



Speech by

**Hon. D. HAMILL**

**MEMBER FOR IPSWICH**

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Hansard 8 November 2000

### **GAMBLING LEGISLATION AMENDMENT BILL**

**Hon. D. J. HAMILL** (Ipswich—ALP) (Treasurer) (9.11 p.m.), in reply: I thank honourable members for their participation in what has been a wide-ranging discussion of the matters that have been before the House in terms of this Bill. There seems to me to be widespread support for the fundamental principles of this Bill. I refer particularly to the empowerment of local communities. To me, this is one of the most significant facets of the piece of legislation that is before the House. It is a direct result of the widespread community consultations which the Government undertook through the gaming review. The very clear message came from the people of Queensland that they had concerns about the proliferation of gaming venues and access to gaming in the community, and they wanted the community to be able to have a direct say. This legislation does just that.

The legislation builds on important amendments we enacted last year in order to enable the Gaming Commission to take into account social and economic considerations with respect to its determinations. With the passage of this legislation, we will have a clear pathway for the people of Queensland to have a direct say with respect to matters to do with sites for gaming machines, new sites and machine numbers.

As I said, this legislation comes as a result of a widespread review. I heard some comments made in the context of the debate where it was alleged that certain provisions in the legislation were a surprise; that the industry would have been unaware of the direction of this legislation. Nothing could be further from the truth. After all, if it was a surprise, it would have to be the most heralded surprise ever in the history of this Parliament. The operative dates which are contained in the legislation were also the subject of consultation with the industry.

For the information of the Opposition, as I indicated to the Scrutiny of Legislation Committee and others, I point out that there was never any intention at all to make these provisions retrospective. That is why, as the legislation had not been debated in the House by 1 September, I made it clear to the Scrutiny of Legislation Committee that another date would be proffered. It was a matter of clearing up the backlog of approvals.

This is not only legislation which puts in place important principles; it is also legislation which cleans up the legacy of perhaps a rather more laissez faire approach to gaming which had evolved over a number of years through successive legislative enactments in this place. One of the things that concerned me very greatly was the fact that there were probably upwards of 6,000 approvals for gaming machines which have not been acted upon by hotels and clubs. My view is that, as they had not been acted upon, I could only assume that they were not required.

My view is that we should wipe the slate clean and put rigour into this process. If there are venues that want to increase their number of gaming machines, let them be brave enough to ask their communities what they think, and give the communities an opportunity to clearly express themselves. We have also enabled members of Parliament to have a say. For some time, the Gaming Commission has circulated members of Parliament in relation to many applications before them with respect to various electorates. It gives members of Parliament an opportunity to express a view. If a member wants to express a view, he can; if he does not want to express a view, he does not have to. If there are significant community concerns and if local members wish to articulate those concerns, the avenue

is there. The same applies to local councils. Frankly, I believe that is a refreshing development in the law in relation to these matters.

One of the issues that has been mentioned on a number of occasions in this debate by a number of members concerns the future of the community benefit fund. I want to state quite categorically that it was a Labor Government that established the community benefit fund—and for a very good purpose. It was established in recognition of the fact that the implementation of machine gaming in Queensland may well have a significant impact upon the fund-raising activities of a range of small community sporting and charitable organisations.

The Government realised that there was a significant impact on bingo. The member for Gladstone referred to bingo being played in clubs. Bingo is a form of not-for-profit gaming. It is community fundraising-type gaming. The proceeds cannot be used as profit for the individual proponent. The Gaming Machine Community Benefit Fund was crafted to try to ensure that community organisations that may have been impacted upon by the advent of machine gaming had another avenue by which they could receive support for their ventures. I am a very strong supporter of the Gaming Machine Community Benefit Fund. A succession of committees has discharged its responsibilities very well indeed in distributing those funds around the community.

It is the case that regional and rural areas have done better out of those distributions than the metropolitan area. I do not begrudge that. I do not think any honourable member would begrudge that. That succession of committees has basically allocated funds according to the merits of the submissions it received. It has done a fine job.

One of the things we did was to increase the maximum amount that could be accessed from the fund to \$30,000. There is nothing magic about \$15,000. That was the sum that was in place when the fund was first established some years ago. The committee always had the discretion to allocate a larger sum in relation to an application if it saw fit, and it still has that power.

As some members have said, there are organisations that have a very limited capacity to raise funds. The committee, in its discretion, has the power to be able to allocate funds according to need and according to the quality of the submission before it. The ability to allocate \$30,000 to an organisation may be sufficient to provide, perhaps, a mini bus to a group and thus allow members to have mobility which they otherwise would not have.

From my experience as a local member, lots of organisations say, "We only wish we had a mini bus. We only wish we could offer transport support for the various activities of our community groups." I believe that is a worthwhile purpose and I am pleased that the community benefit fund is available to support those sorts of purposes. I want to stress that we will not countenance any diminution of funding to the Gaming Machine Community Benefit Fund, or the Gambling Community Benefit Fund as it will now be known. It provides a very important avenue of support to a wide range of often small community organisations that do a tremendous amount of good in the communities they serve.

In relation to the legislation, at times I get the feeling that the Opposition is not necessarily clear about what attitude it should be taking in relation to gaming machines. I know that the Leader of the Liberal Party has a much more laissez faire view about gaming machine numbers than I do.

**Dr Watson:** That's not true. You and I have the same view.

**Mr HAMILL:** The member has a greater faith in market forces than I have.

**Dr Watson:** That I have.

**Mr HAMILL:** There he goes, by the member's own admission.

There are other honourable members who perhaps would like to have a much more regulated environment than I think is appropriate or feasible. This Bill seeks to strike an appropriate balance and to empower that independent commission to make decisions about applications, but listening to the community. I think that is the important point.

I also want to recognise the role of those commissioners. During the life of the legislation, there has been a succession of commissioners. Those commissioners have done a fine job. I particularly want to pay tribute to the work of the current commission, which has sought to embrace the new policy directions that the Government has sought in democratising the whole issue of machine gaming and the licensing. I believe that the commission has done a very fine job in seeking to reflect community concerns in the way in which they approach their task.

We have here legislation that puts in place a rigorous framework, one of which Queensland can be proud. I think that it is worth while noting that in the run-up to the recent Council of Australian Governments meeting in Canberra the Prime Minister proffered some various views about the need to strengthen player protection and community concerns in relation to gaming. I looked through the check list of the things that the Prime Minister was interested in canvassing and I am very pleased to be able

to tell the House that Queensland was not simply up there doing all of those things; in fact, it has done those things. We are leading the way in having a very responsible approach to gaming.

In that context, I just want to close with this point: as I said, this legislation is the result of the work that was taken up with the gaming review, giving expression to community concerns in the form of the legislation. One of the other key areas of recommendation from the gaming review was the development of codes of practice. It is not as one of the honourable members suggested that we are going to leave the gaming industry to determine what it should do and what it should not do with respect to operating gaming in Queensland. Far from it. We have a responsible gaming advisory committee, which draws among its number representatives not only from the clubs, the pubs, the casinos and the TABs but also from those organisations that work directly with those who have a problem with gambling and with the various community welfare organisations. They have come together in a very constructive and collaborative manner to put together a code of responsible practice. I am confident that the industry across-the-board will embrace that, because responsible operators recognise the importance of that work. I believe that Queensland as a whole will benefit from the advice that comes from that committee in the very near future.

I thank honourable members for their support in relation to these measures. I believe that the legislation before us strengthens what has been a very responsible and now increasingly responsible framework of regulation for gambling in Queensland.

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