probate duty, stamp duties, and so on, the greater the amount involved, the greater the tax. But in this instance the smaller the bet, the higher the percentage of tax. One would have thought that the Government would introduce the tax on a sliding scale.

In a previous Bill the Government acted in a similar way to give relief to those who are best able to afford to pay a tax. I am referring now to the Entertainments Tax Act Amendment Bill. It is only reasonable that the Committee should accept the amendment moved by the member for East Perth in order to grant at least some relief to the people who make small bets. They are the individuals who really derive some enjoyment from a wager of a few shillings, compared to the large bettor who regards his wager as an investment and a matter of business. I appeal to the Premier to give a little consideration to these people who are unable to attend a racecourse to gain their enjoyment.

Mr. GRAHAM: I move—

That progress be reported and leave asked to sit again.

Motion put and a division taken with the following result:—

Ayes—20.

Mr. Andrew
Mr. Bickerton
Mr. Brady
Mr. Evans
Mr. Fletcher
Mr. Graham
Mr. Hawke
Mr. Heal
Mr. J. Hegney
Mr. Jamieson

Mr. Kelly
Mr. Lawrence
Mr. Moir
Mr. Norton
Mr. Rhatigan
Mr. Rowberry
Mr. Sewell
Mr. Toms
Mr. Tonkin
Mr. May

(Teller.)

Noes—21.

Mr. Bovell
Mr. Brand
Mr. Burt
Mr. Cornell
Mr. Court
Mr. Craig
Mr. Crommelin
Mr. Grayden
Mr. Guthrie
Mr. Hearman
Dr. Henn

Mr. Hutchinson
Mr. Lewis
Mr. W. A. Manning
Mr. O'Connor
Mr. O'Neill
Mr. Owen
Mr. Perkins
Mr. Watts
Mr. Wild
Mr. I. W. Manning

(Teller.)

Pairs.

Ayes.

Noes.

Mr. W. Hegney
Mr. Nulsen
Mr. Hall
Mr. Oldfield

Mr. Mann
Mr. Nimmo
Mr. Nalder
Sir Ross McLarty

Majority against—1.

Motion thus negatived.

Amendment put and a division taken with the following result:—

Ayes—20.

Mr. Andrew
Mr. Bickerton
Mr. Brady
Mr. Evans
Mr. Fletcher
Mr. Graham
Mr. Hawke
Mr. Heal
Mr. J. Hegney
Mr. Jamieson

Mr. Kelly
Mr. Lawrence
Mr. Moir
Mr. Norton
Mr. Rhatigan
Mr. Rowberry
Mr. Sewell
Mr. Toms
Mr. Tonkin
Mr. May

(Teller.)

Noes—21.

Mr. Bovell
Mr. Brand
Mr. Burt
Mr. Cornell
Mr. Court
Mr. Craig
Mr. Crommelin
Mr. Grayden
Mr. Guthrie
Mr. Hearman
Dr. Henn

Mr. Hutchinson
Mr. Lewis
Mr. W. A. Manning
Mr. O'Connor
Mr. O'Neill
Mr. Owen
Mr. Perkins
Mr. Watts
Mr. Wild
Mr. I. W. Manning

(Teller.)

Pairs.

Ayes.

Noes.

Mr. W. Hegney
Mr. Nulsen
Mr. Hall
Mr. Oldfield

Mr. Mann
Mr. Nimmo
Mr. Nalder
Sir Ross McLarty

Majority against—1.

Amendment thus negatived.

Mr. GRAHAM: I move an amendment—

Page 2, line 6—Add after the word "bet" the words, "if that bet exceeds two shillings and six pence."

The effect will be that only one type of bet will be excluded from the payment of the 3d. tax; that is, the minimum bet of 2s. 6d. which is allowed under the Betting Control Act. There would not be many people reduced to the utter minimum; and surely the Treasurer, without argument being adduced by me, would agree to this. It is fair and reasonable and should not

make any great inroads into his anticipated collections. I will leave the matter there until I hear from the Treasurer.

Mr. BRAND: As I have already said, we have considered the question of exemptions and decided against it.

Mr. Graham: Oh, no!

Mr. BRAND: We have made that clear all the time, and the Opposition knows it. This latest amendment is moved with a view to prolonging the debate. I oppose the amendment.

Mr. GRAHAM: First let me state that I do not appreciate the imputation of improper motives as suggested by the Treasurer.

Mr. Brand: Take my handkerchief!

Mr. GRAHAM: If the Treasurer had any regard for Standing Orders he would know that he is out of order; and talking about handkerchiefs I suggest the Treasurer get a large-sized cloth and have a go at his chin. We have been treated to some fine instalments by the Government this evening.

Mr. Brand: We have been treated to time-wasting tactics.

Mr. GRAHAM: It is easy to talk that way.

Mr. Brand: It is factual.

Mr. Tonkin: We should not be debating the Bill at all. The whole thing is a farce.

The CHAIRMAN: Order!

Mr. GRAHAM: There is a copy of *Hansard* in front of me which shows that in discussing a similar measure, I think it was the Treasurer himself, as he is now, who moved that the debate be adjourned till this day six months. That was at 5.15 a.m. It was not the Government that kept the debate rolling until that time.

The CHAIRMAN: Order! The amendment before the Chair is the insertion of certain words, and the member for East Perth should keep to it.

Mr. GRAHAM: If anyone ought to be aware of that, I should be because I moved it. Incidentally I might say that the Treasurer will not cut a particularly glamorous picture in front of TV.

Mr. Brand: That is the main objective of the member for East Perth.

The CHAIRMAN: Order! The honourable member must keep to the amendment before the Chair.

Mr. GRAHAM: Somewhere in the Bible there is a reference to 30 pieces of silver. Here is a proposition for 30 pieces of copper. Does the Treasurer suggest the needs of the Treasury and the racing clubs are so great that he cannot grant a 3d. concession to persons laying the smallest

legal bet that can be laid in Western Australia? What astounds me is that all of his supporters, including those who are proclaimed Christians—and I do not say that in any disparaging sense—for reasons I am unable to fathom find themselves in the position that they cannot agree to a concession such as this.

Mr. Hawke: Could you name them?

Mr. GRAHAM: Yes, I could; but I have no intention of doing so for reasons of propriety, and also out of respect for the Chairman. Has the Government and its supporters no heart or feelings for these people?

Mr. Lewis: Not at this hour.

Mr. GRAHAM: I do not know what the time of the day has to do with the honourable member's attitude. Does he mean that he would vote in a certain direction at eight o'clock in the evening but in an entirely different manner at 12 noon? The Treasurer is the only one who has expressed himself on this, so I am speaking to all members with the exception of the Treasurer. I have no doubt that members on this side will support this small gesture—the least that we hope we can wring from the Government; indeed there would be no hope of anything less, because that is the minimum bet permissible by law. I have never served as an auctioneer—as I understand you did, Mr. Chairman—and I am not calling for bids, but I hope there will be one member on the Government side who will agree to this proposition. The member opposite who will support this amendment will receive the thanks of very many S.P. punters in humble circumstances.

Mr. W. A. Manning: You said earlier there were very few of them.

Mr. GRAHAM: I meant in the sense of the impact upon the finances. The people who bet in denominations of 2s. 6d. cannot afford any more and they are to be affected most by the tax.

Mr. Watts: People who can afford to bet in 10s. denominations will have four bets of 2s. 6d. each to avoid the tax.

Mr. GRAHAM: Few people will do that. It is just as fair to say that people living at Peppermint Grove will go to the cheapest stalls to avoid the entertainments tax.

Mr. Watts: That is a different proposition.

Mr. GRAHAM: The Government should agree to exempt bets of 2s. 6d. and under. If only one member opposite will support the amendment, I am sure that you, Mr. Chairman, will not cast a vote in order that the amendment may be passed.

Mr. TONKIN: I support the amendment. The stamp duty on the ticket of a bet of 2s. 6d. amounts to 10 per cent. of the bet. This class of punter makes several bets on each race day throughout the year.

This means that he is being taxed at the rate of 10 per cent. on all his investments. A tax at this rate is greater than a winning bets tax of 20 per cent., and no Government anywhere has attempted to impose a winning bets tax at that rate.

The Attorney-General appeared to indicate that he might give some support to the amendment if punters could be prevented from reducing the denomination of their bets with a view to avoiding the tax. The punter who invests 10s. in four separate bets of 2s. 6d. to avoid this tax will still involve the bookmaker in 1½d. on each ticket. That amounts to 6d.; whereas if the punter had invested 10s. in one bet, the amount of tax would be 3d. for the wager and 1½d. on the ticket, a total of 4½d. By placing the bets separately, Consolidated Revenue will gain 1½d. So this argument is in favour of exempting bets of 2s. 6d. and under.

The Leader of the Opposition pointed out that the hire-purchase tax was being increased eight times, from one-eighth per cent. to one per cent., but we have to consider the actual amount involved and not the percentage. Here the amendment is to exempt bets of 2s. 6d. This type of punter places more than one such bet a day; and if throughout a year he invests £20 he will pay £2 in tax.

In South Australia there is a winning bets tax of 1s. in the £. That is a far lower tax than the tax of 3d. on tickets under £1. The former does not amount to anywhere near 10 per cent. The amendment before us is a reasonable one and it will be a good gesture on the part of the Government to agree to it. It is hard to justify a tax of that nature by saying that those people do not incur the expense that those who attend the racecourse do and therefore the Treasurer should tax them to get some money for Consolidated Revenue. That is what the Government is doing. I consider the amendment is reasonable; and, in the circumstances; should be carried by the Committee.

Amendment put and a division taken with the following result:—

Ayes—20.

Mr. Andrew	Mr. Kelly
Mr. Bickerton	Mr. Lawrence
Mr. Brady	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. Jamieson	Mr. May

(Teller.)

Noes—21.

Mr. Bovell	Mr. Hutchinson
Mr. Brand	Mr. Lewis
Mr. Burt	Mr. W. A. Manning
Mr. Cornell	Mr. O'Connor
Mr. Court	Mr. O'Neill
Mr. Craig	Mr. Owen
Mr. Crommelin	Mr. Perkins
Mr. Grayden	Mr. Watts
Mr. Guthrie	Mr. Wild
Mr. Hearman	Mr. I. W. Manning
Dr. Henn	

(Teller.)

Pairs.

Ayes.	Noes.
Mr. W. Hegney	Mr. Mann
Mr. Nulsen	Mr. Nimmo
Mr. Hall	Mr. Nalder
Mr. Oldfield	Sir Ross McLarty

Majority against—1.

Amendment thus negatived.

Clause put and a division taken with the following result:—

Ayes—21.

Mr. Bovell	Mr. Hutchinson
Mr. Brand	Mr. Lewis
Mr. Burt	Mr. W. A. Manning
Mr. Cornell	Mr. O'Connor
Mr. Court	Mr. O'Neill
Mr. Craig	Mr. Owen
Mr. Crommelin	Mr. Perkins
Mr. Grayden	Mr. Watts
Mr. Guthrie	Mr. Wild
Mr. Hearman	Mr. I. W. Manning
Dr. Henn	(Teller.)

Noes—20.

Mr. Andrew	Mr. Kelly
Mr. Bickerton	Mr. Lawrence
Mr. Brady	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. Jamieson	Mr. May

(Teller.)

Pairs.

Ayes.	Noes.
Mr. Mann	Mr. W. Hegney
Mr. Nimmo	Mr. Nulsen
Mr. Nalder	Mr. Hall
Sir Ross McLarty	Mr. Oldfield

Majority for—1.

Clause thus passed.

Title:

Mr. HAWKE: As I read the Bill as it now stands; and as I read the title of the Bill, it is out of order. I would ask for your ruling, Mr. Chairman, as to whether the title of the Bill in relation to the contents as they now exist is in order.

The CHAIRMAN: My ruling is that the title is in order.

Mr. HAWKE: Can you give any reasons?

The CHAIRMAN: I do not have to give reasons when I give a ruling.

Mr. HAWKE: I congratulate you on your luck. Even though there be no duty on you to take action in regard to the title, Mr. Chairman, it is the duty of the Committee to make the title appropriate to the Bill; and at the moment it cannot be made to apply to the Bill. I move an amendment—

That the words "To impose a tax" be deleted.

I could go further and move that the words "made by a bookmaker in registered premises" be deleted. That would leave the title reading, "A Bill for an Act on Bets", which would be appropriate; as that is all the Bill now means. Clause 1 is

the short title and clause 3—I suppose the clerks will alter that to read “2” in the ordinary course of events—reads—

The rates of the betting investment tax imposed by this Act are—

- (a) where the amount of money paid or promised as the consideration for the bet made does not exceed one pound, the sum of three pence in respect of that bet;
- (b) where the amount of money paid or promised as the consideration for the bet made exceeds one pound, the sum of six pence in respect of that bet.

The governing words are “the bet made”, but there is nothing in the Bill imposing tax, saying to whom it shall apply, or anything of that nature. There is nothing in the Bill about bookmakers, no matter where they operate; and the only part of the Bill which could possibly be operative is that the bet made does not exceed £1, and so on. Therefore the title, as it stands, is not applicable to the Bill.

Mr. EVANS: Standing Order No. 264 states—

No clause shall be inserted in any such draft foreign to the title of the Bill, and if any such clause be afterwards introduced, the title shall be altered accordingly.

In this instance the title has not been amended; but it cannot be reconciled with the Bill, as amended. I submit that we cannot pass a Bill which is foreign to the title imposed on it, and therefore the amendment should be agreed to.

Mr. GRAHAM: I would have thought the Treasurer would say something on this amendment.

Mr. Brand: He has said all he intends to say.

Mr. GRAHAM: I think the observations of the Leader of the Opposition would be treated with some respect.

Mr. Hawke: There is no answer to what said.

Mr. GRAHAM: My copy of May's *Parliamentary Practice* at page 540 says—

The title can only be amended if the Bill has been so altered as to necessitate such an amendment.

Standing Order No. 291 says—

After the Preamble has been agreed to the title shall be read, and, if any Amendment shall have been made in the Bill, not coming within the original title, such title shall be amended, and a Question put, “That this be the title of the Bill,” and the Amendment thereof shall be specially reported to the House.

How can we have a title making reference to things that do not appear in the Bill?

The title reads, “an Act to Impose a Tax on Bets Made by a Bookmaker in Registered Premises.” This Bill does not impose a tax, and it makes no reference to a bookmaker or to registered premises. Therefore it is all wrong. There is some obligation on the Committee to act sensibly, and I think there is some obligation on you, Mr. Chairman, to direct the Committee. If I do something which is not in accordance with Standing Orders, I am quickly called to order; and, if we agree to the title as printed, we are doing a wrong thing.

I support the amendment; and had it not been moved I would have thought that it was part of your duty, Mr. Chairman, to instruct the Committee to alter the title in order to make it conform with the concepts of the Bill. I ask a question of you: Is it the duty and responsibility of the Committee to alter the title in order to make it conform with the contents of the Bill, or are we at liberty at any time to have all sorts of extraneous matters mentioned in the title, though they have no relationship to the contents of a measure?

The CHAIRMAN: This is a matter for decision by the Committee unless the honourable member brings up a specific point of order.

Amendment put and a division taken with the following result:—

Ayes—20.

Mr. Andrew	Mr. Kelly
Mr. Blackerton	Mr. Lawrence
Mr. Brady	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. Jamieson	Mr. May

(Teller.)

Noes—21.

Mr. Bovell	Mr. Hutchinson
Mr. Brand	Mr. Lewis
Mr. Burt	Mr. W. A. Manning
Mr. Cornell	Mr. O'Connor
Mr. Court	Mr. O'Neill
Mr. Craig	Mr. Owen
Mr. Crommelin	Mr. Perkins
Mr. Grayden	Mr. Watts
Mr. Guthrie	Mr. Wild
Mr. Hearman	Mr. I. W. Manning
Mr. Henn	

(Teller.)

Pairs.

Ayes.

Noes.

Mr. W. Hegney	Mr. Mann
Mr. Nuisen	Mr. Nimmo
Mr. Hall	Mr. Nalder
Mr. Oldfield	Sir Ross McLarty

Majority against—1.

Amendment thus negated.

Point of Order

Mr. GRAHAM: Mr. Chairman, you accepted an amendment to the title, and by that acceptance you have agreed with the submission that the title is out of order. I am putting this proposition to you squarely for a ruling: Is the title out of order and, if so, is there any obligation on this Committee to rectify the matter?

The CHAIRMAN: The title as printed is in order.

Dissent from Chairman's Ruling

Mr. GRAHAM: Then I must dissent from your ruling. Is there any requirement on my part?

The CHAIRMAN: Yes; the honourable member must submit it in writing.

[*The Speaker resumed the Chair.*]

The CHAIRMAN OF COMMITTEES: Mr. Speaker, whilst in Committee the member for East Perth raised a point of order on whether the Title of the Bill was in order. My ruling was that it was in order, as printed. The honourable member then disagreed with my ruling on the following grounds:—

The title does not conform to the Bill; is foreign to the contents of the Bill; and there is, accordingly, a responsibility on the Committee to alter the title so that it is a fair description of the purposes of the Bill.

Speaker's Ruling

The SPEAKER: Having studied the reasons given for the dissent from the Chairman's ruling, I must uphold that ruling. The responsibility of the Committee is for the Committee itself to decide.

Dissent from Speaker's Ruling

Mr. GRAHAM: I move—

That the House dissent from the Speaker's ruling.

I wish that you, Sir, had given some reasons for your ruling. I know that if we were discussing a Bill to deal with the pig industry, you would not allow members to discuss the steel industry. In other words, we must confine our discussions to the measure under review because you, Sir, would instruct us accordingly. If I sought to amend a motion in the wrong place—that is to say, by reverting to a stage that had already been passed—you would call me to order and direct me that I would have to move my amendment after a certain stage had been reached.

In short, there is a proper approach and proper procedure to be followed. The present position, if you are not aware of it officially, is that a Bill was introduced to this Chamber to impose a tax on bets made by bookmakers in registered premises. That position does not exist now because the Bill makes no reference to the imposition of a tax, on bookmakers or on registered premises. Accordingly, at the moment, the title of the Bill is a misnomer. It is totally untrue; it is not related to the measure. Is a title of a Bill supposed to be a cluster of words regardless of what appears in the Bill, or is it supposed to have some reference to the Bill?

It would be out of order on our part to pass the Bill with these extraneous and useless words. Standing Order No. 291 reads as follows:—

After the Preamble has been agreed to the title shall be read and, if any Amendment shall have been made in the Bill, not coming within the original title, such title shall be amended . . .

Mr. Perkins: The Committee decided that it would not amend it.

Mr. GRAHAM: That is because we have the Government showing its disagreeable disposition. Whatever the position may be it will use its numbers to achieve its own ends.

Mr. Perkins: The Committee decided, not the Government.

Mr. GRAHAM: I know; but the Government used its numbers to achieve that decision. I appeal to the Speaker to agree with me that the words in the title of a Bill must mean something.

Mr. Perkins: We have not finished with the Bill yet.

Mr. GRAHAM: If I wanted to add to the title of the Bill the words, "Hi diddle diddle the cat and the fiddle," would they be acceptable? I do not think they would. In other words, if the title of the Bill is not a fair description of its contents, we must amend the title accordingly. In this case the Bill does not even mention bookmakers or registered premises and therefore the title should be amended. If there is no obligation to delete the words that have no application to the Bill, I suppose I would be right in assuming that provided there was as much irresponsibility shown as we have seen tonight on the part of the Government and its supporters, the majority of members could move to insert anything in the title of the Bill.

Mr. Perkins: The Chairman would not allow the honourable member to do that.

Mr. GRAHAM: In other words, the Chairman instructs the Committee that, in the circumstances we have outlined, certain words are not admissible because they have no reference to the measure. As the words and terms in the title have no application to the Bill, my contention is he has an equal responsibility. In other words, when the measure has passed the Committee stage the contents of the Bill shall conform with its title, and conversely. That is not the case today. The Chairman of Committees cannot allow us to pass the Bill with the title in its present form. Page 540 of my copy of *May* says—

The title can only be amended if the Bill has been so altered as to necessitate such an amendment.

The implication in *May* is that the title should be adjusted to conform with whatever is in the Bill after the Committee stage.

Mr. Perkins: You can raise this sort of point on the third reading.

Mr. GRAHAM: I wonder whether I can, because it is in Committee that we agree to the title; and it is too late after the Committee has made a decision and the report of the Committee has been adopted.

Mr. Perkins: You can always go back into Committee.

Mr. GRAHAM: It depends under what circumstances, of which more may be heard later. The position is clear that, under the guidance and control of the person in the Chair, this Committee cannot make an ass of itself in its decisions. In order to meet the objectives and wishes of the Government they would desire these points to remain; but is that how we are to go about our business? I would hate any of the persons who sit opposite me to be judges in a court of any responsibility, because they would make their decisions in accordance with their mood, or as it suited their convenience, without regard for the statutes, the law or precedent. That is the position here.

The Government is so intent on slaying the underdog that it is prepared to breach every Standing Order and procedure that has been accepted without question. As you, Sir, would not allow me to make an amendment going beyond the Bill, so I think there is an equal responsibility on your part, or on the part of the Chairman, to see that the title does not contain propositions completely foreign to the measure.

Mr. HAWKE: The Minister for Transport said that any attempt by a member of the Committee to include words in the title which were not appropriate would be ruled out of order by the Chairman. If that be correct, surely there is an equal obligation upon the Chairman—

Mr. Perkins: The converse does not hold, of course; one has to be accepted and in order.

Mr. HAWKE: —to ensure that any words in the title after the clauses have been dealt with, which are inappropriate to what then remains in the Bill, are removed. If it is against procedure and Standing Orders to attempt to put into the title of a Bill words which would not be appropriate to the contents of the Bill, it is equally improper and equally out of order to retain in the title words which are completely inappropriate after the Bill has been altered in Committee.

The clause which the Committee deleted from the Bill was the only part of the Bill that had any reference to the imposition of a tax; and the only part which had any reference to bets made by a bookmaker in registered premises. With the deletion of clause 2 the words in the title to impose a tax, and the words, "made by a bookmaker

in registered premises," are no longer applicable or proper. So there seems to be an obligation on the Chairman of Committees, or upon yourself, as Speaker of the House, to rule that these words are no longer appropriate.

Then if any member wishes to test your ruling he will be at liberty to do so. Surely there is an obligation on the Speaker, or the Chairman of Committees, or both, to see that once the clauses of the Bill have been dealt with in Committee and vital changes made by the Committee, the title be made appropriate to what remains, because what then remains in the Bill is the Bill. This Bill now only provides for the payment of a tax in respect of a bet made. There is nothing in it about the imposition of a tax; or about a bet being made by a bookmaker on registered premises. So clearly the title as set out in the Bill is inappropriate and inapplicable, and it is the responsibility of the Chairman of Committees to rule or indicate that the title is out of order.

He was not prepared to do that. To the surprise of all members, he said it was in order. As you, Mr. Speaker, have a greater obligation in this matter, I suggest that you give it more consideration than you are able to give it on the spur of the moment. The matter is so vital as to justify a great deal of consideration and consultation. Therefore, I put forward the suggestion that you suspend further discussion on this matter until you have had adequate opportunity to look further into it.

Mr. BRADY: I also consider that you, Mr. Speaker, will have to go deeply into this matter, because the title does not record what is contained in the Bill at this stage. Paragraph 8 of Joint Standing Rules and Orders states that the title of every Bill shall succinctly set forth the general objects thereof. In this case the title does not set forth the object. The Bill contains no reference to bookmakers, or registered premises, or a tax. If the title is agreed to in its present form, the Standing Order to which I have referred will not be complied with. This matter has arisen because one clause was defeated earlier this evening; and instead of reporting progress, the Government decided to push the Bill through without clause 2.

Motion (dissent from Speaker's ruling) put and a division taken with the following result:—

Ayes—20.

Mr. Andrew	Mr. Kelly
Mr. Blackerton	Mr. Lawrence
Mr. Brady	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. Jamieson	Mr. May

(Teller.)

Noes—21.

Mr. Bovell
Mr. Brand
Mr. Burt
Mr. Cornell
Mr. Court
Mr. Craig
Mr. Crommellin
Mr. Grayden
Mr. Guthrie
Dr. Henn
Mr. Hutchinson

Mr. Lewis
Mr. W. A. Manning
Mr. O'Connor
Mr. O'Neill
Mr. Owen
Mr. Perkins
Mr. Roberts
Mr. Watts
Mr. Wild
Mr. I. W. Manning
(Teller.)

Pairs.

Ayes.

Mr. W. Hegney
Mr. Nulsen
Mr. Hall
Mr. Oldfield

Noes.

Mr. Mann
Mr. Nimmo
Mr. Nalder
Sir Ross McLarty

Majority against—1.

Motion thus negatived.

Committee Resumed

[The Chairman of Committees (Mr. Roberts) in the Chair.]

Mr. HAWKE: As I believe the title to be haywire, I now move the amendment which I foreshadowed. I move an amendment—

That the words "made by a Book-maker in Registered Premises" be deleted from the title.

Amendment put and negatived.

Title put and a division taken with the following result:—

Ayes—21.

Mr. Bovell
Mr. Brand
Mr. Burt
Mr. Cornell
Mr. Court
Mr. Craig
Mr. Crommellin
Mr. Grayden
Mr. Guthrie
Mr. Hearman
Dr. Henn

Mr. Hutchinson
Mr. Lewis
Mr. W. A. Manning
Mr. O'Connor
Mr. O'Neill
Mr. Owen
Mr. Perkins
Mr. Watts
Mr. Wild
Mr. I. W. Manning
(Teller.)

Noes—20.

Mr. Andrew
Mr. Bickerton
Mr. Brady
Mr. Evans
Mr. Fletcher
Mr. Graham
Mr. Hawke
Mr. Heal
Mr. J. Hegney
Mr. Jamieson

Mr. Kelly
Mr. Lawrence
Mr. Molr
Mr. Norton
Mr. Rhatigan
Mr. Rowberry
Mr. Sewell
Mr. Toms
Mr. Tonkin
Mr. May
(Teller.)

Pairs.

Ayes.

Mr. Mann
Mr. Nimmo
Mr. Nalder
Sir Ross McLarty

Noes.

Mr. W. Hegney
Mr. Nulsen
Mr. Hall
Mr. Oldfield

Majority for—1.

Title thus passed.

Bill reported with an amendment.

Recommittal.

MR. BRAND (Greenough—Treasurer) [3.33 a.m.]: I move—

That the Bill be recommitted for the purpose of inserting a new clause to stand as clause 2.

As has been fully explained by the Opposition tonight, a clause was removed which, of course, leaves the Bill without

necessary verbiage. Therefore, I have moved that the Bill be recommitted to insert a new clause to stand as clause 2.

There are many precedents for this practice. In fact, during the life of the previous Government, exactly the same action was taken when as a result of a vote with the Opposition by the member for South Fremantle, clause 16 of a Bill to amend the Arbitration Act was lost. The next day the Minister for Labour moved to recommit the Bill for the purpose of considering a new clause to be known as clause 16. The wording of that clause was exactly the same as the clause 16 which was originally in the Bill. It is my intention, upon recommitment of the Bill, to move to insert a new clause to stand as clause 2.

MR. HAWKE (Northam) [3.34 a.m.]: The Treasurer has moved for the recommitment of the Bill to enable him to move for the insertion into the Bill of a new clause to stand as clause 2. Before we are asked to vote upon this proposition, we should have some idea of what the new clause is so that we can decide whether it is a new clause or whether it is a clause the Treasurer is trying to resurrect from the slaughteryard. I would ask that at some stage before the vote is taken the Treasurer should indicate to us whether this is in fact a new clause or, as I have a suspicion, one which was put into the slaughteryard last night and which the Treasurer wants now to resurrect from the grave.

MR. JAMIESON (Beeloo) [3.35 a.m.]: In claiming a precedent for his action the Treasurer used the example of a clause which had been reinserted by the previous Government in a Bill to amend the Arbitration Act. That may well have been so, but one must remember that in the case of that particular Bill it dealt with many subjects pertaining to the Arbitration Act. This Bill deals specifically with the one subject; and the subject matter of this Bill has been dealt with and defeated by a vote of this House.

Mr. Ross Hutchinson: It was carried at the second reading.

Mr. JAMIESON: It has been defeated by a vote of this House in Committee. That is all that really matters.

Mr. Brand: So was the one I referred to.

Mr. JAMIESON: Mr. Speaker, you must consider whether the House has rightly dealt with this Bill in its normal procedure and eliminated the only feature that was associated with the machinery of making it work. In the example given by the Treasurer, many features were dealt with by the House at the same time, as has occurred with other recent matters that have been before the House where clauses have been reinserted. For those reasons I oppose the motion to recommit this Bill.

MR. BRADY (Guildford-Midland)
[3.37 a.m.]: Standing Order No. 299 reads as follows:—

On the motion for the adoption of the report, the whole Bill may, on motion, be recommitted, and further amendments made, but a subsequent day to that on which the second report is brought up shall be fixed for moving the adoption of such second report; and the Bill, as reported with such further amendments, shall in the meantime be printed. If no amendments have been made the report may at once be adopted.

Mr. Ross Hutchinson: Standing Orders are suspended.

Mr. BRADY: This Standing Order does not say that a new clause can be added or deleted; it simply says that amendments can be made. On page 70, chapter XVI, there are about 10 different kinds of amendments. The Standing Order I quoted says that only amendments can be made; there is nothing about a new clause being added. I would like you, Mr. Speaker, to give a ruling as to whether it is in order to recommit the Bill for the purpose of inserting a new clause.

The SPEAKER: In view of the suspension of Standing Orders in connection with Bills, my ruling is that the motion is in order.

Question put and a division taken with the following result:—

Ayes—21.

Mr. Bovell	Mr. Lewis
Mr. Brand	Mr. W. A. Manning
Mr. Burt	Mr. O'Connor
Mr. Cornell	Mr. O'Neill
Mr. Court	Mr. Owen
Mr. Craig	Mr. Perkins
Mr. Crommelin	Mr. Roberts
Mr. Grayden	Mr. Watts
Mr. Guthrie	Mr. Wild
Dr. Henn	Mr. I. W. Manning
Mr. Hutchinson	(Teller.)

Noes—20.

Mr. Andrew	Mr. Kelly
Mr. Bickerton	Mr. Lawrence
Mr. Brady	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. Jamieson	Mr. May

(Teller.)

Pairs.

Ayes.	Noes.
Mr. Mann	Mr. W. Hegney
Mr. Nimmo	Mr. Nulsen
Mr. Nalder	Mr. Hall
Sir Ross McLarty	Mr. Oldfield

Majority for—1.

Question thus passed.

In Committee

The Chairman of Committees (Mr. Roberts) in the Chair; Mr. Brand (Treasurer) in charge of the Bill.

New Clause 2:

Mr. BRAND: I move—

That the following be inserted to stand as clause 2:—

2. A betting investment tax is imposed by this Act and payable under the Betting Control Act, 1954, at the rates specified in section three of this Act, upon each bet made in registered premises by a bookmaker or his employee on his behalf.

The wording of the new clause is identical with that originally printed in the Bill. There are instances where identical action has been upheld by this Chamber in the past; and, as the verbiage of this proposed new clause has been debated fully, I will not delay the Committee any longer.

Point of Order

Mr. GRAHAM: I submit that the new clause is out of order, Mr. Chairman, because it is identical, as the Treasurer said, with the proposition decided earlier today; and I ask for your ruling. I think you should rule it out of order. Standing Order 181 reads—

No Question shall be proposed which is the same in substance as any Question which, during the same Session, has been resolved in the affirmative or negative.

The question, as you stated it, was that clause 2 stand as printed; and in a division the majority of members of the Committee voted against the clause. I submit that Standing Order No. 181 fits the proposed new clause perfectly. On this question *May* says—

A motion or an amendment may not be brought forward which is the same in substance as a question which has been decided in the affirmative or negative during the current session. The rule may be fully stated as follows:—

No question or Bill shall be offered in either House that is substantially the same as one on which its judgment has already been expressed in the current session.

Surely you must agree with my submission, Mr. Chairman, if our Standing Orders and the interpretation of *May* mean anything; otherwise we could continue *ad infinitum* in this way. We could, fifty times in the one session, vote on the identical matter. I feel sorry for the Government because of the predicament in which it finds itself; but the conclusion is inescapable, and I draw your attention, Mr. Chairman, to Standing Order No. 182.

Mr. Watts: That deals only with resolutions of the House, and this was dealt with in Committee, which is entirely different.

You cannot call the Committee the House. I am not referring to your first argument but to the second one.

Mr. GRAHAM: We might be able to have some interesting debate on that. It is obvious that Standing Orders were framed for the purpose of preventing identical questions, or questions the same in substance, from being introduced more than once in the same session. The Premier stated that this sort of thing was done several years ago. I have read the incident to which he referred, but on that occasion no appeal was made to the Chairman or the Speaker.

Mr. Watts: Because it was regarded as being completely in order.

Mr. GRAHAM: No, it was not.

The CHAIRMAN: I suggest that the honourable member submit his point of order so that the whole matter can be debated.

Mr. GRAHAM: The Committee deleted clause 2, and now a proposition the same in substance—identical—is again submitted in the same session. Because of Standing Order No. 181 it is completely out of order, and the Speaker made a ruling on a similar issue several weeks ago in connection with a town planning Bill. The House accepted that proposition. I ask for your ruling, Mr. Chairman, as to whether the Premier's move is in order.

Chairman's Ruling

The CHAIRMAN: My ruling is that the amendment moved by the Premier is in order.

Mr. Hawke: Any reason?

Dissent from Chairman's Ruling

Mr. GRAHAM: Then I must dissent from your ruling, Mr. Chairman.

[The Speaker resumed the Chair]

The CHAIRMAN OF COMMITTEES: The member for East Perth has disagreed, Mr. Speaker, with my ruling that the proposed new clause is in order on the ground that the question of the Committee agreeing to clause 2 of the Bill was resolved in the negative; therefore an attempt to propose the same question in identical words is out of order as it conflicts with Standing Order No. 181 which reads: "No question shall be proposed which is the same in substance as any question which during the same session has been resolved in the affirmative or negative."

The SPEAKER: I will adjourn the House until the ringing of the bells whilst I consider the point of order raised by the member for East Perth.

Sitting suspended from 4.1 to 4.7 a.m.

Speaker's Ruling

The SPEAKER: There are three broad bases for procedure in this House; namely, Standing Orders, precedent, and Sir Erskine May's *Parliamentary Practice*. In this case, Standing Orders, precedent and May uphold the procedure that is being adopted by the Government tonight. In Vol. 2 of the 1953 *Parliamentary Debates*, on page 1882, clause 16 of the Industrial Arbitration Act Amendment Bill was negatived by 22 votes to 23 on the 18th Nov., 1953.

Subsequently, page 1970 of that volume shows that on the 24th November, 1953, the Industrial Arbitration Act Amendment Bill was recommitted for the consideration of a proposed new clause 16. At that time, the Minister for Labour said—

I desire to move for the inclusion of a new clause to stand as clause 16. This is identical with the clause in the printed copy of the Bill.

This motion was carried. It would seem that the position tonight is in every way comparable with the situation that arose in connection with the Industrial Arbitration Act Amendment Bill in 1953. Further, on page 545, May states—

Attempts may be made by amendments to restore the original text of the Bill.

Therefore, I hold with the Chairman's ruling that the amendment is in order.

Dissent from Speaker's Ruling.

Mr. GRAHAM: I move—

That the House dissent from the Speaker's ruling.

Mr. Bovell: Sit down.

Mr. Court: You're making it silly.

Mr. GRAHAM: I cannot be more enthusiastic in submitting a question than I am this one. The antics of this Government are getting beyond a joke.

Mr. Brand: So are the antics of the Opposition.

Mr. GRAHAM: I am surprised that you, Sir, should give your patronage to what this Government is seeking to do now.

Mr. Brand: It is exactly the same as your Government did.

The SPEAKER: Order!

Mr. GRAHAM: I am aware, as is the Treasurer, and as, indeed, are you, Sir, of a ruling that you gave on the 29th of September, 1959, in relation to the Town Planning and Development Act Amendment Bill (No. 2). That is not going back into history as was done on another matter. That is a ruling which was given by you, Mr. Speaker, and accepted unanimously by the same members of this House as are now members of it.

Are we to tolerate or accept without protest, and without endeavouring to take advantage of the means at our disposal, a *volte face* such as this? After studying the new Bill and measuring it against the original Town Planning and Development Act Amendment Bill, you, Sir, considered firstly the proposition of the member for Mt. Hawthorn, that the Bill was substantially the same as its predecessor. You actually quoted Standing Order No. 181. In making reference to it you said, "I think the significant words are 'the same in substance'." You went on as follows:—

After listening to the Minister's second reading speech last Tuesday, when he stated that this Bill was almost identical with the original town planning Bill that he had introduced earlier, and bearing in mind his remark on a previous occasion when the member for Mt. Hawthorn took another point of order on the 2nd September last, and having studied this Bill, I come to the conclusion that it is the same in substance as a Bill for an Act to amend the Town Planning and Development Act, 1928-1958, and agreed to by this House on the 2nd September last. Accordingly, I feel I must uphold the first point raised by the member for Mt. Hawthorn, and rule the Bill out of order.

Those were your words, Mr. Speaker. You are aware that the proposed new clause to stand as clause 2 is the same in substance, word for word. Where are we going to if the Chair is to lend itself to an interpretation completely and utterly in reverse of the decision given by the same Chair to the same members and accepted unanimously by them? Surely this is politics at its worst!

Mr. Brand: You are right.

Mr. GRAHAM: The word is prostituting.

Mr. Bovell: That is just what you are doing now; prostituting parliamentary practice.

Mr. GRAHAM: The Minister for Lands should be an expert on that.

Mr. Evans: He looks like it.

Mr. GRAHAM: Prostituting the practice and procedure of Parliament.

Mr. Bovell: That is just what you are doing.

Mr. GRAHAM: Ignoring completely and utterly, not by suggestion, the exact words of the Standing Orders which only a few weeks ago were, I repeat, upheld by you and agreed to without protest and disagreement by any single member. What is the reason for this change?

Mr. Perkins: That is the whole Bill.

Mr. Bovell: He does not know what he is talking about; he is talking in his sleep.

Mr. Jamieson: You are just an idiot.

The SPEAKER: Order!

Mr. GRAHAM: I second that motion. As you, Mr. Speaker, and I are aware—the Minister for Lands will never be—Standing Order No. 181 says, "No question shall be proposed." It does not mention a Bill; it says—

No Question shall be proposed which is the same in substance as any Question which, during the same Session, has been resolved in the affirmative or negative.

You would not deny, Sir, that the question being submitted to us by the Treasurer is not different in substance from the question that was resolved in the negative a few hours ago. How then is it possible for you to come to the decision that you have? One surely has a right to expect that any decision from the Chair will be of a *quasi* judicial nature and that the Chair will not bend for the purpose of political convenience.

Mr. Ross Hutchinson: You reversed your views since 1953 in the case of the member for South Fremantle.

Mr. GRAHAM: That is completely untrue. The Chief Secretary is unable to state what my view was in connection with that. I uttered not a word and cast no vote on it.

Mr. Ross Hutchinson: Your Party did. They dragooned the member for South Fremantle into voting.

Mr. GRAHAM: There is an attempt being made to create a parallel.

Mr. Bovell: There is a parallel.

Mr. GRAHAM: The then member for Claremont raised a point of order, and a ruling was given by the Chairman of the day, which was accepted unanimously and without question.

Mr. Perkins: That is the present member for Middle Swan.

Mr. GRAHAM: Even so; the then member for Roe and the present member for Roe, the then member for Greenough and the present member for Greenough, each one of them accepted the ruling without question.

Mr. Ross Hutchinson: Is it right?

Mr. GRAHAM: I do not know, but I am answering the Chief Secretary when he accuses me of adopting a certain attitude. I tell him I did not speak and did not vote on that occasion.

Mr. Ross Hutchinson: You were present.

Mr. GRAHAM: When I was elected to this Parliament and on making inquiries as to what rights a member had, how he proceeded and what were the limitations, one of the first things that I was told was that one could do anything until one was stopped. To some extent I have followed that advice. So, with regard to our

rules, we can get away with all sorts of things until the point is raised and finally determined by the House.

Those who were here some few years ago will remember that under our Standing Orders when the division bells were rung there was a requirement for every member to go to his own seat and only when the question was put was he to pass to the right or to the left. That was not done. The procedure then could have been challenged, and had it been challenged the Chairman of Committees would have had no alternative but to direct members to conform with the Standing Order. That Standing Order has since been changed.

In this case, unless you, Mr. Speaker, feel some undue devotion to duty, we can do all sorts of things in conflict with our Standing Orders except when some member raises a point of order. That is precisely what I have done. I am not drawing from the past; I am quoting your ruling Mr. Speaker, concerning an incident only six weeks ago.

It is no use for any member to pretend that what applies to a Bill does not apply to a clause. The point is that it is the question; and the question was whether clause 2 should be agreed to. It was resolved in the negative in this case and the clause was lost. The fact is that it was resolved, and whether in the affirmative or negative does not matter. Because of the restrictions placed by our Standing Orders, it is impossible to reinsert the clause during this session.

I indicated earlier that those who drew up the rules and procedure of this House were emphatic on the point. There are no two minds of the direction in which they were going, because Standing Order No. 182 states—

A resolution, or other vote of the House, may be read and rescinded; but no such resolution or other vote may be rescinded during the same Session, except with the concurrence of an absolute majority of the whole House, and after seven days' notice.

In deference to the Attorney-General I might be inclined to agree with him that that applies to a vote of the House, as distinct from a vote of the Committee. I have not had time to pursue that point to the ultimate. Surely it indicates that those who drafted the Standing Orders of the Legislative Assembly desired, and set out to achieve the objective, that there should be no interference in such a way as to allow a matter to be determined, to be brought back in precisely the same form, and determined again; and for that procedure to be repeated indefinitely until the patience of every member was exhausted.

It has been known for special sessions of Parliament to be called in order to overcome the very restriction which is placed

upon it. Standing Order No. 182 indicates the trend, but Standing Order No. 181 which applies to the proceedings of this House refers, at all times, to a question which has been resolved in the affirmative or the negative. It states—

No Question shall be proposed which is the same in substance as any Question which, during the same Session, has been resolved in the affirmative or negative.

No member sitting on the opposite side would be prepared to swear on oath that the submission of the Treasurer was not the same in substance as the provision in clause 2, upon which the Committee resolved several hours ago. Not one of those members would be prepared to swear on oath that this is not the same session as the one during which a decision was made on clause 2.

No-one can read the ruling which you gave in clear and unmistakable terms, and swear that your remarks on that occasion were not completely and utterly in conformity with the Standing Orders, or that they have not equal application to the present proposition before us.

If we reach the stage when, in order to meet political convenience, we can play ducks and drakes with our Standing Orders, then we should scrap them altogether and settle our differences by a free-for-all. Where we cannot succeed in votes, because of a shortage in numbers, we may win on the dart board or in a wrestling match. The Party which overpowers the other wins. It may be as well to conduct the activities of this House in that manner.

If your ruling on this occasion prevails, then this book of Standing Orders will not mean anything. All that the Parties with the majority of members in this House need to do is to arrange with the Speaker to give a vote in their direction, irrespective of how much out of order it may be. I do not know that I need say any more. I am disgusted with the decision, and I am equally disgusted that you, Mr. Speaker, should be the one to make a decision in complete and utter contravention of the decision you made several weeks ago, and which was not challenged by anybody.

Mr. TONKIN: One of the arguments advanced in support of your ruling, Sir, against the contention of the member for East Perth is that in 1953, the Government of the day followed a similar procedure, and that established a precedent which justified the present Government's endeavour to do what it is attempting to do. I do not agree with that ruling at all. Unless procedure which is being adopted is challenged, and a decision given upon it, one is not entitled to say that because that procedure had been followed previously, it is right for all time.

To give an illustration of what happens in everyday life, one might contravene a traffic rule every day in the week, but if there were no traffic policeman about no action would be taken and the person contravening the rule might be quite unaware he was doing so. But, if he were challenged one day for what he was doing, then the point would be determined, and it would show whether or not a breach had occurred.

My recollection of the trend of events with regard to actions of this kind is that back in 1947 the present Attorney-General took a similar action to what is being taken now, and because of the action he then took, he established a precedent which the Chairman relied upon in 1953. The reason why the Attorney-General did not challenge that procedure on that occasion was because he would have been in a weak position having done it himself in 1947. That is my recollection of the situation. The Attorney-General will know better than I do whether that is so or not.

The occasion was one when the then member for Moore (Mr. Ackland) had voted in a certain direction which resulted in something being done that the Attorney-General did not like; or if he had not voted in a certain direction, he was absent at the time and did not vote. I am not certain about that, but it was something which involved the member for Moore, the late Mr. Ackland. I well remember the present Attorney-General being quite irate about the matter and moving for recommitment to put the question to his liking.

Having done that he could not, of course, in 1953, challenge what was then being done; and I assume that that was the reason why on that occasion he made no attempt, although a number of members of the Opposition were critical of the procedure, but not to the extent of taking a point of order and having the question decided. Now we are right up against it. I do not doubt in the slightest degree, Mr. Speaker, that the ruling which you gave in connection with the town planning Bill was the correct ruling, and that your ruling now, which is in opposition to that ruling, must be incorrect. One cannot be right one day and wrong the next on precisely the same question.

There is no doubt whatever that we are now being asked to consider a matter which the Committee some hours ago negatived; and it is exactly the same thing. There are several Standing Orders bearing on this point, and they indicate that it is not intended that this sort of thing shall be permitted. Mr. Speaker, I pose this question to you: If Standing Order No. 181 means anything at all, what does it mean? I would like some member of the Government who believes your ruling to be right, to answer that question. What is it there for? What does it mean? Does it mean anything? If it does, what does it mean? Let us know. If

we can get an explanation of what it means, it will be clear it is there for the purpose of preventing the course of action the Government proposes to take. I have not the slightest doubt about that.

Therefore, we should either delete the Standing Order from our book or we should obey it, otherwise the whole thing becomes a farce. If there are rules, one is expected to play the game according to the rules; and drastic action is taken in some places if one does not play the game according to the rules. It is right that that should be so. What has been our experience in this Parliament? It does not matter what the rules are; one just does what the Government wants to force one to do with its numbers irrespective of whether it contravenes the rules or not. What sort of practice and conduct is that?

Whilst I admit I was a member of a Government which did this kind of thing, that does not say it was within the Standing Orders. The mere fact that it did it—I notice that the Minister for Labour is laughing.

Mr. Perkins: He had every right to laugh. It is rather peculiar that you are so self-righteous now when you say you broke the law on another occasion. We can discount your remarks.

Mr. TONKIN: Does it mean that if we do a thing and it is not challenged it is right?

Mr. Perkins: It was done on numerous other occasions. Mr. Sleeman mentioned it.

Mr. TONKIN: The Minister must have been asleep when I referred to the reason why the Attorney-General never challenged it.

Mr. Perkins: Putting women on juries for instance.

The SPEAKER: Order!

Mr. TONKIN: Someone is asking a question up one end of the House; someone is asking a question down the other end of the House; and the Speaker is calling "Order," so I am excused Mr. Speaker, I take it, if I do not attempt to answer either of them.

The SPEAKER: That would be the best thing to do.

Mr. TONKIN: I was trying to say that in my opinion the present Attorney-General would have challenged what the Government did in 1953 if it had not been for the fact that in 1947 he did it himself. That does not say it was right and did not contravene Standing Orders.

Mr. Court: He is certainly being consistent.

Mr. Perkins: The honourable member is not.

Mr. TONKIN: How can the Minister for Labour say that I am not?

Mr. Perkins: You were a member of the Government.

Mr. TONKIN: I was not the Minister in charge of the Bill, nor did I speak in connection with the matter.

Mr. Court: It was a Bill in which the whole of the Government was very much involved.

Mr. TONKIN: A point of order was never taken.

Mr. Court: It did not have to be.

Mr. TONKIN: How would you ever get it decided?

Mr. Perkins: A point of order was raised.

Mr. TONKIN: It was not raised. No attempt was made in the way it is being done now in disagreeing with the ruling given. It was accepted. My point is that it was accepted because the Attorney-General could not, in view of his own action, get up and argue that the ruling should be disagreed with.

Mr. Court: He obviously agreed with it.

Mr. TONKIN: So it was obvious he agreed with it!

Mr. Court: It is the third time.

Mr. TONKIN: If the Minister is so certain, he should get up and tell the House what Standing Order No. 181 means and what it will prevent one from doing.

Mr. Court: I do not have to; the Speaker has made the position very clear.

Mr. TONKIN: Of course the Minister will not, because he cannot—a very good reason.

Mr. Court: I do not want to waste the time of the House.

Mr. TONKIN: The Minister could not do it.

Mr. Court: You carry on.

Mr. TONKIN: Is there anybody on the Government side capable of saying what Standing Order No. 181 means, and giving the House some indication of what Standing Order No. 181 will prevent the House from doing? That is what I would like to know; because if it will not prevent the Government from doing anything it likes, it might as well be deleted. It is unfortunate that within such a short time, Mr. Speaker, you have had to reverse a previous ruling, which was sound. No doubt you have had some medicine administered, which has brought about the change. It is regrettable, because the Standing Orders are supposed to be for the protection of members and for the purpose of ensuring that the business of Parliament is conducted within certain rules. But the business of this Parliament is not being conducted in accordance with the rules; because they do not mean anything.

Motion (dissent from Speaker's ruling) put and a division taken with the following result:—

Ayes—20.

Mr. Andrew	Mr. Kelly
Mr. Bickerton	Mr. Lawrence
Mr. Brady	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. Jamieson	Mr. May

(Teller.)

Noes—21.

Mr. Bovell	Mr. Lewis
Mr. Brand	Mr. W. A. Manning
Mr. Burt	Mr. O'Connor
Mr. Cornell	Mr. O'Neill
Mr. Court	Mr. Owen
Mr. Craig	Mr. Perkins
Mr. Crommellin	Mr. Roberts
Mr. Grayden	Mr. Watts
Mr. Guthrie	Mr. Wild
Dr. Henn	Mr. I. W. Manning
Mr. Hutchinson	

(Teller.)

Pairs.

Ayes.	Noes.
Mr. W. Hegney	Mr. Mann
Mr. Nulsen	Mr. Nimmo
Mr. Hall	Mr. Nalder
Mr. Oldfield	Sir Ross McLarty

Majority against—1.

Motion (dissent from Speaker's ruling) thus negatived.

Committee Resumed

[The Chairman of Committees (Mr. Roberts) in the Chair.]

New clause 2 put and a division taken with the following result:—

Ayes—21.

Mr. Bovell	Mr. Hutchinson
Mr. Brand	Mr. Lewis
Mr. Burt	Mr. W. A. Manning
Mr. Cornell	Mr. O'Connor
Mr. Court	Mr. O'Neill
Mr. Craig	Mr. Owen
Mr. Crommellin	Mr. Perkins
Mr. Grayden	Mr. Watts
Mr. Guthrie	Mr. Wild
Mr. Hearman	Mr. I. W. Manning
Dr. Henn	

(Teller.)

Noes—20.

Mr. Andrew	Mr. Kelly
Mr. Bickerton	Mr. Lawrence
Mr. Brady	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. Jamieson	Mr. May

(Teller.)

Pairs.

Ayes.	Noes.
Mr. Mann	Mr. W. Hegney
Mr. Nimmo	Mr. Nulsen
Mr. Nalder	Mr. Hall
Sir Ross McLarty	Mr. Oldfield

Majority for—1.

New clause thus passed.

Bill reported with a further amendment and the report adopted.

As to Further Recommittal

MR. EVANS (Kalgoorlie) [4.52 a.m.] :
I move —

That the Bill be again recommitted for the further consideration of clause 3.

Question put and negatived.

MR. BRAND (Greenough—Treasurer) [4.53 a.m.] : I move—

That the Bill be now read a third time.

Question put and a division taken with the following result:—

Ayes—21

Mr. Bovell	Mr. Lewis
Mr. Brand	Mr. W. A. Manning
Mr. Burt	Mr. O'Connor
Mr. Cornell	Mr. O'Neill
Mr. Court	Mr. Owen
Mr. Craig	Mr. Perkins
Mr. Crommelin	Mr. Roberts
Mr. Grayden	Mr. Watts
Mr. Guthrie	Mr. Wild
Dr. Henn	Mr. I. W. Manning
Mr. Hutchinson	(Teller.)

Noes—20.

Mr. Andrew	Mr. Kelly
Mr. Bickerton	Mr. Lawrence
Mr. Brady	Mr. Moir
Mr. Evans	Mr. Norton
Mr. Fletcher	Mr. Rhatigan
Mr. Graham	Mr. Rowberry
Mr. Hawke	Mr. Sewell
Mr. Heal	Mr. Toms
Mr. J. Hegney	Mr. Tonkin
Mr. Jamieson	Mr. May
	(Teller.)

Pairs.

<i>Ayes.</i>	<i>Noes.</i>
Mr. Mann	Mr. W. Hegney
Mr. Nimmo	Mr. Nulsen
Mr. Nalder	Mr. Hall
Sir Ross McLarty	Mr. Oldfield

Majority for—1.

Question thus passed.

Bill read a third time and transmitted to the Council.

ENTERTAINMENTS TAX ACT AMENDMENT BILL

Council's Message

Message from the Council received and read notifying that it had agreed to the amendment made by the Assembly.

RESOLUTION—STATE FORESTS

Council's Message

Message from the Council received and read notifying that it had concurred in the Assembly's resolution.

BILLS (3)—RETURNED

1. Traffic Act Amendment Bill (No. 3).
2. Road Districts Act Amendment Bill (No. 2).
3. Municipal Corporations Act Amendment Bill (No. 2).

Without amendment.

House adjourned at 4.57 a.m. (Friday)

Legislative Council

Tuesday, the 17th November, 1959

CONTENTS

	Page
QUESTION ON NOTICE :	
Local Courts Act, consolidation	3123
BILLS :	
Betting Control Act Amendment Bill, 2r.	3124
Bookmakers Betting Tax Act Amendment Bill, 2r.	3125
Betting Investment Tax Bill, 1r., 2r.	3126
Metropolitan Region Town Planning Scheme Bill, Com.	3126
Housing Loan Guarantee Act Amendment Bill, returned	3137
Licensing Act Amendment Bill, 2r.	3137
State Transport Co-ordination Act Amendment Bill—	
2r.	3139
Com.	3139
Report, 3r.	3140
Administration Act Amendment Bill—	
Com.	3140
Report, 3r.	3142

The PRESIDENT took the Chair at 4.30 p.m., and read prayers.

QUESTION ON NOTICE

LOCAL COURTS ACT

Consolidation.

The Hon. E. M. DAVIES asked the Minister for Mines:

- (1) Have the Local Courts Act and amendments yet been consolidated?
- (2) When will reprinted copies of this Act and rules be available to the public?

The Hon. A. F. GRIFFITH replied:

- (1) No.
- (2) A draft of a consolidation of the rules and amendment thereto is in the hands of the Government Printer for proof printing. Subsequently the approval of Executive Council must be obtained and the rules laid on the tables of both Houses before they can be printed in a form for distribution. It will not be possible to complete all requirements until the commencement of the 1960 session of Parliament. The Local Courts Act will be reprinted concurrently with the rules at that time.