tor of Land Settlement and of the number of holdings already taken in hand, many of which have been reconditioned. Those holdings will be made available to soldier settlers at a price that will be determined beforehand and will enable them to make a living, provided they are prepared to utilise the holdings in a proper manner. I need not deal with other points that have been raised during the debate. In Committee doubtless a number of other interesting and important matters will be brought forward and I shall do my best to deal with them as they arise.

Question put and passed.

Bill read a second time.

In Committee.

Hon. V. Hamersley in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—New sections:

Hon. G. B. WOOD: I suggest that the Chief Secretary report progress at this stage to give us an opportunity to put amendments on the notice paper.

The Chief Secretary: I agree.

Progress reported.

BILL—MINE WORKERS' RELIEF (WAR SERVICE) ACT AMENDMENT.

Assembly's Further Message.

Message from the Assembly received and read notifying that it had agreed to the further amendment made by the Council to its original amendment No. 1.

House adjourned at 6.15 p.m.

Legislative Assembly.

Tuesday, 23rd October, 1945.

The SPEAKER took the Chair at 4.30 p.m., and read prayers.

QUESTIONS.

INSECTICIDE.

As to Investigation of D.D.T.

Mr. OWEN asked the Minister for Agriculture:

1, Has the department carried out full investigations into the use of D.D.T. as an insecticide to control insect pests of plants and animals?

2, If so, what have been the results and what is the recommended strength of D.D.T. to use?

3, Will the result of any work done in this direction be made public, and if so when?

4, Do any of the proprietary preparations now offered for sale contain D.D.T.?

5, Have these preparations been thoroughly tested by the department, and if so, with what results?

The MINISTER replied:

1, Yes.

2, The strength of D.D.T. used in these experiments has been 1 per cent. in dust and 0.1 per cent. in solution. No injury to plants has been observed.

3, Recommendations will be made publi as soon as the work is sufficiently conclusive and after consultation with officers of the C.S.I.R. with whom the department is co-operating.

4 and 5, No proprietary preparations have been registered yet at the department as containing D.D.T. There is considerable information at the Agricultural Department that will be made available to the hon. member upon inquiry.

PULVERISED COAL.

As to Use by Railways.

Mr. ABBOTT asked the Minister for Railways:

1, Has he any information as to whether —(a) Pulverised coal is solely used by the railways of Brazil with excellent results? (b) This method of firing railway engines with Collie coal would result in increased economy and decrease bush fire risk?

2, If the answer to question 1, (a) or (b) is in the negative will he have inquiries made with a view to ascertaining whether it would be of advantage to introduce such a system in the Western Australian Government Railways?

The MINISTER replied:

1, (a) No detailed information regarding the present-day practice in Brazil is available, but a considerable amount of data regarding the successful application of pulverised coal in locomotives in Germany is on departmental files. (b) Some research work has been done at the Midland Junction Workshops but without actual trial in locomotives.

2, The inquiries will be pursued when technical staff becomes available for the purpose.

COLLIE COAL STOPPAGE.

As to Tramway Employees' Wages.

Mr. READ asked the Minister for Railways:

1, Is he aware that as a result of the coal miners in Collie ceasing work the tramway employees through no fault of their own were thrown out of employment?

2, Is he further aware as a result of an appeal to the Arbitration Court the President of the Court decided that they were entitled to payment for time lost?

3, Is he aware that the employees have not yet received payment?

4, Will he expedite the payment of wages due?

The MINISTER replied:

1, Yes.
2, Yes.
3, Yes.
4, The payment is being made next pay day, the 24th instant.

AUDITOR GENERAL'S REPORT.

As to Tabling.

Hon. W. D. JOHNSON (without notice) asked the Premier:

1, Whether he appreciates that a proper analysis of the State's revenue and expenditure is impossible without having a copy of the Public Accounts?

2, Can he state when this year's report on Public Accounts will be available to members?

The PREMIER replied: The Auditor General's report on the Public Accounts is usually available about the end of October. The 1944-45 report is in the hands of the printer and will be tabled immediately it is available. I think it possible that the report may be tabled later this week.

BILL—CONSTITUTION ACTS AMENDMENT (No. 2).

Second Reading.

Debate resumed from the 16th October.

MR. NEEDHAM (Perth) [4.34]: In supporting the second reading of this measure, I desire to refer briefly to a few of the statements that have been made during the debate, some of which are of an unusual nature. The member for Nedlands, in addressing himself to the measure, laid particular emphasis on the alleged fact that this Chamber is not democratically constituted; but he entirely ignored the actual fact that the members of another place were elected on a property qualification. The Bill before us seeks to amend the Constitution with a view to curtailing some of the powers exercised by the other Chamber. The member for Katanning also laid particular stress on the alleged fact that this Chamber was not democratically constituted, and he went on to say that the Minister did not know exactly what he wanted and that he hoped he would make up his mind whether he wanted an amendment of the Constitution to curtail the powers of another place or whether he wanted adult suffrage. I am sure the Minister will be able to answer that question and speak for himself. For my own part, I desire both reforms.

I desire that members of the other Chamber be elected on adult suffrage and I also desire that its powers should be considerably curtailed. The member for Katanning also went on to say that if adult suffrage were granted for the election of members of the second Chamber, there would be no need for the alteration of the Constitution which this measure seeks. In other words, he contended that if adult suffrage were granted for the election of members of the Legislative Council, there would be no need for anything to be done with regard to the voting for or the curtailment of the powers of the Legislative Council. I cannot agree with the hon. member in that regard. I have already said that I desire to see both reforms brought about—adult suffrage and a curtailment of the second Chamber's power. I do not think I am incompatible in that attitude. It does not follow at all, if adult suffrage is granted, that the Legislative Council should be allowed to go merrily on its way opposing or rejecting at will the legislation sent from this Chamber. Therefore, if we agree to one

reform without the other we shall still have the serious position of deadlocks to contend with. During the debate on this measure, a comparison has been made between the second Chamber in this State and the House of Lords.

I quite agree that there is a vast difference between the two legislative bodies. It is a well-known fact that the House of Lords is responsible to no-one but itself. Most members of that Chamber are there because their fathers were there before them. It might be said that membership of the House of Lords is an accident of birth. But for most of the Legislative Councils of this country a system of electoral franchise prevails. I agree that if we are successful in bringing about adult suffrage for the Legislative Council its members would have a little more right to amend, and even to reject, legislation from the popular House. I do not agree, however, that that House should be allowed continuously to block legislation. We need not go any further than the position of the Commonwealth Parliament in this regard. Both Houses of that Parliament are elected on adult franchise. The members of the Senate are elected on the same franchise as that of the members of the House of Representatives.

Provision is made in the Commonwealth Constitution for a penalty in the event of a deadlock between the Houses. If a measure from the House of Representatives is rejected twice by the Senate, the second time within a period of three months, then the Constitution provides for a double dissolution. That is the penalty clause. Although the Commonwealth Parliament has been in existence for something like 45 years there has been only one double dissolution. I happened to be a member of the Parliament concerned in that double dissolution. The penalty clause, therefore, has acted as a deterrent to the Senate as far as deadlocks between the two Houses are concerned. I do not think, however, that we should bring about a similar position in this State. If I had a choice between double dissolution, as a penalty, and the method proposed in this Bill I would accept the suggestion contained in this measure. We must remember that the Commonwealth Constitution was based largely on the American Constitution. The British legislation, which imposes a veto on the House of Lords, is of more modern conception.

This measure is founded somewhat on the lines of the House of Lords legislation so that if a Bill were rejected three times within two years by another place, it would become law. The Commonwealth Constitution contains another provision which might well be inserted in our Constitution; that is that after the double dissolution, if the deadlock still continues in connection with the same legislation, a joint meeting of both Houses shall determine the fate of that legislation. This Bill does not go that far. As has been said frequently it is modelled on the lines of the House of Lords legislation. That being so it ought to be accepted. When we realise the vast difference in the legislation enacted in the Commonwealth Parliament and that in the Parliaments of the States, it is the more ridiculous to assert that the second Chamber in this State should continue to be elected on a property qualification. The National Parliament deals with questions not only of an Australia-wide nature, but of a world-wide nature.

Since this young nation of ours received its baptism of blood in the world shambles of 1914-18 it has been brought into the councils of nations. As a result the National Parliament determines questions of world-wide importance. The men and women elected to go to that Parliament are not elected because of the property they possess—what bricks and mortar they own—but because they have reached the age of manhood or womanhood and are citizens of the Commonwealth. The day has long passed when any member of this Chamber could successfully argue that we should continue to elect the members of another Chamber on the property qualification. Because the Bill was widely discussed on a former occasion I have no more to say, but I sincerely hope it will pass this House and that another place will see fit to accept it and, in doing so, conform to the will of the people.

MR. NORTH (Claremont) [4.47]: The only question I wish to raise on this Bill is how the desire of the Government can be achieved if it really wants it to be achieved. The Bill will naturally pass this Chamber but, as I understand the Constitution today, the Upper House has the entire

right to vote as it decides—in fact as I see the question it is one concerning the Houses. I would not like to see coming from the Upper House a Bill to alter the franchise of this Chamber so that people of the age of 18, 19 or 20 would have the right to vote. I am sure that this House would throw it out. I can, therefore, quite understand the Upper House throwing out this Bill. What I, as a servant or officer of the people, want to know is whether we can give any assistance to the Government to explore the feeling of the people, and whether the Government can achieve its objective. I do not say at the moment that it has the right to do so, but one can conceive of the Government having that right if it went to the country and received a definite mandate on this one question. The point then would be as to how the Government could achieve its objective.

An elector of Claremont came to me on this question and gave me some advice, and I think it is worth tendering to the House. This elector claims that when the Secession Bill was moved and certain parties went to Westminster, London, in an attempt to achieve secession, the House of Commons referred them to the Commonwealth Government. We all know that history. But this question today, it is argued, is not on the same lines as the secession issue which affected all Australia. It is argued that this question is outside the scope of the Statute of Westminster. That is a very daring attitude to adopt because I am sure high constitutional lawyers—I have consulted one or two of them—think that the Statute of Westminster entirely prevents any interference with the State on the part of the House of Commons. My elector at Claremont claims that that is not so and that the Statute of Westminster affects only Commonwealth powers, and that any powers resident in the State that were not transferred to the Commonwealth, remain outside the scope of the Statute of Westminster and such matters are left under the control of the State.

Hon. P. Collier: Is your Claremont elector Mr. "Alphabetical" Brinkley?

Mr. NORTH: No.

Hon. P. Collier: He generally quotes the Statute of Westminster.

Mr. NORTH: He is not the man I have in mind. An interesting point arises. Assuming a claim was advanced in this State, what could be done? Say we held a parliamentary election on this one issue and the Government really wanted to make this change! The suggestion would be that it would organise a petition and send it to the House of Commons seeking an alteration in the Constitution in one respect or another.

Mr. Fox: We may be able to do that, too!

Mr. NORTH: The position with us is not the same as in the Federal sphere. Under the Commonwealth law there can be a double dissolution and an election is held. Subsequent to the result being known, there is a conference between members of both Houses. This is the way I look at this question: What is the good of this House being asked to pass this measure when we know that we, as the Legislative Assembly, would not agree to any alteration regarding our franchise if it were proposed by the Legislative Council?

Hon. J. C. Willcock: If the suggestion were reasonable, we might agree to it.

Mr. NORTH: I do not think any member of this House would agree to a suggestion that might be recommended by the Upper House fixing the age of electors who would have the right to vote for representatives in this Chamber at 18 years or, to go to the other extreme, 25 years. I believe members of this Chamber would say that members of another place were interfering with our rights, and we would stand on those rights. On the other hand, if it were true that practically the whole of the people of Western Australia, by a vast majority at an election held on this issue, had approved of this change or some similar alteration, then it would be up to this House to consider how effect could be given to the expressed wish of the people—not merely to pass a Bill that really affects a domestic issue as between one branch of the Legislature and another.

The Minister for Justice: Would you suggest a referendum?

Mr. NORTH: No. Any such proposal would necessitate the assent of the Upper House, and I do not think it would approve. On the other hand, I believe that if action were taken to get up the petition I have referred to our procedure would be constitutional. Of course, I realise it would be rather difficult and would take a long time to deal with; but, if the Statute of Westminster permits of the course I have indicated, I think that would furnish a technical

way of achieving the object of the Government. In the first place, I claim there should be a proper mandate from the people arrived at as the result of a special election dealing with this one issue. That course is necessary because the Constitution does not provide for the holding of a referendum.

Hon. W. D. Johnson: Are you in favour of the Bill or are you opposed to it?

Mr. NORTH: I am in favour of the people's wishes.

Hon. W. D. Johnson: We are interested in the Bill at the moment.

Mr. NORTH: To me the Bill is merely similar to a letter, politely compiled and well-worded by the Premier and addressed to Sir John Kirwan as President of the Legislative Council, asking the Upper House to agree to this measure. In my opinion that House will say "No." If we could secure evidence of the desire of the people in the manner I have suggested, we could then go to London with a largely signed petition and endeavour to secure some measure of relief from the House of Commons, which course is said by some lawyers to be quite possible, despite the Statute of Westminster.

MR. ABBOTT (North Perth) [4.55]: The main objection that has been raised by the Government with regard to the Legislative Council as it stands today is, as I understand the position, that a property qualification is required before an individual can have the right to exercise the franchise for that House.

Mr. J. Hegney: And it is not representative of the people.

Mr. ABBOTT: I do not know to what people the hon. member refers.

Mr. Fox: A lot of soldiers, for instance.

Mr. ABBOTT: That may apply to some soldiers, but the Legislative Council does represent a great many soldiers.

Mr. Fox: No, very few.

Mr. SPEAKER: Order!

Mr. ABBOTT: Let us analyse the position and not make vague statements. Let us ascertain actually who are represented in the Upper House. I say that a very desirable minority in the community has been given some representation by means of the Upper House—and it is the only representation that it has. I claim those people are entitled to have some say in the affairs of Western Australia. First of all, I suggest that such individuals represent the most responsible section of the community, people who have responsibilities to bear. They are the heads of households, the fathers who have to bring up their families and pay their way.

Mr. Fox: What about the mothers?

Mr. ABBOTT: I suggest that every father in this State should be entitled to that representation because he has only to pay 7s. a week in rent. Surely there is no house in Western Australia for which that small rent at least is not being paid.

Mr. Triat: There are hundreds of such houses in the South-West.

Mr. Withers: Of course, there are hundreds. The member for North Perth does not know his business!

Mr. Mann: You have got them talking! Fire away!

Mr. ABBOTT: If heads of households in that part of the State or elsewhere are paying less than 7s. a week for their houses, I should say that the premises should be condemned immediately—either that or the people are paying a very much lower rental than it was anticipated would be paid. That is clear.

The Premier: Because you say so!

Mr. ABBOTT: That is my view.

Mr. Fox: There are a lot of such premises on mining leases.

Mr. ABBOTT: Surely people should be expected to pay at least 7s. 6d. a week in rent. That is one section of the community, and the main section that is represented by the Upper House. There are others who have a small stake in the country. They own blocks worth at least £50.

Mr. Fox: That is their stake in the country.

Mr. ABBOTT: The possession of a block valued at that figure will give a man a say in the affairs of this country through his representation in the Legislative Council. What young man does not wish to buy his own home and accept the responsibilities that are entailed in the family life that he desires to enjoy? Should we not be sympathetic towards such young men, and give them some comfort, some help, and some say in the government of this great country?

Mr. Graham: That is very democratic.

Mr. ABBOTT: They should have it. If they require any help from me, they will get it.

Hon. W. D. Johnson: You would give them a vote?

Mr. ABBOTT: Yes.

Mr. Fox: But you would not give their wives a vote?

Mr. ABBOTT: I would not give a wife a vote equal to that of her husband seeing that the latter has to accept the responsibilities. He supplies the money—and that takes a bit of doing, as I know. Then again if the husband is in possession of a leasehold estate, involving the expenditure of £17 a year or 7s. a week, he is entitled to a vote for the Upper House. Let us analyse the position in Perth; I take the city because it enables me to get together a few figures. In the city of Perth there are 29,000 ratepayers, 16,000 houses and about 2,000 shops. By far the greater proportion of those houses consists of four rooms and a kitchen. The head of the family bears the responsibility and is entitled to a vote.

Hon. W. D. Johnson: Suppose he has a lodger or two, what happens then?

Mr. ABBOTT: I do not think the lodger has responsibility equal to that of the man who pays the rent. The people I have referred to have a right to direct representation because they form a distinct minority. I do not want my son, who is 21 years of age, to have the same authority as I have, and I do not think he would be capable of performing the same service for his country.

Mr. J. Hegney: He might be a better man than ever you were.

Mr. ABBOTT: In time perhaps, and that time might be rapidly approaching, but not yet. At present I shoulder a good many responsibilities for him, just as other fathers do for their sons. A little direct representation——

Mr. Rodoreda: Extra representation.

Mr. ABBOTT: Extra representation or direct representation—

Hon. W. D. Johnson: Or privileged representation.

Mr. SPEAKER: Order!

Mr. ABBOTT: It is not a privilege to bear a responsibility, and it is the class of people who bear a responsibility that I am speaking for now. People talk about the Council's being a property House, but it is not a property House. It is a House that gives a vote to people who have a responsibility to the community. When we consider how far that takes this particular class of voter, we must admit that it is not far. The Council does not have any say at all in the administration. How often have I heard members say that only the party leaders have any say in the Government of the country? The Council has no say in the administration of the State, and that is one of the major features of government. Further, the Council may not amend a money Bill; this House alone determines how money may be expended.

I cannot see that a Bill designed to deprive the Upper House of any effective authority whatsoever can be justified. I hope that members on the Government side will refrain from indulging in this monotonous, unjustifiable parrot-cry about a property vote. If they will admit that it is a vote for people who bear responsibility, I will agree with them. If members on the Government side would say they consider this does not warrant such people having any representation, it would be a fair and square way of facing the position, but when they talk about a property vote I have no regard for their opinion, because it does not truly represent the position. I intend to oppose the second reading of the Bill, mainly for the reason that I want to see a family man have some representation and some say in the government of this State.

MR. HOLMAN (Forrest) [5.5]: I have listened with considerable amazement to the remarks of the member for North Perth, and my only regret is that he is not in my electorate. If he were, it would be found that he was one who would be depriving the timber workers of any vestige of responsibility. The hon. member stated that every responsible father should be given representation.

Mr. Cross: And the soldier, too.

Mr. HOLMAN: I do not know whether the hon. member intended to imply that the fathers in the timber industry are not responsible.

Mr. Abbott: Do not they live in houses?

Mr. HOLMAN: Certainly they do, but because of the nature of the calling in which they are engaged, they do not pay a suffi-

cient amount of rent to enable them to qualify for a vote for another place.

Mr. Perkins: They have to pay rent.

Mr. HOLMAN: At only one place in the timber industry does the amount of rent paid by the timber workers exceed the amount necessary to qualify for a vote for the Legislative Council.

Mr. Abbott: They should have better houses.

Mr. HOLMAN: I quite agree, but the people whom the hon. member says are responsible persons have denied them better houses. My voice has been heard on many occasions in this House asking that the timber workers should be granted better housing conditions. Only recently the people of the employing class—or the responsible class, as we are now told they are—have seen the light and at one centre are granting decent housing conditions. But that is not the point. Some of the timber mills were built many years ago. Owing to the nature of the calling, the workers are not permitted to buy their homes; they rent them for a fairly reasonable amount. This is a point that should be taken into consideration because of the isolation and the lack of amenities these workers have to suffer.

Mrs. Cardell-Oliver: How many men would there be all told?

Mr. HOLMAN: There are approximately 2,500 men engaged in the timber industry and only comparatively few are paying more than the rent required to qualify for a vote for the Legislative Council. Some members of the legal fraternity questioned my statement and told me that all the men in the timber industry should be entitled to a vote, not because they were paying a certain amount of rent, but because the houses which they were occupying would be more valuable in some other parts of the State.

Mr. Abbott: I agree with that.

Mr. HOLMAN: I would not take the hon. member's advice. My statement having been questioned, I sought the advice of a responsible official, namely the Chief Electoral Officer, who stated—

> The householder qualification for the Legislative Council is as set out in the Constitution Acts Amendment Act, 1899, viz. householder within the province occupying any dwelling house of the clear annual value of £17 sterling.
>
> "Clear annual value" means the net rent the house would bring in to the owner after deducting the necessary outgoings, e.g. rates and taxes.
>
> Rental of 6s. per week would be £15 12s. per annum and would not qualify for the householder qualification.

This convinces me that we receive more bad advice from these particular people on the Opposition benches than is good for us. I will not have it said that the men in the timber industry are not responsible fathers.

Mr. Abbott: That was never suggested. I would give every householder a vote irrespective of whether he lived in the timber areas or not.

Mr. HOLMAN: The hon. member said those workers should not be there unless they were paying 7s. a week rent.

Mr. Abbott: I did not.

Mr. HOLMAN: That is what I noted at the time; it will be found in "Hansard". The hon. member said that every responsible father should be allowed representation. If the hon. member really meant that, he should agree that the timber worker, regardless of the amount of rent he pays, should have a vote for the Legislative Council.

Mr. Abbott: I do agree.

Mr. HOLMAN: I was surprised to hear the statement that the hon. member would not give the wife a vote equal to that of her husband because the man had to find the money. When that view can be taken, we are reaching a very low level of democracy. If that is what the hon. member thinks of the womenfolk, it is a very low level indeed. The responsibility of the women, in the main, is greater than that of the men because they give us the children and, if we are going to claim a property qualification as against the children, we have reached a very low level indeed. Until the existing legislation is amended, democracy in this State cannot hope to make any progress. I remain to be persuaded that the person who, by virtue of his calling, is able to buy a property or pay sufficient rent in order to qualify for a vote is any better than a man who is working hard in industry and producing the real wealth of the country but who, because of his calling, is not permitted to pay the requisite rent to qualify for a vote. Until this anomaly is rectified, the Government cannot be accused of indulging

in anything of the nature of a parrot-cry. The unfortunate fact is that the Constitution was framed by men who could not see what was ahead.

Mr. Mann: They had wisdom in those days.

Mr. HOLMAN: They had, insofar as they provided that nobody could alter the Constitution except those directly concerned. This is not in accordance with democracy as it is understood throughout the world. I hope that this House at least will give the measure its blessing; I would like to see an absolute majority in favour of it. I have very grave doubts as to what the gentlemen in the other Chamber will have to say about it. Like the member for North Perth, I feel sure they will not give it their blessing. I am glad he knows them, the same as I do. I would like to see some method whereby we could change the Constitution so far as that House is concerned, and I hope that may be brought about in the very near future. I would like the people of this State to say in no uncertain terms what they think. Having gone through my own electorate, I know what the people there think about the matter. They are not treated as honourable gentlemen, because they do not pay sufficient rent, but as irresponsible people who are not allowed to have a vote for the Upper Chamber. The whole thing is wrong, and for that reason I hope we shall find some other means of altering the position and giving those people the honour they deserve; for they are honourable folk—honourable fathers and mothers.

MR. GRAHAM (East Perth) [5.16]: I am not in the least surprised at the attitude of those who sit opposite in this House. I feel that the members of the several parties and fragments comprising those who sit on the Opposition benches are merely fulfilling the mission for which they were elected and financed; that is, to preserve the rights of vested interests. They would probably have to answer for it if they did not adopt the attitude they are adopting with respect to this measure. I feel that the members of the Opposition are occupying the position they hold in this House, and which they have held for 18 out of the past 21½ years, owing to the fact that they are so definitely out of touch with the wishes and aspirations of the people.

Mr. Abbott: What about your pocket burroughs?

Mr. GRAHAM: We can get down to that question presently. I am making a statement of fact: That the Opposition is unacceptable to the people of Western Australia, which is due largely to its attitude generally, but particularly as displayed with regard to this Bill and similar measures in which attempts have been made to give effect to the spirit of democracy. About democracy there has been much lip-service. When the testing time comes, as in a case such as this, we find that, so far as the Opposition is concerned, its adherence to democracy consists in nothing but lip-service. I am not so foolish as to endeavour for one moment to deceive myself that the members of the Legislative Council will do anything but reject the measure; but we have a responsibility to do everything in our power to give democracy free rein in Western Australia. If, as appears exceedingly likely, the Government is unable to meet with success in the other Chamber, I hope an opportunity will be given to the people to determine the matter.

Here again, of course, we are faced with the peculiar position that before the people of Western Australia can be consulted, a Bill to that end has to receive the sanction of those who throughout the years have frustrated the people of Western Australia. If such opportunity were given to the electors of Western Australia, I am confident that members of the Opposition, who are apparently unable to appreciate the fact at the moment, would have demonstrated to them in no uncertain manner the will of the people on this issue. I am reminded that in the past few days there has been an election—the first for many years—in France. If members care to study the figures, they will see that the result with regard to one particular matter is that the people of France have decided by 25 to one in favour of no second Chamber—a Chamber which, anywhere in the world, if it be on a franchise other than that broadly and wholly representing the people, can do nothing else but frustrate the wishes of the people as expressed in the popular Chamber. Of course, that is the position exactly as it obtains in Western Australia. I venture to say that there has not been an argument against the Bill presented by any member who has so far spoken from the Opposition benches.

There have been excuses from members who seek to justify in the eyes of certain interests they represent the point of view they are taking and, I assume, will take when the Bill goes to the vote on the floor of the House. But there is no justice, no merit, no moral argument, and no semblance of reason whatsoever behind statements made from the Opposition benches. There have been endeavours to lead us and the public generally—if I may use a common term—up the garden path. It is suggested by the member for North Perth that he has more balance, more wisdom, and a greater right to authority than, for example, has his son. Assuming his son is over the age of 21, all that the member for North Perth requires to do is to purchase a small block of land costing a very few pounds in the name of his son and then—hey presto!—his son is suddenly endowed with all the virtues entitling him to vote for the Legislative Council! The position is too ridiculous for words.

I have made the statement on quite a number of occasions that so far as the property Chamber is concerned—that is, the Legislative Council—human beings, as such, do not record votes. There are blocks of land; there are properties. Persons may own or rent those properties, but in the final analysis it is the properties that have the virtue that entitles them to a vote and the persons who for the time being either own or occupy them are merely the instruments or the media for recording such votes.

Mr. Abbott: Very desirable classes, you will admit.

Mr. GRAHAM: If it is suggested in a democratic State that it is desirable that plots of soil should be a consideration, whereas human beings should not, I have yet to learn the meaning of true democracy. But what I have stated is perfectly true and valid because, if I own a block of land, I am the medium for recording a vote. If I sell it, I immediately lose the right to record a vote, and somebody else is suddenly enhanced in the eyes of the law, and that somebody else becomes entitled to register a vote for the Legislative Council.

Mr. Perkins: How does that line up with the distribution of seats in this Chamber?

Mr. GRAHAM: As I said earlier, perhaps I can have a word to say with regard to that before I conclude. Great play has been made with regard to the fact that those who record votes at the present time have, if I may borrow a term from last session, "their feet in the soil." They have a particular virtue and responsibility on account of the property which is in their name or which they happen to be renting. Because of that fact, such persons are entitled to considerations over and above those to which ordinary members of the community are entitled.

Mr. Abbott: The Kalgoorlie people have a greater value.

Mr. GRAHAM: As has been pointed out by members in the course of their addresses, and in quite a number of instances when interjections have been made, very many persons on the Goldfields have no vote whatsoever. They are fathers; they are the heads of households; yet they have no vote at all.

Mr. Leahy: Plenty of them.

Mr. GRAHAM: Yes; and, of course, the number could quite easily be assessed by contrasting the state of the two rolls. Before the interjections, I was endeavouring to suggest that if there were any merit whatsoever in arguments that have been adduced by certain members of the Opposition—and I deny there is any merit—that because persons have a holding or because they rent a property therefore they are more responsible, and more entitled to consideration than ordinary people in the State, there might be some valid argument if there were a controlling influence so far as property only is concerned. I deny there is any virtue whatever in that suggestion. Members of the Legislative Council, as every member of this House, including the Opposition, is aware, have an overall control over every measure introduced into this Parliament. They may say yea or nay, or so modify or alter a certain Bill that it bears very little resemblance to the original and in any case defeats entirely the purpose of the responsible Government initiating that legislation.

Surely the word "Government" itself means and implies exactly what it says: that it is the instrument responsible for governing; and to suggest that there should be an autocratic body elected by properties, with the power of veto in respect of practically every legislative enactment, is a perfect contradiction of everything that government and democracy stand for. As a young member of this House, I have been amazed that the Government, which represents the people and nothing else—and I am referring

now to the present occupants of the Treasury benches—has not consistently every year brought down Bills for the purpose of one way or another endeavouring to do something so that a state of affairs whereby the will of the people can so consistently be thwarted could be overcome. I am exceedingly happy that during my short period in this Parliament genuine endeavours have been made in this direction and I trust the Government will persevere with regard to the matter. It has been suggested, with a certain amount of merit in this respect, that this House of the State Parliament is not as broadly democratic as it might be.

I do not think anybody has suggested that the electorates for the Legislative Assembly are all that is desirable. There are many anomalies and every member is aware of the extremes that exist, where one electorate has approximately 15,000 voters, while another has only a few hundred. No-one could pretend to justify the continuance of that state of affairs. There are several factors—I do not submit this by way of excuse—that members of the Opposition have conveniently overlooked. One such factor is that this tremendous disparity has occurred particularly within recent years, largely owing to the influx of population to the metropolitan area through war circumstances. With such a state of turmoil, when so many of our people were moved from areas where they ordinarily lived, and when so many hundreds, if not thousands, of soldiers' wives and dependants flocked to the metropolitan area, I think it will be agreed that the war period was not an opportune time to give consideration to a redistribution of seats Bill.

Members of the Opposition are aware that the purpose of this Bill is to amend the Constitution in certain respects, but to achieve what was spoken of by the member for Nedlands would require a Bill of a totally different nature; that is an amendment to the Electoral Districts Act. We are considering a different measure, so let us deal with the merits of the Bill before us. Surely it will not be suggested that because a particular anomaly exists, for instance at Albany, we should not deal with a problem existing at Wagin. If a problem requires attention let us deal with it on its merits, without seeking to bring in these red herrings concerning weaknesses or faults in other directions. Members are aware that that is the case, and that separate consideration can be given to a redistribution of seats for the State Parliament. I assume that the present Government or any succeeding Government will, in due course, when the population of Western Australia has become stable again, probably give consideration to the matter and bring down a Bill to effect a more equitable distribution of seats than exists at the moment. I am reminded by the member for Perth that it was a Labour Government that made the last redistribution, which of course was passed by the Legislative Council.

Hon. P. Collier: And we cut out three of our own seats.

Mr. GRAHAM: Though members can point to extremes that exist regarding population and electorates in different parts of the State, the argument that has been adduced over the years, not only regarding the Western Australian Parliament, but also the Commonwealth Parliament, is that consideration should be given to the vastness of areas and the remoteness of populations. It is now upwards of 15 years since there was a redistribution and I think the time has come when further consideration should be given to such a measure. I have devoted considerable time to discussing this angle, in the hope that I could demonstrate to the House that members of the Opposition are merely clutching this point because it sounds well in debate, and not because it has an ounce of merit, seeing that we are discussing a proposed amendment of the Constitution of Western Australia. The two matters are entirely separate and distinct, and that suggests the barrenness of the case that the Opposition is able to submit, when it becomes necessary to embark on such fishing expeditions.

If any member pretends to believe in democracy, which is the right of the people to express themselves through their elected representatives, his duty is surely clear. It could not be justified before any analytical audience that blocks of land or piles of bricks should have the final say or right of veto against the legislative programme introduced by representatives in a popularly elected Chamber. It is my earnest desire that members of the Opposition should endeavour to instil some of the prime principles of democracy into their colleagues who happen, at the moment, to occupy seats in the Legislative Council.

Mr. Mann: The member for East Perth did not give much encouragement in his speech.

On motion by Mr. Wilson, debate adjourned.

BILL—MINE WORKERS' RELIEF (WAR SERVICE) ACT AMENDMENT.

Council's Message.

Message from the Council notifying that it had agreed to the amendment made by the Assembly to the Council's amendment No. 1, subject to a further amendment, now considered.

In Committee.

Mr. Rodoreda in the Chair; the Minister for Mines in charge of the Bill.

The CHAIRMAN: The amendment from another place deals with amendment No. 1. The amendment made by the Council, to which the Assembly had agreed, subject to a further amendment, was as follows:—

> Clause 5, paragraph (c) of proposed new Section 4, page 3:—Delete the words "the Laboratory" in line 13, and substitute the words "a tribunal consisting of two physicians, one of whom shall be the senior medical officer of the Laboratory and one radiologist."

The further amendment made by the Assembly to the Council's amendment was as follows:—

> Insert after the word "one" in the last line the word "a".

The amendment made by the Council to the Assembly's further amendment to the Council's amendment was as follows:—

> Delete all the words after the word "Insert" and substitute the words "'three persons, namely: a medical officer of the Kalgoorlie Laboratory, a medical practitioner engaged in active practice in the treatment of tuberculosis, and a specialist radiologist' in lieu of the words 'two physicians, one of whom shall be the senior medical officer of the Laboratory and one radiologist'".

The MINISTER FOR MINES: The amendment is somewhat difficult to follow, because of the peculiar way in which it is put up. The Council has evidently changed its mind regarding this matter for the second time. I have no strong objection to its proposal on this occasion, but I would remind those members who represent the Goldfields that what is suggested will be particularly inconvenient for any mine worker seeking re-employment, and found to be suffering from tuberculosis. The amendment would not be of any great disadvantage as applied to Kalgoorlie, but when considering more distant and remote goldfields the amendment is shown to be inconvenient, and it will be fairly expensive to the Mine Workers' Relief Fund Board. However, I do not anticipate that there will be many victims, if any, and I am hopeful there will be none. In spite of any disadvantage to a particular victim there is a great deal of merit in the proposed amendment.

If members will watch the notice paper, and leave the Bill alone, they will probably see what the Legislative Council has done. In the first place they sent down an amendment for the concurrence of the Legislative Assembly, to delete the words "the Laboratory" in line 13, paragraph (e), of proposed new Section 4, and to substitute the words "a tribunal consisting of two physicians, one of whom shall be the senior medical officer of the Laboratory and one radiologist." When that amendment reached this Chamber I agreed to it and the member for Nedlands then moved to insert the word "a" in front of the word "radiologist" in the last line. The amendment was then returned to the Legislative Council as amended by this Chamber. When the amendment of the Legislative Council, as amended by the Legislative Assembly, reached the Council, it seemingly had had time to consider the position, and a member moved a further amendment to delete all the words after the word "insert" and substitute in lieu thereof the words "'three persons, namely: a medical officer of the Kalgoorlie Laboratory, a medical practitioner engaged in active practice in the treatment of tuberculosis, and a specialist radiologist' in lieu of the words 'two physicians, one of whom shall be the senior medical officer of the laboratory and one radiologist'". Paragraph (e) of Clause 5 contains the following words:—

> his condition is the natural progression of the disease contracted as a result of his employment as a mine worker in the mining industry of Western Australia.

All this means that if a person seeks readmission to the industry after being absent as an internee or worker, and having been employed in some industry outside the goldmining industry such as a munitions fac-

tory or other similar undertaking, and is found to be suffering from tuberculosis, in order to decide whether he contracted the disease in the industry prior to leaving it, or prior to being called out of it or put out of it, or whether he contracted it during his absence from the industry, if the Council's amendment is agreed to the following tribunal will have to be set up to decide the point:—

Three persons, namely: a medical officer of the Kalgoorlie Laboratory, a medical practitioner engaged in active practice in the treatment of tuberculosis, and a specialist radiologist.

The last named person will be the third member of the board. I hope goldfields members understand the position. The Laboratory will have on the tribunal only one representative. Practically the only specialist in tuberculosis in the State is the doctor at the Wooroloo Sanatorium. A specialist radiologist is a person whose skill I cannot define unless it is that he must be a person who practises radiology only. There are several of these.

Mr. Doney: I should say that would be the obvious interpretation.

The MINISTER FOR MINES: So that this particular tribunal may be got together the doctor from Wooroloo would either have to visit Kalgoorlie or a representative from the Laboratory would have to come to Perth. The mine worker to be examined may have to come from the Comet mine in Nullagine, Meekatharra, Laverton, or any other isolated part of the State. Apart from the inconvenience he would be put to the Mine Workers' Relief Fund would have to pay all costs. There is some merit in the amendment in that, I think, a skilled tribunal of this character would be in a better position to decide whether the individual contracted tuberculosis prior to leaving the industry or during his absence from it. Doctors who are not experts in tuberculosis might contend that he contracted it outside the industry and thus deny him compensation or the right to return to the industry. Notwithstanding the objectionable features of the amendment, I move—

That the amendment be agreed to.

Hon. N. KEENAN: I only intervene in the discussion because I had the misfortune to be the mover of the amendment which went to another place, and which it regarded as an endeavour on the part of this Chamber to teach it the proper use of English, and resented it accordingly. When the amendment came down in the first place it looked as if it meant two physicians, one of whom shall be a radiologist. I have no intention of posing as a schoolmaster or lecturing on the proper use of English, but suggested that the insertion of the word "a" might make the amendment more sensible. That was the cause of the whole trouble. What was meant was not "two, one of whom shall be a physician and one a radiologist," but "two physicians and a radiologist." I accept the statement of the Minister that the amendment is not unacceptable.

The MINISTER FOR MINES: I want to be fair to another place. It has certainly made the provision in the Bill more severe and difficult than was set out in the first place. Apparently another place wanted only two physicians, one of whom should be a radiologist.

Hon. N. Keenan: No, another place did not express the amendment properly.

The MINISTER FOR MINES: According to the debate, the particular reason for altering the amendment as it left this Chamber was that the doctors at the Kalgoorlie Laboratory specialise in a state of lung known as the silicotic state, and not in tuberculosis. That is true to a large extent. Another place decided that as this Bill deals only with those individuals who may be suffering from simple tuberculosis it was necessary to be absolutely certain that the victim contracting the disease should come before men who have a special knowledge of tuberculosis. That was made clear in the second amendment. I do not want anyone to find that on application for re-admission to the industry he is brought before a tribunal which may decide that he contracted tuberculosis while out of the industry, whereas if the tribunal had consisted of specialists in the disease another decision might have been arrived at.

Question put and passed: the Council's amendment on the Assembly's amendment agreed to.

Resolution reported, the report adopted and a message accordingly returned to the Council.

BILL—MEDICAL ACT AMENDMENT.

Second Reading.

Debate resumed from the 16th October.

MR. SHEARN (Maylands) [5.55]: This is probably one of the most important Bills which has been introduced since I became a member of this House. It concerns the well-being and health of the community. The parent Act was passed in 1894, and has not been materially amended since. I cannot help finding myself in accord with some of the observations of members concerning the Act itself. As I have just said it has not been materially amended since it became law, and having regard to the great advances that have been made in science and in other ways in connection with the medical and kindred professions, I should have thought the opportunity would have been taken to deal with the whole question in a comprehensive way. I assume that the Minister brought this Bill down at the instigation of either the British Medical Association or some equally important body. I have stressed the necessity for this matter to be dealt with comprehensively.

I am not going to argue the merits or demerits of the position because I am only a layman but would point out that there are practising in this State and elsewhere in Australia persons who claim to have certain curative practices. There are dietitians already recognised in our own State hospitals and in other parts of the world. We have chiropractors and others who claim that they hold diplomas and are in fact entitled to recognition. There may be others about whose capacity to heal there is great reason for doubt. Here is the opportunity to deal with such people, and not only to protect the public against possible fraud but perhaps also to give those others I speak of, dietitians, chiropractors and others who are qualified, proper recognition of their qualifications. The Minister may say that that sort of thing should be made the subject of another measure. If that is his point of view I say it is a pity he did not bring down a separate Bill following this one in order to make provision for the people of whom I speak.

As a layman, I am not prepared to argue whether there is any valid reason why some such provision could not have been inserted in the Bill to deal with that aspect. One member pointed out that the Bill does not provide in any way for an overhaul of the conditions that now prevail, to the detriment of many of the workers in our State, relating to doctors' fees. My personal experience is that members of the medical profession, in the main, treat their patients in an exceptionally liberal manner. I could name a number of practitioners whom I know who have acted generously towards their patients and have even—and this may surprise some members—given receipts for their accounts without receiving payment. Nevertheless, I think some consideration should be given to the question of fees charged by medical practitioners, particularly specialists. The Bill makes reference to specialists, but, in my opinion, the whole question is dealt with vaguely. Every member of this Chamber must consider this Bill from the point of view of a layman; and, therefore, we are entitled to have explained to us exactly what the Bill means, because this Chamber is responsible for the good or ill of the Bill, if it is assented to.

In my opinion, after the Bill had been introduced by the Minister, and the second reading passed, it should have been referred to a Select Committee, which could secure evidence on the many aspects with which the measure deals that are of a technical as well as an ethical nature. The committee could have secured information of a reliable kind from medical men and other persons qualified to give it. We were not given that opportunity, however, and so of necessity we are dealing with a highly technical Bill upon which we are entitled, as laymen, to greater elucidation. It would have been in the interests of the Minister, the Government and this House, and still more in the interests of the State, to refer the Bill to a Select Committee. The parent Act has been in force for 50 years, and surely there is not now any great urgency to pass this amending Bill; we admit that the parent Act requires an overhaul, but we should be entitled to receive the fullest possible information in dealing with this measure. I am aware that I am not allowed, on the second reading debate, to refer to the clauses of the Bill; but there is a provision in it of great importance.

The Bill provides that except in a case of extreme urgency, a medical practitioner shall not, in connection with a major opera-

tion and where another medical practitioner is in practice and present within five miles of the place of operation, himself administer an anaesthetic. That provision seems to me to be somewhat involved and I would like the Minister when replying, to state the reasons for it. People have died, not from the effects of a major operation, but because of a condition brought about by the use of an anaesthetic. I would like the Minister to explain what constitutes a major operation. The members of the medical profession, like the members of other professions, are in the main men with a full sense of responsibility; but it seems to me that this particular provision of the Bill might, in the hands of some person not seized with a sense of responsibility, prove to be very dangerous. Who is to decide what constitues a major operation? In my opinion, the provision would be easy to understand if, instead of using the word "anaesthetic" we substituted the words "general anaesthetic." We all know what this expression means; the other expression seems to me to be too involved.

With regard to the medical board, some members have advocated that more than one layman should be appointed to it. I have given that point much consideration. Whilst I would readily agree with the democratic outlook, I suggest to those members that we are dealing now almost entirely with a professional matter. The reason for appointing a layman to the board is that he should be, as it were, a scrutineer for the public. That I think is highly desirable, but if the board consists of three or four laymen, in addition to the medical men, then we would have the spectacle of members of the medical profession having to admonish other members of the profession in the presence of three or four laymembers of the board, which is something they may not care to do. This would place the board and the practitioner in an invidious position. It may result in stifling desirable discussion and in the absence of very necessary admonitions. I am satisfied that we should have one layman on the board, but not three or four. I would agree to a board constituted of six members of the medical profession and one layman; such a board would, I am convinced, satisfactorily discharge the responsibilities which from time to time may be placed on its shoulders.

I also hope the Minister will, in his reply, explain the relationship of those people to whom reference has been made and who are connected in a kindred way with the medical profession. What is meant by "specialist"? The Bill might well have explained the term. With those reservations, I support the Bill. It is a move in the right direction and I am only sorry that the Minister did not allow himself more time, when introducing the measure, to explain its provisions in greater detail.

THE MINISTER FOR HEALTH (Hon. E. Nulsen—Kanowna—in reply) [6.10]: I have listened carefully to the various comments on the Bill and will be as brief as I can in reply. I think members are quite justified in the arguments they have put forward. Some members, including the member for West Perth, desire to know whether the medical board has been consulted upon this measure. The board has been consulted and it suggested most of the provisions contained in the Bill. Members must bear in mind that a Bill similar to this one was introduced in 1942. We have accepted all the amendments suggested, for the reason that we are desirous of securing the passage of the Bill.

Mr. Doney: Was there any one person qualified to check up on what the members of the board suggested?

The MINISTER FOR HEALTH: I doubt whether we could get anyone qualified to check up on what the medical practitioners suggested. It has been said by members that this is a highly technical Bill.

Mr. Doney: I merely want to point out that apparently we are wholly in the hands of the medical practitioners.

The MINISTER FOR HEALTH: That is so. We have consulted all the medical Acts in force elsewhere in Australia and have selected the best of their provisions for insertion in this measure. Another weakness indicated by the member for West Perth and by other members, including the member for East Perth, was that the medical board could take only disciplinary action when it received a complaint. That is so. The board thus becomes the complainant and it should not subsequently sit as a judge to decide upon its own action. I cannot say how that would work out; magistrates and judges do not act as com-

plainants, but decide upon the facts placed before them. In this connection, I see no objection to the amendment placed on the notice paper by the member for West Perth, and I shall be only too pleased to accept it. Provision is also made in the Bill for the board to have authority to review charges made by practitioners.

Under the New South Wales Medical Act, provision is made for a board to review charges made by medical practitioners; the board consists of the Director of Health, the Under-Secretary of Health and a medical practitioner. That board has proved very effective, as there has been only one complaint in three years. The fact that the board is in existence has proved to be a great deterrent, and it has had a salutary effect. I do not think we can get any board at present more suitable than the board already constituted. No provision is made in the parent Act for specialists. A medical practitioner is his own judge as to whether or not he is a specialist. A medical practitioner has been known to absent himself from Perth for two or three months and, on his return, to put up his plate and commence practice as a specialist. Most of the practitioners who are specialising have done special work and qualified themselves by additional study. From what I can learn, however, our Western Australian specialists compare rather favourably with specialists in other parts of Australia. Under the Queensland Act provision is made for specialists.

Sitting suspended from 6.15 to 7.30 p.m.

The MINISTER FOR HEALTH: No qualification is provided at present, but the Bill makes some provisions in that regard. Those provisions are copied from the Queensland Act. The Medical Board endorses them; and if members will read the Bill, they will see where they are provided. I believe that there are similar provisions in other States, in New Zealand, and in England. The member for Victoria Park queried the constitution of the board. He wants four medical practitioners and three laymen. He quoted the English system. I take it he was referring not to the board, but to the General Medical Council of England. He mentioned that there are 20 members on that council of whom only three are doctors, one is a dentist and the rest are laymen. I have made inquiries and had the English Act consulted. I find that dentists are registered as well as medical practitioners. Some members of the council are nominated by the Government, some by the university, some by the British Medical Association, some by the Medical College, and others by the Medical Society. The council consists of 42 members, of whom 38 are doctors, three are dentists and one is a layman. It seems, therefore, that the hon. member's information was slightly incorrect.

I also made it my business to find out the constitution of the various boards in Australia. Queensland is the only State whose board has a layman. In South Australia, Victoria, and New South Wales, all the members of the respective boards are practitioners, and that seems to be the system in other parts of the world as well. If we were to vary that condition, the constitution of our board would be quite different from that of any into which I have had the time to inquire in the short period available to me. I consider there should be no alteration in the constitution of the board; because, if we did alter it, and it contained a number of laymen, the medical practitioners would be reluctant, perhaps, to penalise their members in the same way as they would if they could talk to them in their own language.

Mr. Doney: Who are these other boards to which you refer in the other States? Do they appoint specialists?

The MINISTER FOR HEALTH: Yes. They have similar provisions to ours. I might state that the B.M.A. here, and all the doctors that know anything about this Bill, have endorsed it. The member for Nedlands, the member for West Perth and the member for East Perth and others queried the negative permission given in this Bill to dietitians, chiropractors, etc. I have gone into that matter, and I find that nowhere in Australia are these people dealt with in a medical Act. Although we have given consideration to dietitians and chiropractors, that is not the case in the Eastern States. There is legislation in those States, but it is separate legislation.

Mr. North: Do you favour that for this State?

The MINISTER FOR HEALTH: I think that if we want to give consideration to anyone outside of the Medical Act we should do it through separate legislation. I favour

separate legislation, but there are many people to be dealt with and they are rather nebulous. We have naturopaths, osteopaths, chiropractors, and dietitians. There is no protection for them or for psychiatrists or psychologists or even for herbalists or chiropodists. I feel that a chiropodist is rather an important person. When I first came down here, I had an ingrowing toenail, and a fallen instep, and the bottoms of my feet were very sore. I went to a couple of chiropodists. They were men, and they did me more harm than good. So I went to Dr. Rowe. I said, "I have an awfully sore toe and would like you to pull the nail off." He said he did not like to do that but added, "If you go to Miss Watts in London Court, I feel sure she will adjust matters for you." I said, "I do not know; I would sooner go to a man." He replied that he did not know anyone who was really qualified, or who had had sufficient practice to enable him to do the job. So I plucked up courage and went to Miss Watts. I was there for half an hour, and she fixed me up, and I have been right ever since.

I feel, therefore, that a chiropodist is an important person. I would sooner have a sore hand—and perhaps even a sore head—than a sore foot, because I like to get around. We should bring down legislation to protect these people. They have had the practice and are qualified, and they should receive protection under a separate Act.

Mr. Doney: Do you intend bringing down separate legislation?

The MINISTER FOR HEALTH: It has not yet been considered by the Government, but I assume that it will.

Mr. North: Do you yourself favour that course?

The MINISTER FOR HEALTH: Yes. No matter what profession is concerned, it should have some standard and educational qualification. Many of these people are exploiting the position. They have no qualifications but are implying that they are on the fringe of the medical profession. That is altogether wrong. I will be pleased if anyone can explain to me what a naturopath is. If a man got into a bathing-suit and had a sun-bath, he could be classified as one of those persons—or even if he sat in the sun without any clothes at all! These people, and a number of other professions, are not protected by any legislation. Those who are competent, earnest and sincere in their endeavours to do something for humanity should be protected against exploiters. I have had experience of some exploiters, such as chiropodists. Probably many soldiers have had the same experience in the Army because I am told that the Army chiropodists are as rough as bags on the soldiers' feet.

I hope this Bill will pass. The medical profession has scrutinised it very closely and is in agreement with it. We can accept three of the amendments on the notice paper, but it would be a mistake to accept anything that seeks to alter the constitution of the Medical Practitioners' Board. I feel that when members give the Bill their earnest consideration, they will pass it without spoiling it by altering its text. The idea, in regard to the layman, is to have a legal practitioner on the board to keep it on the right track. The lay member of the board should be some person with magisterial experience, or a lawyer. An ordinary layman without legal experience would not be of any great benefit except that he could probably report to the community. Even if we had three members, the layman would still be in a minority and, unless he had legal experience, the board would not have the same efficiency. It is not to be a paid board but an honorary one to do work to help the community.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Rodoreda in the Chair; the Minister for Health in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Amendment of Section 4:

Mr. READ: I move an amendment—

> That in lines 5 to 7 of proposed new Subsection (1) the words "six shall be medical practitioners and one shall be a person who is not a person employed in the public service of the State" be struck out, and the words "four shall be medical practitioners, one a legal practitioner or magistrate and two shall be persons not employed in the public service of the State" inserted in lieu.

I am sorry about the attitude the Minister has adopted towards this amendment. What he has in view is for the benefit of the community of the State. If this amendment is agreed to, the public will have adequate protection without in any way depreciating

the standard of our medical services. This Bill will operate for the benefit and protection of the people. It seems that the Minister has in mind more the welfare of the medical fraternity than that of the people. The B.M.A. looks after the interests of its members. I do not think the protection of the population, as far as medical and surgical requirements are concerned, can be achieved by having a Bill under which a medical man who has to answer a charge of misdemeanour or carelessness goes before a tribunal composed of persons in the same profession. I am a member of the Pharmaceutical Society but, if through inebriation or any other reason I made a mistake, I would not be taken before that society; the common law which applies to everyone would apply to me.

The Minister for Health: The same thing applies to the medical practitioners.

Mr. READ: No. I would be taken before a tribunal and would be privileged to have my case heard by learned people whose occupation is that of the sifting of evidence and the directing of judgments from lifelong experience of dealing with evidence. Under the clause, any appeal would be to persons who would, in one way or another, act by giving their decision without due reference to the merits of the case. If this Bill goes through as the Minister desires the whole control will be left in the hands of medical men, and in that sense the position would be no different from that which already exists. The Minister also said provision would be made for the choosing of specialists by the board, but there is no definite instruction to that effect laid down in this measure. The board may, with the approval of the Governor, simply ask what qualifications a man has as a specialist, and may accept those qualifications. The position in South Africa resembles that in this State, where doctors often have to serve very wide areas. In the South African Act, there is provision that a person practising as a specialist in accordance with the existing rules for at least one year may be admitted as a specialist.

The CHAIRMAN: The member for Victoria Park is getting away from the amendment. We are not dealing with specialists here.

Mr. READ: This measure gives the board power to lay down rules and regulations and to say what qualifications a man must have to practise as a specialist, without reference to anyone outside the medical profession. If the public are to be represented by only one outsider that will confer too much power on the members of the medical fraternity. The Minister said this Bill was for the protection of the ordinary people, but in its present form I do not think it will achieve that object. We must remember that scientific achievement, particularly in the medical profession, has advanced, and I think we could go further than other countries have gone in the control of the profession and of specialists, whose work affects the health and lives of the community.

The MINISTER FOR HEALTH: I cannot understand the reasoning of the member for Victoria Park, because, as I explained in my reply, I know of no medical board, not even in South Africa, constituted as he has suggested. Even pharmacists are registered under their own Act, and neither nurses nor opticians have members of other professions or laymen on their boards of control. By having more laymen on the board I think we would get less efficiency. Medical men are jealous of their profession and though there were more laymen on the board they would still have control, and I think no action would be taken. In England dentists are registered, as well as medical practitioners, but there is only one layman among the 42 members of the board. I am out to help the community.

Mr. Doney: I would not follow the precedent of other States. We could break new ground.

The MINISTER FOR HEALTH: I think if there was still a majority of medical men on the board, with perhaps three or four laymen, there would not be the same efficiency. Members of the medical profession would, I think, do everything possible to see that their members maintained a reasonable standard, in order not to reduce the prestige of the profession. I cannot agree to the amendment, as I do not think it would be helpful to the community.

Mr. READ: I wish to disabuse your mind, Mr. Chairman, on the analogy between this Act and others. The Pharmaceutical Society's Act lays down that a pharmacist must do a certain number of years' work, must attend so many lectures and pass certain examinations.

The Minister for Health: So must a medical practitioner.

Mr. READ: In that Act it is laid down exactly how those concerned must operate. All that the Pharmaceutical Society does is to administer that Act, the sections of which lay down how members must act. Under the measure now before us there is nothing laid down in that regard. A medical practitioner may have been practising in the country for four or five years and may then decide to become a specialist. He might say to a friend, "I was at Guy's Hospital with you. I would like to be an eye specialist, because I have done some eye work," and under this Act his friend might say, "Give me three guineas and I will fix it up."

Mr. CROSS: I support the amendment. This measure really constitutes a special privilege Bill for doctors and it is possible to give them too much power. This is the crux of the Bill, because it will give medical men greater power than they have ever had before and there will be only one outsider to question their actions. When we previously amended the Medical Act, the doctors put one over us. We made it an offence to sell or buy sulphanilamide and its derivatives except on the script of a doctor.

The CHAIRMAN: The hon. member is now making a second reading speech.

Mr. CROSS: No, I am showing the danger of giving the doctors too much power. We should appoint outside people to ensure having a balanced board. It is a notorious fact that doctors are poor business men. I believe the amendment would improve the Act because it would give more control over the doctors and would permit of their being advised of the public's requirements. We ought to ensure that the community gets a fair deal. I do not believe in giving anybody too much power. Any other union would not be given such representation on a board appointed to deal with its own members. The employers would demand equal representation and there would be an independent chairman.

Mr. HOLMAN: I cannot find any safeguard in that portion of the amendment specifying two persons not employed in the public service of the State. There would be nothing to prevent those two persons being doctors.

The MINISTER FOR HEALTH: Even if the amendment were accepted, a majority of the board would be medical practitioners and so their decisions would not be altered. On the other hand, the presence of laymen would militate against efficiency because the doctors would be reluctant to take action whereas otherwise they would do so. The Legal Practitioners' Board consists of legal men, and in spite of what the member for Canning has said, the Labour organisations do not get a doctor or solicitor to sit on their boards.

Mr. Abbott: They do not deal with charges against members.

The MINISTER FOR HEALTH: They can and do try such charges. Such organisations have power to expel a member. If the desire is to protect the public, the adoption of the amendment would be a step in the wrong direction. There is not a similar board that is not constituted chiefly of members of the profession concerned. The amendment would not prove helpful unless we resolved to appoint a majority of laymen, and then it would not be a medical practitioners' board at all. If we have any regard for the honour of the board, one outsider is sufficient, and he should be a legal practitioner or a magistrate who would be capable of assisting in its deliberations.

The medical profession is as honourable as any other. Some men will indulge in exploitation for their own gain, but that occurs everywhere, and the board proposed in the Bill would bring such a man to book. The specialists practising in Perth compare favourably with those in any other country with a similar population. On a percentage basis their efficiency is just as great as those in the Eastern States. We should encourage specialists. By altering the personnel of the board, its efficiency will be reduced; the only reason for appointing a layman is to help the community. I repeat that in England there is only one layman on a board consisting of 42 members.

Mr. McDONALD: I fully appreciate the motives of the member for Victoria Park, but I confess I would feel unhappy if his amendment were agreed to. The Bill does not confer additional rights or privileges on the medical profession. It is just the opposite. It is to place in the hands of the board powers to restrict a number of things which the present board can do. Under the parent Act, the board has no power except to strike a man right off the register,

which was an extreme penalty; and it had no power to do so unless he were convicted of an offence of such a character that, in the opinion of the board, he was not suitable to be allowed to practice. Under the parent Act, the board had no power to deal with drunkenness, drug-taking, incompetence or carelessness. Under the parent Act, any medical practitioner could put up his plate and practise as a specialist; and people would go to him in the belief inspired by his reputation.

I agree with the Minister that, on the whole, I think our specialists compare favourably with those of other States; but we are looking to the future and it is undesirable that any person, who may have no qualifications at all, should be able to assume the status of a specialist without any control being exercised over his actions. The Bill deals with those matters. It says to the board, "In addition to the powers which the board had previously, the board can strike a man off the register, or fine him or suspend him, if he is guilty of carelessness or incompetence or drunkenness or drug-taking." It is most desirable that those extra powers should be held by the board for the discipline, good behaviour and competence of the medical profession. This Bill provides that the board may make some provision to ensure that the title "specialist" is not abused. That is another restriction on the profession, but nevertheless I think it salutary. The Minister told the Committee that in every country which he quoted the boards consisted entirely, or almost entirely, of medical men. The reason is not far to seek.

If it is necessary to hold an inquiry and deprive a man of the right to practise for the rest of his life on the ground of infamous or improper conduct, doctors would be the best judges. Doctors would also be the best judges if the board had to decide upon the suspension of a man, perhaps for years, and perhaps deprive him of his professional reputation on the ground of carelessness or incompetence. It would be difficult for laymen to determine whether an operation was performed carelessly or whether a doctor in his duty to his patients had shown himself incompetent. It would be a very grave responsibility to empower a board—the majority of the members of which were men who knew nothing about the medical profession—to condemn a man for incompetence. I should feel happier if the Bill were left in its present form and if the board were allowed to exercise these greatly enlarged disciplinary powers, powers of suspension and powers of striking from the register. I think that would give the people—I am not now referring to the profession—more real protection than would a Bill consisting entirely or almost entirely of laymen.

Mr. MANN: Although I opposed the second reading of this measure, I support the Government's opposition to the amendment, chiefly on the grounds stated by the Minister and the member for West Perth. Nevertheless, I am sorry the Minister did not accept my suggestion to refer the Bill to a Select Committee, which could have secured evidence on these various points.

Mr. CROSS: I point out to the member for Beverley and the member for West Perth that if the amendment is agreed to the doctors will still be in a majority. The board would consist of four doctors and three laymen, so how could it be said that the laymen would control the board? The amendment will provide for a more balanced board.

Mr. Holman: Where are laymen mentioned?

Mr. CROSS: In the Bill.

Mr. Holman: No.

Mr. CROSS: But it is the intention of the amendment that two members shall be laymen.

The CHAIRMAN: Order! We are dealing with the striking out of words.

Mr. CROSS: I support the amendment.

Mr. SEWARD: I agree with the member for Forrest that the words proposed to be inserted will still allow the two persons not employed in the public service to be medical practitioners. If the words proposed to be struck out are deleted, I intend to move to insert after the word "persons" the words "other than medical practitioners." The amendment is very desirable because, while the board will still have a majority of medical men on it, there will be at least two laymen and that will probably lead to better decisions by the board. As regards questions of medical skill, doubtless the laymen will be guided by the medical members of the board in any decisions reached. I have in mind two instances that occurred in the country some years ago.

A man called at my farm, after having walked seven miles, and asked if he could use the telephone to summon a doctor to his father. I drove him to the town and we went to see the doctor, who was playing tennis. He asked how far away the man lived and was told it was 12 or 15 miles. He said that it would be farther if we went through another town and that his fee was a certain amount. I guaranteed that amount, but he refused to come and continued playing his tennis match. That is not the kind of case to refer to a board of seven doctors. If it were referred to a board on which there were four doctors and three laymen, a medical practitioner would think twice before he refused to attend a patient. That was not the only instance that came to my notice. The same man refused to leave a tennis match on another occasion to attend a child, and the child died. Doctors are naturally concerned with their profession and might be reluctant to bring in a finding against a fellow practitioner that would reflect on the profession. If there were two or three laymen on such a board, it would be better. I support the amendment.

Amendment put and negatived.

Mr. NEEDHAM: I am not satisfied with the wording of this clause. Paragraph (a) provides——

The CHAIRMAN: Does the hon. member propose to move an amendment?

Mr. NEEDHAM: Yes, I intend to move that in line 6 of proposed new Subsection (1), after the word "a" the words "medical practitioner or a" be inserted.

The CHAIRMAN: I am afraid the hon. member cannot do that. The Committee has decided that the whole of the proposed new subsection shall stand.

Clause put and passed.

Clauses 4 to 7—agreed to.

Clause 8—Amendment of Section 11:

Hon. N. KEENAN: This is a clause that proposes to amend Section 11 of the principal Act. It deals with the class of person who is entitled to be registered, on application through the proper channel, as a medical practitioner practising in Western Australia. In the principal Act is very clearly set out the nature of the qualifications required of the applicant. Under Section 11, every person shall be entitled to be registered under the Act who proves to the satisfaction of the board various things. One is that he holds any one or more of the qualifications in the second schedule of the Act; and another that the testimonium, diploma, license, certificate, or other document testifying to such qualification was obtained, after due examination, from some university, college, or other body duly recognised for such purpose in the country to which such university, college or other body may belong. From that it is clear that it is only those with qualifications obtained in the countries specified in the schedule that are to be placed in that favourable position. Schedule II contains a list of the places from which such qualifications can have been obtained. In the Bill, that is altered from a very specified class to an almost unspecified class, with the exception to which I shall now draw attention; namely, that he is registered or possesses a qualification entitling him to be registered under the Medical Acts of the Parliament of Great Britain and Northern Ireland or any Act amending, or substituted for, those Acts or any of them.

As it stands it entirely obliterates the right of a medical practitioner, registered in the Royal College of Physicians or the Royal College of Surgeons of Ireland, to apply to be registered under this measure, if it becomes an Act, except under the general clause which is of an indefinite character. Previously we singled out parts of the British world and said that we would recognise the diplomas issued by certain universities and medical schools operating in those parts. Now, with the exception of the laws passed by the Parliament of the United Kingdom and Northern Ireland, entitling persons to be registered under its Medical Acts, there is no direction until we come to subparagraph (iii) of paragraph (a), which provides that the board may accept the application of anyone who after due examination from some university, college or other body duly recognised for that purpose, in the country in which such university, college or other body is established, has received a degree or license which in the opinion of the board qualifies him to practise medicine and is not inferior to the degree qualifying a person to practise medicine, issued after due examination by the University of Sydney or of Melbourne or of Brisbane or of Adelaide.

The Minister for Health: And with any country where we have reciprocity.

Hon. N. KEENAN: That would allow this board to admit a licentiate of some college of Colorado.

The Minister for Health: He would have to be of equal standing.

Hon. N. KEENAN: That is in the opinion of the board and not of this House. In 1894 this House said that, as a Parliament, it would direct the board to grant the right to practise to certain persons possessing certain degrees or diplomas from channels that Parliament fixed. But the only provision here, apart from the one I have mentioned giving the right to practise under the laws of the United Kingdom and Northern Ireland, leaves the matter to the discretion of the board. There is also the very serious objection that no provision is made for the admission of what I class as most distinguished physicians and surgeons, namely, those of the Royal College of Surgeons and the Royal College of Physicians of Ireland. I have been told by medical men that the highest diploma in the world for the treatment of women's troubles and diseases is that of the college known as The Rotunda, in Dublin. People go from all parts of the world to get the degrees of that college. Yet here those practitioners must come in under the omnibus clause with the gentlemen from Colorado. Why are they excluded? The board can refuse, or put some obstacle amounting to refusal in the way of an applicant from that college. I want the Minister to explain why that is done.

The MINISTER FOR HEALTH: If what the member for Nedlands has suggested has occurred, I feel that it is an omission. I did not notice the point. The Bill makes it very clear that anyone with qualifications equivalent to those of our universities, or who comes from a country that has reciprocity with ours, can be registered. If there is some defect I am prepared to give the hon. member a guarantee that we will have it adjusted in another place. It was never intended to leave out any person of the British Empire with the qualifications stated by the member for Nedlands, or any persons who might, because of their political qualifications, be outside the British Empire. As he said, they come within the omnibus section. I promise that I will get this rectified for him.

Hon. N. KEENAN: I think I can explain, possibly, why this omission occurred. For some reason or other Eire remained neutral in the war. As a result it was able to send over many of its qualified medical practitioners to England and, in consequence of the English practitioner being called into the Army, vacancies occurred and they filled them without being invited, or, perhaps, not wholly invited. The trouble arose when the other doctors returned. There has been great friction in England because of these Irish practitioners going to England and the English Government having no right to commandeer their services. A great deal of ill-feeling has been engendered, and at present there is a strong desire on the part of the English practitioners to exclude them, if possible. But we do not want to be involved in that quarrel. I admit at once that there are two sides to it. We are not involved in the argument, but that appears to me to be the only reason why this particular subsection is drawn to exclude practitioners who hold degrees from Irish universities from the right to register, as a matter of course, in Western Australia.

I would like the Minister to undertake, after he has consulted his advisers as to the reasons for this course of conduct, that, if he comes to the same conclusion I have, he will recommit the Bill. If that is not convenient or practicable I will accept his other undertaking, but I would prefer that he should undertake to recommit the Bill in this Chamber.

Clause put and passed.

Clause 9—agreed to.

Clause 10—Amendment of Section 13:

Mr. McLARTY: On behalf of the member for West Perth I move an amendment—

> That in lines 1 and 2 of Subsection (2) of proposed new Section 13, after the word "inquiry," the words "which the board may initiate of its own motion" be inserted.

I think that is perfectly plain. Instead of having to wait for a complaint the board could initiate a complaint itself. It may know of infamous practices being carried on by a certain practitioner and, instead of waiting to be asked to take action, it could itself take action.

The MINISTER FOR HEALTH: I am not going to oppose this amendment, which I think rather a good one. My only query is that the board will become a complainant and will subsequently have to judge its own action. I am not sure how that will re-act because, in the ordinary course of

events, judges do not take action and then try their own action.

Mr. Smith: They do, for contempt.

The MINISTER FOR HEALTH: That is not comparable. However, I do not intend to oppose the amendment.

Amendment put and passed.

Mr. McLARTY: I move an amendment—

That in line 4 of Subsection (5) of the proposed new section the words "for a period of six months or more" be struck out.

If a practitioner's name is removed from the register altogether, or if he is suspended for a period of six months he has, under this section, the right of appeal, but there is no provision for appeal if he is suspended for a lesser period than six months, though in that case he might still suffer grave damage. If a medical practitioner is suspended for any length of time his prestige must suffer severely. He may, however, be perfectly innocent, but, as the proposed section now stands, he would not have an opportunity to prove his innocence. I think it is only just that he should be given the right of appeal though he is suspended for a lesser period than six months.

Amendment put and passed; the clause, as amended, agreed to.

Clauses 11 to 13—agreed to.

Clause 14—Amendment of Section 19:

Mr. NORTH: I have an amendment to paragraph (a)——

Mr. DONEY: I have an amendment beginning with the first word of the proviso. On behalf of a member who is absent from these benches I intend to move an amendment unless you, Mr. Chairman, rule that the member for Claremont should take precedence. I desire to move an amendment—

That the proviso to proposed new paragraph (3) be struck out and the following inserted in lieu:—"Provided that this paragraph shall not apply to genuine practising naturopaths, dietitians, chiropractors or osteopathists, who shall have the right only to give advice and treatment usually given by such practitioners and shall not have the right to employ drugs or surgery."

Mr. North: On a point of order; are not those words duplicates of those now standing?

The CHAIRMAN: I have not the amendment yet. If the member for Williams-Narrogin will hand it up I will give consideration to that point.

Mr. DONEY: I do not think there is much in the point of order.

The CHAIRMAN: I uphold the point that the whole of the paragraph need not be struck out. The first eight or nine lines in the amendment are identical with those in the Bill, and if the member for Claremont wishes to move an amendment in the first eight or nine lines of the proviso, he has a prior right.

Mr. NORTH: I move an amendment—

That all the words after "to" in line 2 of the proviso to proposed new paragraph (3) be struck out and the following words "genuine practising naturopaths, dietitians, chiropractors or osteopaths who confine their advice and treatment to that usually given by such practitioners and who do not employ drugs or surgery" inserted in lieu.

The object is to protect these people more fully until special legislation is introduced. If protection is not given to them, they will be thrown out of work after having been practising for years.

Mr. DONEY: I accept the amendment in lieu of my own. It seems to aim at the same objective. Having regard to the Minister's favourable mention of the several classes of people mentioned in the amendment and his expressed intention to legislate separately for them at a later stage, he should raise no objection to the amendment.

The MINISTER FOR HEALTH: I cannot accept the amendment, which would belittle the Bill. The provision already made is sufficient, but the hon. member would include people who are selling goods for their own advantage. After having made representations to various members, they seem to have gained sympathy that they do not deserve. When separate legislation is introduced, quite a number will not be allowed to practise because a standard will be required. The amendment, however, makes no provision for a standard. Mr. Andrew Martin, with whom I have been in touch, is chairman of the Australian Chiropractic Association and approves of the Bill. He will be able to continue in practice under this provision. The same remark applies to dietitians. By the amendment, however, we are asked to include naturopaths, osteopaths and people we know nothing about. I have inquired whether those people have attended any university or have passed any standard and have received no reply.

Mr. Doney: Did not you say you visited one of them?

The MINISTER FOR HEALTH: That was a chiropodist, and I was not very pleased with his qualifications. According to Mr. Andrew Martin's card, his qualifications are—graduate of the Palmer School of Chiropractic, Davenport, U.S.A.; licentiate, State of Georgia; post graduate Lindahr College of Natural Therapeutics, Chicago; post graduate Lincoln Chiropractic College, Indianapolis; post graduate NCM-HIO Technique (Nervemeter), (Palmer), London; Diploma X-Ray and Spinography. He is quite satisfied with the provisions in the Bill. How can we distinguish genuine practitioners unless we have some standard? I do not know whether the business card I have quoted is genuine.

Mr. Doney: You do not?

The MINISTER FOR HEALTH: No.

Mr. Doney: You should have told us that when you first mentioned him.

The MINISTER FOR HEALTH: That man has been practising here for a long time and is well known. Others might have been failures in some other walk of life and have taken on this business.

The Premier: I think some of them were blacksmiths.

The MINISTER FOR HEALTH: Reference has been made to the treatment of specific diseases. This will not alter the position other than that such practitioners may not advertise that they treat specific diseases. Consequently they will not be affected very much.

Mr. GRAHAM: I support the amendment. I was approached by the United Health Practitioners of Australia—I think that is the correct name—and introduced their executive members to the Minister to discuss this point. It is quite obvious that the clause as it stands would definitely circumscribe the activities of the members of that body. It is all very well to talk about bringing down legislation later on to deal with these and other people, but the fact remains that they are rendering services at the present time and I am not aware of any general complaint against them. They will have their practices severely interfered with and many people who now seek their aid will be deprived of their assistance, advice and treatment. It will be noted that the proviso contains the words "who gives advice"; there is no suggestion there about those who give treatment. Members will note the restrictive effect.

As to the other point raised by the Minister, that dealing with a specific disease, I am at a loss to know just what that expression means, notwithstanding his statement. After all, if a chiropractor advertises that he can cure lumbago, or some other disease or complaint, or that he can give relief, I cannot see what harm is done. I heard a member suggest that some of these people might closely resemble blacksmiths; but we have often heard members of the medical profession referred to as butchers. Probably the criticism is at least just as much justified in the second case as in the first. I agree with the member for Beverley that it would have been wiser to postpone the consideration of this Bill in order that two measures might be brought down at the same time. Members could then ascertain whether one cancelled desirable provisions in the other. Why should the people to whom I refer be interfered with? I know that there are quacks, or medicine-men, in the world who might come under these various headings. They can do so today.

Mr. North: Without any legislation.

Mr. GRAHAM: Yes. It is the bounden duty of the Minister for Health to protect people against bogus treatment.

The Minister for Health: This amendment will not protect them.

Mr. GRAHAM: I know, but the Bill will circumscribe the activities of those who are now giving assistance and relief and who have considerable qualifications which they have secured in other parts of the world. I appeal to the Committee to support the amendment.

Hon. N. KEENAN: I confess that this proviso does appear to go a little too far in prohibiting the practice of those who profess to be, for instance, dietitians. I know a dietitian who has had a marvellous number of successes. She has told me on more than one occasion that people have come to her after having consulted doctors, who had advised them that they probably had an ulcer of the stomach and that a major operation would be necessary. She has suggested that they allow

her to try diet. She runs a small hospital or home in Nedlands, takes in patients and gives them some very careful diet, with the result, as I said, that she has achieved the most marvellous successes, because very often the diagnosis of the doctor is not correct or in some cases, I am afraid, has been the result of ignorance. She drew my attention to the fact that her diet prescription was in relation to a specific disease, because an ulcer of the stomach is certainly a specific disease. Her experience has proved, however, that very often that impression has been wrong. I know of patients who have been to her and have been cured by careful diet under her superintendence in her home. I am afraid that her contention that this proviso will not protect her is correct, because it provides that it shall not apply to a person practising as a dietitian who gives advice where such advice has relation to a specific disease. In her case it would undoubtedly have relation to a specific disease, yet her treatment has proved beneficial and successful.

The Minister for Health: Could she not come in under the provision dealing with advertising?

Hon. N. KEENAN: No. She must advertise. The lady is Mrs. Caporn; I happen to know her very well, as she was on the Goldfields—a young bride—in my day there. Subsequently she went to America where she spent many years in study, particularly the study of diet, and now she is carrying on a business—it cannot be termed a profession, although it is one—the cure of cases suffering from improper diet. Her position would be very much endangered by this proviso. Therefore, I would like the amendment to be considered. This is a genuine case of a woman who has had a very large measure of success and who has done great good to those whom she has treated. She does give treatment in relation to a specific disease; for instance, the one I mentioned, the supposed case of an ulcer in the stomach. Members will readily understand that it is very common, when a pain occurs constantly in the stomach, to assign the cause to an ulcer or to some growth. I am strongly opposed to her position being endangered by the wording of the proviso, which is capable of the meaning I have placed before the Committee.

Mr. SMITH: I support the amendment. I consider that in the limiting proviso with regard to the dietitians and chiropractors, there is an admission that such people practise some branch of medical work outside the recognised profession and have some justification for their existence. There is another section of practitioners known as osteopaths. I know of one who is practising in Collins-street, Melbourne, with whom it is almost impossible to secure an appointment, and yet he does not advertise at all. He was born in Western Australia and worked in the Commercial Bank at Boulder for many years. He was rather a good foot-runner and won some money. He went to America and studied osteopathy and physical culture. He obtained a number of diplomas and subsequently was associated for three years with a registered doctor in Harley-street, London. His present extensive business is entirely due to the success he has achieved. He has effected some remarkable cures in connection with cases in which registered medical practitioners had failed. Until quite recently I know that two of his patients were daughters of registered medical practitioners.

The Minister for Health: He possesses high qualifications.

Mr. SMITH: Probably if one were to inform that man that one came from Western Australia it would be possible to get an appointment in about a fortnight. Otherwise, it would be three months before one could see the practitioner. It is a mistake to wipe out chiropractors, dietitians and osteopaths at one fell swoop. The public must be protected to some extent from charlatans and quacks, but I do not think that will be accomplished by wiping out the genuine men. The Melbourne practitioner I speak of would not, I assume, be allowed to practise his profession in Western Australia for he would certainly have to announce that he could give advice in connection with certain cases that were unusual. While we must appreciate the necessity for adequately protecting the public against quacks and charlatans, I do not think it would be possible to do it. Under this proposal we would prevent many from practising who are actually rendering great service to a large number of people in the community.

Mr. CROSS: I oppose the amendment. Arguments in support of it have been advanced by some who previously opposed such a move. I recollect an occasion a few years ago when the then member for Subiaco pointed out that if a man went to America and had 50 dollars in his possession, he could return with a bag full of diplomas.

The Premier: That is correct.

Mr. CROSS: Perhaps the Minister could introduce special legislation later on to set up the standards that are required, for without doubt there are people who have suffered from obscure maladies and have gone to some of these quacks, spent tons of money and had little relief. I recollect the case of a man who was exhibited in the Perth Town Hall as a sample of a cure that had been effected by a certain individual, and yet that man died the next week. It was a very sad case. Although he was actually dying from cancer, he was exhibited as one who had been cured. The name of the man was George Wall who was employed on the trams and lived in Subiaco. Because of the quack he went to, he was prevented from receiving the necessary attention before it was too late. I know of other instances as well, and such matters must also be within the knowledge of other members. We know that people who suffer from some diseases will go anywhere and try anything in their efforts to secure relief. I am aware that some people claim to have a cure for arthritis, yet everyone knows that not much can be done about that disease. Some such people have gone to all the quacks in town from Taufik Raad downwards, and have finished up in a worse condition than ever before. The only way we can deal with this matter effectively is to oppose the amendment with a view to allowing the Minister to introduce special legislation to protect genuine practitioners and yet set standards that will afford the public protection.

The MINISTER FOR HEALTH: The member for Brown Hill-Ivanhoe mentioned a specific instance, and I know that there are dietitians, chiropractors and osteopaths that are really highly qualified practitioners. I know of instances where doctors have taken up osteopathy as being highly remunerative from a monetary point of view, much more than their ordinary medical work, and they have been very successful. I am afraid that if we accept the amendment it will mean that anyone can practise without possessing any qualifications whatever. I have no desire to restrict the activities of those who have proper qualifications, but no professional man in this Chamber would contemplate accepting the services of any individual without the necessary qualifications and standards, whether that individual should be a doctor, a lawyer, an agriculturist, or a draftsman. That is what I am afraid of in this matter. I would be prepared to accept the amendment if it were confined to striking out the words "if such advice has no relation to a specific disease."

Hon. N. Keenan: That would meet my case.

The MINISTER FOR HEALTH: I feel that it would meet the case of the others, too. I do not know that there is much difference between an osteopath and a chiropractor. They are both more or less manipulators.

Mr. Smith: If there is not much difference, put it in the Bill.

The MINISTER FOR HEALTH: We have chiropractors who are qualified, but I do not know of any osteopaths in Perth who are qualified. Although we have dietitians and chiropractors provided for, they will remain in the Bill only until we can bring down legislation to deal with the others that are seeking protection. There are the people who call themselves United Health Practitioners. We know that is a firm consisting of two or three establishments that have been set up in Perth for the purpose of selling goods to the public. The main person who, I believe, is putting forth these amendments, is the principal of this particular firm, which is practising not only in Western Australia but in other States also. I think we have gone as far as we can in accepting the amendment that was introduced in 1942. That will protect dietitians and chiropractors; and I am satisfied that if we delete the words "if such advice has no relation to a specific disease," it will not deter them from doing the good work in which they are engaged. No States makes provision in a medical Act for these persons.

Only two States make provision for masseurs. Victoria provides only for dietitians. All these people are protected by separate legislation. We have had reference to the naturopaths, the osteopaths, the chiropractors and the dietitians; but what about psychiatrists, psychologists, chiropodists and herbalists? If we are going to give one class

protection, why not the lot? Probably there are others I have not thought of. We would only be permitting exploitation of the people by allowing persons without qualifications to be protected. I would be prepared to admit them if I knew they were qualified. But I asked a question—and the member for East Perth was present—as to what qualifications these people had. One man had qualifications, but the others did not—that is to say, they did not have University qualifications or any standard of training. They may have been qualified by experience; but I could take one of those positions tomorrow and gain experience, after crippling half a dozen persons and putting a few in their grave. If the member for Nedlands is prepared to move the amendment as suggested by me, I will be satisfied.

The CHAIRMAN: I would point out that unless this amendment is defeated, neither the Minister nor anybody else will be able to move further amendments to this proviso without having the Bill recommitted.

Hon. N. KEENAN: Can I move an amendment to this proviso after we have dealt with the present amendment?

The CHAIRMAN: The only way in which that can be done is for the hon. member to withdraw the amendment before the Chair, or for that amendment to be defeated.

Mr. NORTH: In order to ensure a safe result, I am prepared to withdraw my amendment.

Mr. GRAHAM: I would like some advice on the position. If the amendment is withdrawn, we then have the proviso before us, and the intention is to delete the words "If such advice has no relation to a specific disease." I want to have inserted after the word "advice" in line 4 of the proviso the words "and treatment."

Hon. N. Keenan: I intend to move for the insertion of the words "and services."

The CHAIRMAN: I point out that if the withdrawal of the present amendment is agreed to, the whole clause will be open for any amendments that may be desired.

Amendment, by leave, withdrawn.

Hon. N. KEENAN: I move an amendment—

> That in line 3 of the proviso to proposed new paragraph (3) after the word "advice" the words "or service" be inserted.

Amendment put and passed.

Hon. N. KEENAN: I move an amendment—

> That in lines 4 to 6 of the proviso to proposed new paragraph (3) the words "if such advice has no relation to a specific disease" be struck out, and the words "or service" inserted in lieu.

Amendment put and passed; the clause, as amended, agreed to.

Clause 15—New sections:

Mr. GRAHAM: We have made special provision for dietitians and chiropractors as a result of which an alteration is required in Subsection (2) of proposed new Section 21A. I move an amendment—

> That in line 5 of Subsection (2) of proposed new Section 21A before the word "chiropractor" the word "dietitian," be inserted.

The Minister for Health: It is only in the case of a diagnosis.

Mr. GRAHAM: Yes, but it is quite possible that a dietitian would want to make an examination by using the x-ray. I see no reason why a dietitian should be excluded.

The MINISTER FOR HEALTH: The member for East Perth wants to make the dietitian a pathologist or a doctor. Under this amendment the dietitian would have privileges that he has never enjoyed before. He could practise for a little while and then use x-rays to find out what a person was suffering from and treat him accordingly.

Mr. Graham: Well, use your argument against the chiropractor.

The MINISTER FOR HEALTH: The chiropractor manipulates bones and it is necessary at times for him to take an x-ray. He does that to locate a dislocation. I oppose the amendment.

Mr. NORTH: I support the amendment. There are four types of digestive cases that have been found by means of x-rays. Some people can take liquid with their meals and some cannot. There are four definite diagnoses in these cases.

Mr. McDONALD: I beg to differ from my learned colleague. I can draw a very real distinction between an x-ray taken by a chiropractor and one taken by a dietitian. The chiropractor is concerned with bones, and to take an x-ray of bones is, I believe, a comparatively easy process. The dietitian is concerned with the digestive organs and the alimentary tract. As far as my knowledge goes, the taking and interpret-

ing of x-ray photographs of the internal organs demands great experience and special knowledge which are not even possessed by all radiologists.

The Minister for Health: Some doctors are not qualified to take an x-ray.

Mr. McDONALD: Some doctors do not undertake to read an x-ray of the internal organs, but refer such matters to a radiologist. Before accepting the amendment the Minister should have the opportunity to secure the advice of his professional medical advisers.

Amendment put and negatived.

Mr. SMITH: I move an amendment—

That in line 2 of Subsection (2) of the proposed new section after the word "chiropractor" the word "osteopath" be inserted.

If a chiropractor is entitled to use an x-ray, an osteopath is more entitled to do so. A chiropractor manipulates muscles and perhaps pulls into their proper places some bones that are out of joint, but an osteopath deals essentially with bones and nerves. The use of an x-ray in his profession is at least as necessary as it is in connection with a chiropractor. The Minister should have no objection to allowing a genuine osteopath to use an x-ray.

The MINISTER FOR HEALTH: I cannot accept the amendment. It would be all right if we could locate a genuine osteopath; a man whom we knew had the necessary qualifications. I have not met one in the State. No one has brought to me the qualifications that Mr. Andrew Martin brought. If the hon. member will bring to me the person he met in Melbourne—

Mr. Doney: What standards do they seek over there?

Mr. Smith: Have you not heard of Andrew Turner?

The MINISTER FOR HEALTH: I do not know what qualifications he has. So far we have not accepted the osteopath, the naturopath or anyone except those mentioned in the Bill.

Mr. Doney: What made you accept the ones in the Bill? How can you judge their qualifications?

The MINISTER FOR HEALTH: The chiropractor and the dietitian were included because of the amendment accepted in 1942.

Mr. Doney: That is not a sufficient reason.

The MINISTER FOR HEALTH: It is one reason why we accepted them. I do not think we should accept anyone, but should bring down separate legislation, and I promise members that that will be done when the opportunity is available.

Mr. GRAHAM: The position is that osteopaths, whether they are qualified or not, are with us and are practising. There is nothing in the laws of the State to prevent them practising, so why should not they be allowed a facility which makes it possible for them to do better work? There can be no danger to the patient through allowing them better to observe what the malady is.

Mr. Triat: Of course there is.

Mr. GRAHAM: There is nothing to prevent the member for Mt. Magnet starting in business tomorrow as a chiropractor and using x-ray, if this measure goes through, but he would be debarred from doing so if he set up as an osteopath. Chiropractors and osteopaths deal with troubles affecting the bones, and the further effects on other parts of the body. If there were a proviso based on valid grounds, to prevent osteopaths operating in Western Australia, members could understand why the Minister should insist on their not using x-ray.

Mr. SMITH: The only difference between the Minister's view and mine is that I know an osteopath and he knows a chiropractor. He is therefore willing to allow chiropractors to use x-ray, but will not extend the facility to osteopaths. It is unfortunate for the osteopaths that the Minister does not know one.

The Minister for Health: I do know one.

Mr. SMITH: In that case the Minister should be willing to let osteopaths use x-ray. The need is just as great in each case. The Minister admits that the two professions are closely identified, and if we allow a chiropractor to use x-ray, while prohibiting the osteopath from doing so, all the osteopath will have to do will be to change his name-plate and advertise himself as a chiropractor. I think the reasonable way to deal with the matter is to amend the legislation as I have suggested.

Mr. TRIAT: I do not think the chiropractor should be allowed to use x-ray plant. The only man capable of handling such a plant is a radiologist who understands it. Many highly-qualified physicians are unable to judge the distances at which pictures should be taken of certain portions of the body in order to get pictures that are of any use. I do not think people who know nothing about these instruments should be allowed to use them and charge £2 2s. or £3 3s. every time someone comes before them. The negative costs little and the developing costs little, but the patient is charged £3 3s. for many of the x-ray pictures taken. If an x-ray is necessary for the work of the osteopath or chiropractor, let the patient go to a qualified radiologist. I oppose the amendment.

Amendment put and negatived.

Mr. McLARTY: I move an amendment—

That in line 4 of Subsection (1) of the proposed new section, after the word "shall" the words "endeavour to" be inserted.

It might be easy for the city doctor to arrange a consultation, but not for the country doctor to do so. The best he could do would be to endeavour to arrange such a consultation, and I think all we can expect of him is that he shall endeavour to arrange it.

Amendment put and passed.

Hon. N. KEENAN: I move an amendment—

That in line 1 of Subsection (2) of the proposed new section, after the word "who" the words "without lawful excuse" be inserted.

The MINISTER FOR HEALTH: I agree to that amendment.

Amendment put and passed; the clause, as amended, agreed to.

Clauses 16, 17, Title—agreed to.

Bill reported with amendments.

BILL—TOWN PLANNING AND DEVELOPMENT ACT AMENDMENT.

In Committee.

Mr. Fox in the Chair; the Premier (for the Minister for Works) in charge of the Bill.

Clause 1—agreed to.

Clause 2—New section: Special powers where land proposed to be subdivided is situate within an irrigation district or a drainage district:

Mr. McDONALD: I move an amendment—

That in lines 11 to 13 of paragraph (d) of proposed new section 22A, the words "by the applicant and to notify the board when such contract has been entered into or such arrangement has been made" be struck out, and the following words: "or for the carrying out of part of such additional works and payment of part of the cost thereof where the circumstances are such that in the opinion of the Irrigation Board or the Drainage Board it would be impracticable or inequitable that the applicant should be responsible for carrying out the whole of such additional works and paying the whole of the costs thereof, and the board shall further require the applicant to notify the board when such contract has been entered into or such arrangement made" inserted in lieu.

Under the paragraph as printed, the applicant for authority to subdivide land might be charged with the responsibility for the whole of the alterations to the drainage system which might be considered necessary as a result of the subdivision, and there might be imposed on the applicant the total amount of the cost of the alterations. There might be circumstances where it would be impracticable or inequitable to throw the whole responsibility for the alterations on the subdividing owner or impose upon him the whole of the cost. The amendment proposes that the board may require that the applicant be responsible for the carrying out of part of the additional works or payment of part of the cost of the additional works if it thinks it impracticable or inequitable that the subdividing owner should be responsible for the whole. This will give elasticity and enable the board to meet cases as they arise.

The PREMIER: This matter has received the consideration of the Minister for Works and we are of opinion that it is quite a reasonable proposal. Many illustrations could be given where, in connection with an area being dealt with, the alterations and works might not affect the particular property on which the work is carried out so much as other properties. It is necessary for the Crown to undertake certain works and it might be impractic-

able or inequitable to impose the whole of the cost on the person on whose property the works are carried out. The amendment, instead of making it incumbent upon the department to charge all the costs to the owner, would enable it to apply a fair and equitable part of the costs. I have no objection to the amendment.

Amendment put and passed.

Mr. McDONALD: I move an amendment—

> That a new paragraph be inserted as follows—"(e) If any question shall arise between the applicant and the Irrigation Board or the Drainage Board as to the necessity or nature of such additional works aforesaid or any part thereof or the amount of the costs thereof, such question shall be referred to the magistrate of the local court of the district in which the land is situated and the decision of such magistrate shall be final and conclusive."

If any difference arises between the applicant who desires to subdivide land and the board as to the necessity or nature of the additional work or the amount of the cost, it should be referred to the magistrate of the local court and the decision of the magistrate should be final. There may be a difference of opinion as to whether the additional works are really necessary, and it is desirable to have some machinery to settle that difference equitably.

Amendment put and passed; the clause, as amended, agreed to.

Clause 3, Title—agreed to.

Bill reported with amendments.

House adjourned at 10.3 p.m.

Legislative Council.

Wednesday, 24th October, 1945.

The PRESIDENT took the Chair at 4.30 p.m., and read prayers.

QUESTION.

LANDS DEPARTMENT.

As to Supply of Lithos.

Hon. H. SEDDON asked the Chief Secretary:

1, Is the Minister aware that certain of the lithos in the Lands Department applying to land in the coastal area are out of print?

2, Will the Government take steps to have these printed and made available for sale to the public?

The CHIEF SECRETARY replied:

1, Yes.

2, Yes, as quickly as circumstances will permit.

BILL—SOIL CONSERVATION.

Report of Committee adopted.

BILL—STATE GOVERNMENT INSURANCE OFFICE ACT AMENDMENT.

Second Reading.

Debate resumed from the 17th October.

HON. W. R. HALL (North-East) [4.36]: I rise to support this Bill, which is a very good one. I also take this opportunity to commend the Great Eastern ward of the Road Board Association of Western Australia for inducing the Minister to bring it down. I do not see any reason why road boards should not do business with the State Insurance Office. After all, they are more or less semi-governmental institutions, and should there be any saving by way of an insurance pool, the ratepayers and the taxpayers in those road board areas should be entitled to it. The money saved by pool insurance could be spent in making more roads and providing better conditions for the ratepayers. The Bill does not seek to make it compulsory for road boards to deal with the State Insurance Office. That means they can do business with private or non-tariff companies; and therefore I cannot see anything wrong with the measure.

Hon. A. Thomson: Can they not do that now?

Hon. W. R. HALL: I do not think it is possible for the road boards to deal with the State Insurance Office at present. I consider that that office should be able to deal with all classes of insurance. I do not see any reason why its activities should be confined to one or two classes of insurance. Why not let the office have an open go and enter