The Hon. A. F. GRIFFITH: If that was the reply that was expected of me, I have no hesitation in saying that we will hold on to the State's rights as long as we can.

The Hon. F. J. S. Wise: That is the only thing we agree upon.

The Hon. A. F. GRIFFITH: No; I am sure we agree on many more matters. The Commonwealth legislation may or may not be effective; but, if it is not, the State legislation will be effective, and this measure we are passing this evening will bring us into line with those States which have already passed similar legislation. I understand there are still two States which have not passed such legislation, but they intend to introduce a Bill in the current sessions of their Parliaments.

The Hon. H. K. WATSON: I would suggest that some thought be given to the suggestion by Dr. Hislop. I consider that clause 8 is ambiguous and there is room for greater clarity in its drafting.

The Hon. A. F. GRIFFITH: If the Committee agrees to the clause now, I will confer with the draftsman and if greater clarity can be achieved I can recommit the Bill for such purpose at a later stage.

Clause put and passed.

Clauses 9 to 14 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

DAMAGE BY AIRCRAFT BILL

Debate resumed, from the 26th August, on the following motion by The Hon. A. F. Griffith (Minister for Justice):—

That the Bill be now read a second time.

THE HON. W. F. WILLESEE (North) [9.21 p.m.]: This is a small Bill dealing with the principle of a person suffering damage to property as a result of aircraft flying at other than the required height. It also deals with the responsibility attaching to persons who drop articles from aircraft in flight, and the right of complainants after such trespass has been committed. In the Bill, "article" is defined to include any liquid or liquid spray. In his introductory remarks on the second reading, the Minister said it was probable that there would be further legislation in the future dealing with the control of liquid or liquid sprays dropped from the air. That is the reason why they are included in the Bill.

The Hon. A. F. Griffith: Ministers for Agriculture are looking for this.

The Hon. W. F. WILLESEE: As the Minister has told us, the Ministers for Agriculture in the various States are watching this situation. I do not see that there is any need for me to elaborate further. Although the legislation will be new to the Statute book, I am sure it will be of advantage when passed. It merely seeks effective control, as did the previous measure, over damage to people and property by aircraft in flight.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

House adjourned at 9.26 p.m.

Legislative Assembly

Tuesday, the 8th September, 1964

CONTENTS

CONTENTS—*continued*

The SPEAKER (Mr. Hearman) took the Chair at 4.30 p.m., and read prayers.

DECORUM OF THE HOUSE

Smoking and Newspaper Reading: Statement by the Speaker

THE SPEAKER (Mr. Hearman): There are two matters affecting the decorum of the Chamber in which I seek the co-operation of members. The first is the question of smoking. Smoking is not allowed in the Chamber; but for many years, I think probably as long as anyone can remember, it has been accepted that members may smoke behind the screen at the back of the Speaker's Chair. I do not wish to stop this practice, and I feel that it is often the means by which a member who smokes may listen to a debate in which he is interested, and at the same time enjoy a smoke.

However, the practice has developed whereby members are smoking while seated in chairs at the end of the Chamber. This in itself is an abuse of the concession allowing smoking behind the screen, but also honourable members have become increasingly prone to allow ash to drop and indeed to throw cigarette butts on the carpet. I feel sure that members, on reflection, will agree that this is undesirable; and accordingly I feel that they will adopt my suggestion that smoking be confined to the back of the screen. I would further suggest that it would be preferable if members did their smoking generally outside the Chamber as it is necessary that access to and from the Chamber through the door at the back of the screen be as unimpeded as possible.

The second rule to which I wish to direct attention is the one prohibiting the reading of newspapers in the Chamber. I would be the first to admit that this practice has been permitted for some time, but I feel it has now reached a stage

where it amounts to an abuse. There is scarcely any need for me to enlarge on the effect on people in the public gallery who observe the conduct of members, particularly those in the front bench, when those members sit wholly obscured by a newspaper during a debate.

Now that I have drawn the attention of members to these two points I am sure I shall receive their assistance and co-operation.

FORESHORE ROAD, ALBANY

Construction: Petition

MR. HALL (Albany) [4.37 p.m.]: I present a petition from the residents of Festing Street, Albany, containing 93 signatures, praying for the early construction of Foreshore Road, Albany, to alleviate the heavy haulage traffic, with all its attendant noises and dangers, both day and night, now proceeding along Festing Street to the Albany Harbour. I move—

That the petition be received.

Question put and passed.

QUESTIONS ON NOTICE

MILK ACT REGULATIONS

Prosecutions Taken and Pending under No. 318

1. Mr. DAVIES asked the Minister for Agriculture:

   (1) How many prosecutions were taken and how many were successful, under Milk Act regulation 318, for each of the last five years to the 31st December, 1963?

   (2) How many prosecutions were taken and how many were successful under the original Milk Act regulation 318 or the regulation as amended, from the 1st January, 1964, to the 30th June, 1964?

   (3) How many prosecutions were taken and how many were successful under Milk Act regulation 318, as amended, from the 1st July, 1964, to date?

   (4) How many prosecutions are pending under the same regulation at present?

   Mr. LEWIS (for Mr. Nalder) replied:

   (1)

Year Ended the 31st December	Prosecutions Taken	Prosecutions Successful
1959	24	24
1960	16	16
1961	14	14
1962	8	8
1963	9	9

   (2)

Prosecutions Taken	Prosecutions Successful
12	12

   Milkmen were notified on the 13th April, 1964 and again on the 27th May, 1964 that they must conform by the 30th June, 1964 with the amendment to regulation 318 as gazetted on the 10th March, 1964. No prosecutions were taken for failure to comply with the amendment to regulation 318.

   (3) Nil.

   (4) Nil.

Inspectors: Number and Hours of Duty

2. Mr. DAVIES asked the Minister for Agriculture:

   (1) How many inspectors are employed by the Milk Board for the policing of Milk Act regulations at present?

   (2) Has the number of inspectors been increased over the past five years?

   (3) If so, by how many?

   (4) What are the hours of duty of such inspectors?

   Mr. LEWIS (for Mr. Nalder) replied:

   (1) Eight.

   (2) Yes.

   Inspectors employed—

1960	7
1961	8
1962	7
1963	7
1964	8

   (3) One.

   (4) 8.30 a.m. to 5 p.m. Monday to Friday; but inspectors are rostered for duty at other times as required, in which case time off in lieu is taken.

Milk Vendors: Number Registered

3. Mr. DAVIES asked the Minister for Agriculture:

   What are the numbers of milk vendors registered under the Milk Act regulations in the metropolitan area for each of the last five years?

   Mr. LEWIS (for Mr. Nalder) replied:

   (1) Milkmen licensed as at the 30th June:

1960	153
1961	159
1962	151
1963	149
1964	158

MURDERS AND HANGINGS

Dates

4. Mr. GRAHAM asked the Minister for Police:

(1) On what dates have murders or suspected murders been committed in Western Australia between the 9th February, 1964, and the present time; and if more than one on any day, the number of persons murdered?

(2) On what dates did hangings, if any, take place since the 11th August, 1963?

Mr. CRAIG replied:

(1) One person on each of the following dates: 25/2/1964; 24/4/1964; 13/5/1964; 2/6/1964; 24/8/1964; and 28/8/1964; also one on 4/7/1964 which was initially suspected to be murder but subsequent inquiries appear to indicate that the person concerned was not murdered but has left the State.

(2) One person on 20/1/1964.

SWAN RIVER RECLAMATION

Area Required to Extend Road System

5. Mr. GRAHAM asked the Minister for Works:

(1) What is the approximate area of the Swan River which will have to be reclaimed in order to extend the road system at the northern end of the Narrows Bridge eastward from Barrack Street jetty?

Date of Commencement

(2) When is it anticipated that the filling in of this portion of Perth Water will commence?

Tabling of Plan

(3) Will he lay on the Table of the House a sketch plan showing the extent of this reclamation?

Mr. WILD replied:

(1) Not known: detailed designs have not been prepared.

(2) Reclamation will not be necessary for at least 10 years.

(3) The extent will depend on detailed designs which have not yet been prepared. The general proposals are shown on Metropolitan Region Plan 1963, Map No. 27.

SOUTH KENSINGTON SCHOOL

Mentally Retarded and Slow Learning Pupils

6. Mr. H. MAY asked the Minister for Education:

(1) Referring to the reply to my question 24 and dated the 1st September, 1964, will he enumerate some of the complex factors to which he refers?

(2) Is it the intention of the Education Department to separate the two types of retarded children mixed together at the South Kensington School?

(3) If not, does he approve of no action being taken to effect the separation referred to?

Mr. LEWIS replied:

(1) (a) The general intellectual level of the child.

(b) Special abilities and disabilities.

(c) Physical factors.

(d) Attitudes and emotional stability.

(e) Previous educational performance.

(2) No; because there are not two distinct types of children at South Kensington.

All the pupils are regarded as individuals needing special education as determined by repeated tests and observation. It is considered they will benefit best from the type of education offered in South Kensington or similar schools.

(3) Answered by (2).

WHITE ANTS

Elimination

7. Mr. BRADY asked the Minister for Health:

(1) Has his department any agreement with a recognised committee or organisation having for its purpose the elimination of white ants?

(2) Has the committee or organisation any legal standing?

Action on Control Firms

(3) If not, does the Government intend to take action to control white ant or pest control firms or companies?

Mr. ROSS HUTCHINSON replied:

(1) No.

(2) I am not aware of any committee or organisation of this nature.

(3) My department has under consideration draft regulations for the control of the use of toxic chemicals by pest control firms and for the registration of pest control operators.

STANDARD GAUGE RAILWAY

Effect on York Railway Staff, etc.

8. Mr. GAYPER asked the Minister for Railways:

In answer to a series of questions asked by me of the Railways Department and concerning the

York railway staff, on Thursday, the 18th October, 1962, it was indicated that planning was not sufficiently advanced to enable information to be given as to what the ultimate effect of the broad gauge railway would be on the railway staff and requirements at York.

(1) Has determination yet been reached on this question?

(2) If so, is it known how many families are to be affected?

(3) When is it anticipated that these families will be informed of their new location?

(4) In the interests of these families as well as the townships concerned, will he endeavour to have all the ramifications of this exercise clarified as soon as possible?

Mr. COURT replied:

(1) No. Planning has now reached a much more advanced stage but the final plan is not yet complete.

(2) Answered by (1).

(3) Any plan cannot be implemented in its entirety until both the new Northam and Kewdale marshalling yards are in operation. Staff will be withdrawn in progressive stages and will be given ample notice of their new locations when details are finalised.

(4) Yes.

POLICE STATIONS AT BEVERLEY AND BROOKTON

Installation of Hot Water Services

9. Mr. GAYFER asked the Minister for Police:

(1) During the renovation of the Beverley and Brookton police stations and quarters to be commenced early in 1965, is it proposed to install hot water services?

(2) If not, why not?

Mr. CRAIG replied:

(1) Yes.

(2) Answered by (1).

YORK-QUAIRADING ROAD

Widening

10. Mr. GAYFER asked the Minister for Works:

When is it estimated that the widening of the main road between York and Quairading will be completed?

Mr. WILD replied:

The main road between York and Quairading is sealed to a width of 16 feet. This is being progressively widened to 20 feet as funds can be made available.

BROOME FREEZING AND CHILLING WORKS

Bill of Sale

11. Mr. TONKIN asked the Minister for Lands:

(1) Is it seriously contended by him that the Rural & Industries Bank has had executed in its favour by the Broome Freezing & Chilling Works Pty. Ltd. a bill of sale for an amount which is (in round figures) fifty thousand pounds in excess of the debt which it is intended to secure either collaterally or directly?

(2) If "No", will he explain the position?

Mr. BOVELL replied:

(1) Yes. This bill of sale was registered collateral to documents stamped £254,000, in June, 1963, which was, of course, before change of shareholders.

(2) Answered by (1).

E. S. CLEMENTSON: PROPOSALS TO GOVERNMENT

Variations

12. Mr. TONKIN asked the Premier:

(1) On what date was the first proposal to the Government from E. S. Clementson submitted?

(2) How many times was the original proposal varied?

(3) What were the dates upon which each variation was submitted?

Dates of Final Submission and Government's Approval

(4) What was the date on which the final submission was made in the form recommended for approval by the investigating committee?

(5) What was the date when the Government approved the proposal?

Mr. BRAND replied:

(1) The 19th December, 1963.

(2) Three.

(3) The 19th December, 1963; the 20th January, 1964; the 17th February, 1964.

(4) The 17th February, 1964.

(5) The Government endorsed the committee's findings on the 20th February, 1964.

Disadvantages

13. Mr. TONKIN asked the Premier:

(1) In connection with the proposals from E. S. Clementson which were varied from time to time and ultimately accepted by the Government did the investigating committee report any disadvantages?

(2) If "Yes," will he state them?

Tabling of Investigating Committee's Report

(3) Will he table the report of the committee?

Mr. BRAND replied:

(1) No.

(2) Answered by (1).

(3) No. The report contains information of a confidential nature in respect of both the vendor's and the purchaser's interests.

LEOPOLD DOWNS LAND

Transfer to Drove Pty. Ltd.

14. Mr. TONKIN asked the Minister for Lands:

On what date was the transfer of Leopold Downs to Drove Pty. Ltd. approved by him?

Mr. BOVELL replied:

The transfer of Leopold Downs was approved on my behalf by the Officer-in-Charge, Registration and Deeds Branch, who has authority under section 143 of the Land Act, on the 24th July, 1964.

T.A.B. AGENCY 81: TELEPHONE BETS

Cancellation of Tickets

15. Mr. TONKIN asked the Minister for Police:

(1) With reference to his replies to (8), (11), and (15) of question 9 on the notices for Tuesday, the 1st September, does he deny—

(a) that when the officer from the collating centre rang the agent several minutes after the horses Gloucester Chief and Gallant Mark had been beaten that officer instructed the agent to cancel the tickets for the bets;

Payment of Cheque by Agent

(b) that the agent rang Mr. Maher and requested the appointment which subsequently took place and at which the agent paid in a cheque for £96 5s.;

Questionnaire

(c) that Mr. Maher handed to the agent two questionnaires, one with the name of the agent and the other with that of the bettor typed thereon together with sheets of foolscap set out for the purpose of having statutory declarations made thereon with reference to the questionnaires?

(2) If any or all of these statements are denied will he obtain Mr. Maher's denial in the form of a statutory declaration?

Liberal Member's Representations to Minister

(3) Does he still deny that a Liberal party member of the Legislative Council made representations to him on behalf of the agent following the latter's request for assistance because he considered he had been harshly treated?

Mr. CRAIG replied:

(1) to (3) No.

MAIN ROADS DEPARTMENT REQUIREMENTS

Orders With Country Firms

16. Mr. HALL asked the Minister for Works:

(1) Does the Main Roads Department place orders for its requirements and needs for the supply of bolts, brackets, tanks, and engineering work with suppliers and small decentralised industries in country towns?

(2) If not, would he undertake to have the matter investigated with a view to placing orders for supply of goods and engineering requirements with building supply firms in country towns?

Mr. WILD replied:

(1) No.

(2) The department's engineering supplies are obtained through the Government Stores Department, most of them being under Tender Board contracts. Some supplies for emergency field use are obtained through local country suppliers.

SUPER WORKS (W.A.)

Supply of Acid to Decentralised Industries

17. Mr. HALL asked the Minister for Industrial Development:

Would he be prepared to make approaches and representations to the central executive of Super Works (W.A.) to see if they would be prepared to supply acid requirements of small decentralised industries in areas where super works exist and operate, thus assisting the firms concerned by reduced road charges, high insurance risk policy, and handling charges, and delay in supply?

Mr. COURT replied:

I would be prepared to approach the superphosphate manufacturers to manufacture commercial strength sulphuric acid on a decentralised basis if such manufacture could be undertaken economically.

However, it is understood a plant to produce commercial strength acid requires a large capital outlay and the small demand would not warrant such expenditure at all centres where decentralised superphosphate works are located.

APPLE GROWING IN ALBANY ELECTORATE

Commonwealth Financial Aid

18. Mr. HALL asked the Minister for Agriculture:

(1) Have approaches been made to him and through him to the Commonwealth Government for financial assistance for the planting and replanting of new apple orchards in the Mt. Barker, Denmark, Denbarker, and Albany areas?

(2) If approaches have been made, can he advise the names of the persons and the firms concerned, and what was the outcome of such approaches from both the State and Commonwealth point of view?

Mr. NALDER replied:

(1) No.

(2) Answered by (1).

WELFARE DEPARTMENTS

Number of Branches and Costs

19. Mr. HALL asked the Premier:

(1) How many branches are in this State respective to welfare work, and what are the names of the departments carrying out this welfare work?

(2) What is the cost to the State annually of each welfare department and its branches—

(a) administration costs;

(b) welfare and social service payments, including materials and supply of goods and transport;

(c) accommodation rental, and building purchase costs in respect of each department?

Mr. BRAND replied:

(1) Two—Child Welfare Department; Native Welfare Department.

(2)	Child Welfare Department	Native Welfare Department
(a)	£344,109	£223,297
(b)	£371,978	£603,480

(c) Paid by Public Works Department in most cases and no accurate allocations between departments is available.

The above figures refer to 1963-1964.

REFLECTORISED NUMBER PLATES

Reconciliation of Statements by Minister and Mr. R. K. Elliott

20. Mr. GRAHAM asked the Minister for Transport:

Will he please reconcile the following, appearing in *Hansard* dated the 19th August, 1964, page 399—and attributed to the Minister for Transport:—

> Reference was made to reflectorised number plates. As soon as any suggestion is made by members on the Government side towards increasing taxes, drivers' licenses, and motor vehicle licenses there is great hue and cry from the Opposition. In this instance who will pay for the reflectorised number plates? The poor old motorist will pay, and these are the very people who members opposite claim are suffering. Have members any idea of the cost of reflectorised number plates? It is much more than the cost of the plates which are now used. What is the advantage of reflectorised number plates, other than for the purpose of identification? They do not give added warning to pedestrians or motorists.

with the following appearing in the *Canberra Times* of date the 20th August, 1964:—

> "Reflectorised number plates should be compulsory for all motorists," Mr. R. K. Elliott said at Sydney Airport today.
>
> Mr. Elliott, the general manager of the Royal Automobile club of Tasmania, was speaking after his return from a world study tour.
>
> "Reflectorised number plates could do a great deal towards cutting down the great number of rear-end collisions on Australia roads," he said.
>
> "They would also be a great help to country motorists who drive for the most part along unlit roads."
>
> Mr. Elliott was sent overseas by the Automobile Association of Australia to study the value of reflectorised registration plates as standard equipment for all motor vehicles.
>
> "Reflectorised number plates are standard equipment on motor vehicles in many countries, including the United States, France, Italy, Peru, the Phillippines and Brazil," he said.

Mr. Elliott said that the cost of reflectorised motor plates would be about 3s. 6d. above those now in use.

Mr. CRAIG replied:

No, except to state that the cost of fitting reflectorised plates could cost the motorist approximately an additional 15s. and which no doubt would be resisted. There are some 40,000 sets of existing plates still to be used.

AIR TRANSPORT

Bookings to Eastern States by Parliamentarians and Government Officials

21. Mr. FLETCHER asked the Premier:

Will he make available to the House the numbers of—

(a) State parliamentary members;

(b) Government departmental officials;

booked by air to the Eastern States on—

(i) Ansett A.N.A.;

(ii) T.A.A.;

during—

1959-60;
1960-61;
1961-62;
1962-63;
1963-64;

and current financial year to date?

Mr. BRAND replied:

Air bookings on behalf of Government departments are made by the Government Tourist Bureau, which does not keep the statistical information requested with regard to the number of Government bookings made with the respective airlines.

For the years in question the bureau can only supply details of the total value of business written, both Government and private, for both airlines, as follows:—

	A.N.A.	T.A.A.
	£	£
1958-59	12,963	30,184
1959-60	16,190	35,291
1960-61	24,218	36,391
1961-62	32,394	48,948
1962-63	34,680	48,563
1963-64	39,748	45,899
1964-65 .... (July-Aug.)	9,845	8,994

Figures for Eastern States branches have not been included as they are almost exclusively private bookings.

T.A.B. AGENCIES

Number in Metropolitan Area

22. Mr. H. MAY asked the Minister for Police:

(1) How many T.A.B. agencies have been established in the metropolitan area?

Location Opposite Hotels

(2) How many of these agencies are located on sites opposite hotels?

(3) How many of such agencies are connected with crosswalks as between agencies and hotels?

Mr. CRAIG replied:

(1) 94.

(2) 22.

(3) Two.

WAR SERVICE LAND SETTLEMENT

Finality of Scheme

23. Mr. KELLY asked the Minister for Agriculture:

(1) Is he aware that some war service land settlers are being informed by an officer of the department that the scheme is to reach finality during 1965, and that those who are not strong enough financially to be acceptable to the Rural and Industries Bank cannot be carried further under the scheme?

Sale of Properties

(2) Does he realise that if this attitude is to be enforced by the War Service Land Settlement Board some settlers will be forced to dispose of their properties in an unfavourable sale atmosphere?

Transfer of Properties to R. & I. Bank

(3) In referring to transference to the Rural and Industries Bank in his reply to question 15 of the 3rd September, 1964, what is meant by "normal manner" and "reasonable prospects of success"?

Mr. NALDER replied:

(1) I am aware that departmental officers have told settlers the War Service Land Settlement Department expects to complete its work in 1965. It is common knowledge that various country depots are being closed on, or about, the 1st October of this year.

It is not the Government's intention to maintain the department indefinitely when only a very small number of accounts require servicing, but all lessees who have security in their farms will be provided with finance under the scheme through the Rural and Industries Bank.

(2) The premium being paid for war service land settlement perpetual leases would indicate no unfavourable sale atmosphere exists.
Every effort has been made by the board to assist settlers to become successful farmers and, viewing the scheme as a whole, with gratifying results.
It is intended to retain the War Service Land Settlement Board in an advisory capacity to ensure a continuation of present policy.

(3) (a) "Normal manner": Accounts considered suitable for transfer are submitted to the Rural and Industries Bank and the requirements are that the property be capable of producing an income at least sufficient to meet annual commitments and the financial position of the lessee be reasonably sound.
This is similar to the method which existed when the honourable member was Minister in charge of war service land settlement in Western Australia and should be known to him.

(b) "Reasonable prospects of success": This would be indicated by an examination of a lessee's account and the income being received from the farm under average conditions.

LEGISLATIVE ASSEMBLY DISTRICTS REDISTRIBUTION

Division of North-West Area

24. Mr. JAMIESON asked the Minister representing the Minister for Justice:

As section 11A subsection (1) (e) is the only definition of "North-West Area" in the Electoral Districts Act, how does he reconcile his answers to question 23 on Wednesday, the 26th August, 1964, and answers to question 23 on Tuesday, the 1st September, 1964, with this definition and section 7 subsection (2) of this Act?

Mr. COURT replied:

(1) No reconciliation is necessary. Subsection (2) of section 7 of the Electoral Districts Act, 1947-1963 provides, inter alia, that the North-West Area shall, with such alterations and modifications of internal boundaries and designation as the commissioners may think fit, be divided into three electoral districts, but the boundaries of the North-West Area as described in the final recommendations as that expression is defined in section 11A shall not be altered.

(2) The "final recommendations" are defined in paragraph (b) of subsection (1) of section 11A as meaning the recommendations of the electoral commissioners published in the *Government Gazette* dated the 14th day of December, 1961.

(3) Section 11A provides that for the purpose of section 11A the "North-West Area" means the area described as such in the final recommendations including the electoral district called and described therein as "Murchison".

(4) Section 11A has specific reference to the redivision of the State into electoral provinces only and does not apply to a redivision of the State into electoral districts.

ROADS IN KIMBERLEYS

Bituminisation Programme

25. Mr. RHATIGAN asked the Minister for Works:

How many miles of roads will be bituminised in the Kimberleys this financial year and at what places?

Mr. WILD replied:

In 1964-65 the "black top" (i.e. sealing and priming) will be extended 77.85 miles. The following are the details—

Road	Section		Total Length Miles
Great Northern Highway (00 Broome)	5·9m.–10·0m. 20·5m.–21·5m.	....	5·1
Broome Townsite and Entrance Point	Various	....	4·5
Great Northern Highway (00 Derby)	27·5m.–28·5m. 34·5m.–60·0m. 75·0m.–85·0m.	....	1·0 35·5
Derby Townsite	Various	....	1·0
Halls Creek Townsite	Various	....	91·0
Great Northern Highway (00 Halls Creek)	195·6m.–Wyndham (Various)		10·0
Duncan Highway (00 Wyndham)	55·8m.–66·3m.	....	10·5
3-mile Townsite	Various	....	1·25
Kununurra Townsite	Various	....	1·0
Ord River Irrigation Area Roads	Various	....	7·0
			77·35

WILUNA: POSSIBILITIES OF NEW DEVELOPMENTS

American Study Group's Assessment

26. Mr. BURT asked the Premier:

(1) Did he read an announcement in the weekend papers that an American study group, which came to Western Australia last year to report on the possibility of developing the State's wasteland, had submitted a report to the Government in which it was stated that the town of Wiluna might well be established as an arid research centre, and might also be used as a refuelling stop for supersonic aircraft of the future?

(2) Would the Government give every practical assistance to any reasonable scheme which might be proposed in the United States and which would be the means of repopulating this once thriving gold mining district?

Mr. BRAND replied:

(1) and (2) The Press report was read.

The report referred to was made by a study group from the U.S.A. which examined possible land use in W.A. It is being examined to see whether any of the proposals are practicable.

The report covers a wide area of land and a number of proposals. A lot of factors are involved.

It is too early to state whether any of the proposals can be negotiated. The honourable member can be assured full consideration will be given to any practical ideas which would assist in establishing more people in areas such as Wiluna.

FERTILISERS

Price Increases

27. Mr. MOIR asked the Minister for Agriculture:

(1) Referring to question 21 on Thursday, the 3rd September, 1964, notice paper, is he satisfied that the price increases for fertilisers, as revealed in his answer, are justified, and on what grounds does he base his answer to (4) "that there is no reason to expect that manufacturers will increase prices beyond justifiable limits"?

(2) Will he take action to have the price increases examined by a competent authority to ascertain if these price increases are justified?

(3) If not, why not?

Mr. NALDER replied:

(1) Yes. The increase in the price of superphosphate is clearly justified. The cost of rock phosphate has risen by 13s. 6d. per ton. Two-thirds of a ton of rock phosphate is required to make one ton of superphosphate. The calculated increase in the cost of superphosphate should therefore be two-thirds of 13s. 6d. or 9s., which was the actual amount of the recent increase announced by the manufacturers.

(2) and (3) Answered by (1).

Urea: Sources of Supply, Price, and Imports

28. Mr. MOIR asked the Minister for Agriculture:

(1) From what countries are this State's supplies of urea imported?

(2) If from several different sources, what is the price per ton from the respective sources landed at Fremantle?

(3) What quantity is drawn from each source?

(4) What amount of this fertiliser has been imported to this State in each of the last three years?

Mr. NALDER replied:

(1) In the past three years imported urea originated mainly in Japan, Republic of South Africa, Norway, Belgium and Federal Republic of Germany. Smaller amounts come from United Kingdom, France, Italy, Netherlands, Switzerland, and United States of America.

(2) to (4) Prices landed at Fremantle are not available. Quantities and values f.o.b. port of shipment are given in the table below. Costs of freight, insurance, and handling charges to land at Fremantle are not available.

UREA—WESTERN AUSTRALIAN IMPORTS

Country of Origin	1961–62		1962–63		1963–64	
	cwt.	Value £A	cwt.	Value £A	cwt.	Value £A
United Kingdom	320	581	360	623	n.a.	27
Germany, Federal Republic of	800	1,753	16,426	36,387	8,600	19,643
Japan	18,791	32,451	62,841	105,012	272,041	444,312
Norway	....	....	6,000	9,784	39,000	69,651
Netherlands	1,599	3,057	....	....	....	....
South Africa, Republic of	....	....	100,535	260,832	....	....
Belgium Luxembourg	16,589	23,682	....	....	119,084	168,683
Belgium Ruanda Urundi	394	659	....	....	....	....
United States of America	n.a.	53	....	....	n.a.	6
France	2,953	6,043	....	....	....	....
Italy	196	403	....	....	....	....
Switzerland	500	1,056	....	....	....	....
	42,142	69,738	186,162	412,638	439,625	702,322

n.a.—Not available.

METROPOLITAN RAILWAY STATIONS

Reduction in Attended Hours

29. Mr. BRADY asked the Minister for Railways:

(1) Has there been a reduction in the attended hours at metropolitan stations during the past nine months?

(2) What stations are now working under reduced hours?

(3) What is the approximate saving to the Railways Department?

(4) What approximate number of man hours over all stations will be saved under new arrangements?

Mr. COURT replied:

(1) Yes.

(2) Perth-Midland Section — East Perth, Mt. Lawley, Maylands, Meltham, Bayswater, East Guildford, West Midland.

Fremantle-Perth Section—Leighton, Mosman Park, Swanbourne, Karrakatta, Shenton Park, Daglish, West Leederville, West Perth.

(3) Staff reductions as a result of reduced hours at the stations mentioned in answer to (2) represent £30,146 per annum.

(4) Perth-Midland Section—A saving of 600 man hours per week.

Fremantle-Perth Section—A saving of 400 man hours per week.

FERTILISERS

Phosphate Rock: Availability and Cost

30. Mr. MITCHELL asked the Minister for Agriculture:

(1) What is the present source of rock used for the manufacture of superphosphate in W.A.?

(2) How many more years is it anticipated the present source will supply all our requirements?

(3) What other source of supply is available to us?

(4) What would be the extra cost of rock if we were forced to draw our supply from an alternative source?

Copper Ore: Availability and Price

(5) Is there sufficient copper ore on hand, or in sight, for next season's requirements?

(6) Will the price of copper ore be increased before next season?

Mr. NALDER replied:

(1) Most of the phosphate rock now used is from Christmas Island, Nauru, and Ocean Island. A small amount has recently come from Senegal and Togoland (West Africa).

(2) Published estimates suggest Nauru may be exhausted in 25-30 years. No information is available for other major sources.

(3) West Africa, North Africa, United States of America, and other countries have large phosphate deposits.

(4) Prices are related to mining, processing, freight, and handling costs at the time of supply.

(5) No. The deficiency will be made up by imported bluestone, as has been the case in the past season.

(6) This cannot be forecast.

COMMONWEALTH-STATE RENTAL HOMES

Number Built at Carnarvon and Capital Cost

31. Mr. NORTON asked the Minister representing the Minister for Housing:

(1) How many Commonwealth-State rental homes were built at Carnarvon in each year since 1949?

(2) What was the capital cost of houses built in each year since 1949?

Mr. ROSS HUTCHINSON replied:

(1) and (2)—

Calendar Year	No.	Capital Cost £
1949	5	—
1950	5	11,691
1951	4	9,912
1952	10	29,299
1953	2	5,796
1954	9	25,927
1955	9	28,283
1956	3	9,277
1957	14	44,934
1958	7	22,505
1959	18	55,319
1960	15	47,736
1961	3	9,418
1962	4	13,711
1963	11	41,050
1964	6	22,520
Total:	120	£377,378

Calculation of Rental

32. Mr. NORTON asked the Minister representing the Minister for Housing:

(1) In the calculation of the rental of a Commonwealth-State rental home is a certain percentage per annum of the capital cost included as a charge for maintenance and repair?

(2) Is this amount segregated from rentals collected and set aside in a special account for maintenance and repairs and used for that purpose?

(3) If not, why not?

Mr. ROSS HUTCHINSON replied:

(1) Yes.

(2) and (3) Each year the commission calculates the amount of rent to be received and the maintenance component is allocated for expenditure on maintenance and repairs during that year.

T.A.B. AGENCY 81: TELEPHONE BETS

Questionnaire

33. Mr. TONKIN asked the Minister for Police:

(1) Why has he refused to supply a copy of the questionnaire which he had prepared for the attention of the agent at agency 81 and the bettor who made bets of £50 on each of the horses Gloucester Chief and Gallant Mark on the 8th December?

(2) Did the following question appear as (f) on the questionnaire submitted to the agent:—

(f) The reasons why the backer was not advised that the bets were not first accepted by the collating centre?

(3) What is meant by the words, "the bets were not first accepted by the collating centre"?

(4) If they were, in fact, accepted by the collating centre at any time did this occur before the result of the race was known?

(5) If this acceptance occurred before the result of the race was known, why was it necessary for the collating centre to ring the agent several minutes afterwards and inquire if the tickets for the bets had been machined and cancelled?

(6) When did the collating centre notify the agent that the bets which it had at first refused to accept had subsequently been accepted by the board?

Mr. CRAIG replied:

(1) Because I do not think it advisable to do so.

(2) Yes. This was one of the matters to be answered in the statutory declaration.

(3) The words "the bets were not first accepted by the collating centre" mean that when the agent phoned the collating centre at about the scheduled starting time of the race concerned, he was informed that the bets could not be accepted in the belief that he had not in fact accepted the bets.

(4) The bets were not accepted by the collating centre but they were accepted by the agent.

(5) Answered in (4) above.

(6) The collating centre gave no such notification.

KWINANA REFINERY GAS

Use for Domestic Purposes

34. Mr. CURRAN asked the Minister for Electricity:

(1) Is he aware that the gas continually burning at the Kwinana refinery can be used for domestic purposes?

(2) Does he agree that this is a great waste of power and fuel?

(3) If the answers to (1) and (2) are "Yes," has consideration been given to the channelling of this wasted gas to the Medina, Kwinana, Rockingham area?

(4) Have there been any discussions between the Government and the Kwinana refinery on this important question?

Mr. NALDER replied:

(1) to (4) The gas burning at the Kwinana refinery is unsuitable for domestic purposes and the flare is a normal safe-working requirement of all refineries.

SPENCER PARK AREA, ALBANY

Plans for New Suburb

35. Mr. HALL asked the Minister representing the Minister for Housing:

(1) Has the planning of the new suburb for the Spencer Park area, Albany, been completed and approved by the Town Planning Commission?

(2) (i) How many homes will be built in the new suburb when the overall plan is completed; and

(ii) what is the overall approximate cost of construction of same?

(3) How many acres of land will be required for the proposed new suburb when completed?

(4) Has provision been made in the overall plan for playing fields, parks, civic centre, and infant health centre?

(5) Does the proposed plan for the new suburb of Spencer Park make provision for the shopping centre and hotel site and, if so, how many acres have been set aside for this purpose?

Mr. ROSS HUTCHINSON replied:

(1) An outline plan of that portion of Spencer Park owned by the commission has been completed, except in respect of 23 acres recently purchased.

(2) (i) Land owned by the commission has a subdivisional potential of 700 home sites with usual amenities and facilities.

(ii) As development will occur over many years, it is not possible to estimate with any degree of accuracy what the overall approximate cost might be.

(3) The new part of Spencer Park bounded by Angove, Collingwood, and Ulster Roads covers approximately 375 acres of which the commission owns approximately 200.

(4) Yes.

(5) Yes, approximately seven acres.

ALBANY DEVELOPMENT

Master Plan: Completion and Availability

36. Mr. HALL asked the Minister representing the Minister for Town Planning:

(1) Can he advise if the master plan for the development of the Albany area to be drawn up by the Town Planning Department and the Department of Public Works has been completed and approved?

(2) If so, will he make available a copy of the proposal and suggestions with a copy of the overall plan to be adopted or submitted for adoption?

Mr. LEWIS replied:

(1) An outline plan for Albany, covering the municipality and parts of the adjoining shire, has been prepared, not by the Town Planning and Public Works Departments but by the Albany District Regional Planning Committee. This committee comprises representatives of the two local authorities with a surveyor practising in the area and officers of Main Roads, Public Works, and Lands Departments co-opted. The outline plan has been adopted by the committee. It cannot be said to have been completed in the sense of being final but it is the basis for progressive development of planning proposals by the committee and its constituent councils.

(2) The committee is not a statutory body but it is thought that through the chairman (the Mayor of Albany) or the secretary (the Town Clerk of Albany) the information sought by the honourable member would be readily given.

QUESTIONS WITHOUT NOTICE

NARROWS BRIDGE ROAD SYSTEM

Display of Model in Parliament

1. Mr. GRAHAM asked the Premier:

Will he arrange for a relief model of the road system proposed to be constructed at the northern end of the Narrows Bridge to be placed on the Table of the House, or elsewhere in Parliament House buildings, during the debate on the motion relating to the reclamation of the Swan River?

Mr. BRAND replied:

I shall discuss this matter with the Minister for Works. At this point of time I cannot give any undertaking, but I shall see how practical and necessary it is for that to be done. I should think, if members are interested in seeing this model, they could go to where it is displayed at the present time. It is certainly a large model, and it could not be accommodated on the Table of this House. It seems to me that no good purpose would be served by displaying it here.

Mr. Graham: That is how important you think Parliament is!

Mr. BRAND: Don't talk nonsense!

CHIROPRACTORS' ASSOCIATION

Details of Registration, Office Bearers, and Members

2. Mr. OLDFIELD asked the Minister for Health:

(1) Is there a body in this State known as the Western Australian Branch of the Australian Chiropractors' Association?

(2) If so, has it been registered as an incorporated body, and for how long since?

(3) (a) What are the names and addresses of the office bearers and members?

(b) How long has each been a resident of, and practising chiropractic in Western Australia?

Mr. ROSS HUTCHINSON:

(1) Yes.

(2) Application has been made and this is being processed.

(3) (a) President: J. R. Tunney, Perth.
Secretary: B. McNamara, West Perth.
Treasurer: R. J. Kennedy, Wembley.
Members: H. Corbett, Bunbury; N. Griff, Alfred Cove.

(b) Not known.

ADDRESS BY MR. GORDON WISE

Opening of Gallery to Public

3. Mr. RHATIGAN asked the Speaker:

Will the gallery be open to the public to enable them to hear the address to be given by Mr. Gordon Wise at 11 a.m. tomorrow?

The SPEAKER (Mr. Hearman) replied:

I have received no request for the gallery to be open to the public. However, if the honourable member has any particular reason for asking this question—I assume he has a desire for some people to be present to hear it—and if he will discuss this matter with me, I shall see what can be done.

QUESTIONS IN PARLIAMENT

Article in "The West Australian."

4. Mr. JAMIESON asked the Speaker:

(1) Did he see the feature article entitled, "Parliament Stages Biggest Quiz Show in W.A.", in *The West Australian*, on page 8 of the issue of Friday last of the country edition, purported to have been written by a Mr. Chris Griffith?

(2) Did he see exactly the same article in the metropolitan edition of *The West Australian* of the same date, purported to have been written by a Frank Harvey?

(3) As this article dealt with parliamentary procedure, will he ascertain who wrote the article, or whether these two writers are one and the same person?

(4) Will he examine the article to see if either the Parliamentary Privileges Act or the Criminal Code has—or both have—been breached by the writer?

The SPEAKER (Mr. Hearman) replied:

(1) Yes.

(2) Yes.

(3) I will endeavour to do so.

(4) I have examined the articles, but I do not consider there has been any infringement of either Act.

LOCAL GOVERNMENT FINANCE MOTION

Incorrect Wording: Personal Explanation

MR. FLETCHER (Fremantle) [5.7 p.m.]: I rise for the purpose of making a personal explanation to correct what appears to have been a misunderstanding of my handwriting when I submitted a notice of motion.

Item No. 12 appearing on today's notice paper reads as follows:—

(1) That the Grants Commission under the Commonwealth Aid to Roads Act be increased by 50 per cent., with local roads receiving the same proportion as at present.

This is how that paragraph should read—

(1) That the grant under the Commonwealth Aid to Roads Act be increased by 50 per cent., with local roads receiving the same proportion as at present.

It would be ridiculous for me to ask for the Grants Commission to be increased by 50 per cent. My intention was obvious. I would like the motion in my name to be printed as corrected, and as I originally intended it to read. I would like the motion to be debated on the basis of my correction.

Mr. Lewis: Do you put the error down to bad spelling?

Mr. FLETCHER: I can readily understand how a misunderstanding can occur when I write quickly.

PRESBYTERIAN CHURCH ACTS AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Mr. Ross Hutchinson (Chief Secretary), and read a first time.

BILLS (2): THIRD READING

1. Brands Act Amendment Bill.

Bill read a third time, on motion by Mr. Nalder (Minister for Agriculture), and transmitted to the Council.

2. Inquiry Agents Licensing Act Amendment Bill.

Bill read a third time, on motion by Mr. Craig (Minister for Police), and transmitted to the Council.

SUPERANNUATION AND FAMILY BENEFITS ACT AMENDMENT BILL

Second Reading

MR. BRAND (Greenough—Treasurer) [5.11 p.m.]: I move—

That the Bill be now read a second time.

There will be a second Bill, carrying major amendments to this Act; but it is necessary to introduce the Bill before us at this juncture. It is a short measure, and seeks to amend the Superannuation and Family Benefits Act, 1938-1963, in order to widen the authority of the Superannuation Board in regard to the investment of superannuation funds. The present provisions of the Act restrict the

investment of funds to either trustee investments or to loans which are guaranteed by any of the States or the Commonwealth.

As members are aware, a fund of this nature must reserve contributors' funds and the board must endeavour to obtain a suitable interest return on the investment of those funds in order to meet future liabilities for pension benefits following the retirement of contributors. The reserves of the fund are now in excess of £10,000,000; but as the result of restrictions imposed by the Australian Loan Council on the total borrowing programmes of State instrumentalities and local government bodies, there is a limit on the amount which can be invested by the board in this type of security.

It is always possible, of course, for the board to invest in Commonwealth securities, but it has been the policy in more recent years to confine its investments to the support of loans raised by bodies operating in Western Australia.

However, this was not always the case, as, in the earlier years, some of the fund's operations were in connection with investments in loans raised by semi-governmental and local authorities in other States, and some of these loans are nearing maturity. It is not proposed by the board to renew these loans, and the amounts involved will therefore become available for reinvestment in Western Australia.

Within the next 18 months loans made to bodies in the Eastern States totalling £565,000 will be maturing, and the return of these funds, together with the steady growth in the board's reserves, requires an additional outlet for investment.

Accordingly, it is proposed to give authority to the board, subject to the consent of the Treasurer, to invest in land and buildings for the purposes of providing office accommodation for the board and such tenants as may be approved from time to time. Should the measure be passed it is the board's intention to acquire from the Government a property which has been recently purchased, and which is located on the western side of Anzac House in St. George's Terrace.

The land is described as portions of Perth Town Lots A8 and A9, which I think would be known to members generally as the St. George's Terrace half of the block on which the Grand Lodge of the Freemasons' Order stands. This block is some 138 feet wide and 185 feet deep. The Government acquired the property for £120,000 and would be agreeable to its transfer to the Superannuation Board at this figure.

The board proposes to erect a suitable office block of buildings on the site, which can be easily cleared of existing structures, consisting of a small block of flats and several old houses. It is a first-class block of land and ideally suited for the purposes of the board.

The design of the proposed new building has not yet been determined, but it is likely to be of the order of 12 storeys high with floor space of 80,000 square feet. The estimated cost would be in the vicinity of £1,000,000. For some time at least the building could be utilised in housing Government departments, although it may be desirable, because of its earning capacity, to reserve the ground floor for private letting.

At the present time a number of Government departments are in leased or rented premises and further accommodation of this kind will be necessary to house the Main roads Department and the Town Planning Board when existing offices are demolished to make way for the western switch road.

With the growth in the Public Works Department and the Metropolitan Water Board it is not feasible to contemplate housing the Main Roads and Town Planning Departments in the building now in course of erection on the observatory hill, and available finance does not permit the development of the central Government offices scheme through the construction of a second office block at this stage.

It will be some years before a second office block could be commenced on the observatory site; and, in the meantime, the building proposed by the Superannuation Board could be well utilised in housing the Main Roads and Town Planning Departments in particular.

In due course, no doubt, these two departments would move to the observatory site; but in the meantime the growth in other departments will call for increased accommodation, and I can see a continuing need for office space in the central city area. In fact it would be desirable at this stage to bring together in a central city building such departments as the Stamp Office; branches of the Crown Law Department, now renting premises in Sherwood Court; the Companies Office; and the Superannuation Board's office, now located in the T. and G. Building.

In the meantime, as a result of the steady expansion of the Rural and Industries Bank and the State Government Insurance Office more space will be required in their buildings for their own activities, and other Government departments now housed in those buildings will have to move out.

As I see the position, some departments are appropriately located in the central city area; and, notwithstanding the movement in due course to the observatory site of the larger proportion of Government departments, there will still be a need to maintain certain offices in the central city area.

There is no doubt that the Superannuation Board's proposed new building would be a great aid in helping to solve the growing need for additional office space for expanding Government services, and at the same time it would provide a very good return on the board's investment.

The board would charge commercial rentals for space let to the Government and other tenants, which should provide a return on its investment considerably in excess of normal earnings. However, in order to provide against any possible losses, the Government would be prepared to guarantee a minimum total net annual rental to the board, sufficient to return an adequate rate of interest on its investment, as well as the repayment of its capital outlay on land and buildings over a reasonable period of years. It goes without saying that such funds must be protected; and, for that reason, the Government feels it is justified in offering this guarantee.

If an early start on the building were made, it should be completed in approximately two years' time, and the board anticipated that it could meet the cost of the project within that period without any serious diminution in its capacity to continue its support of semi-governmental and local authority borrowing programmes.

I make this point because it has been accepted, by local authority in particular, that the Superannuation Board's funds were available to it from year to year. This situation has been safeguarded; because, as members will recall, I pointed out that over £500,000 will be released from the Eastern States for reinvestment here.

The proposed site is an excellent one and it will most certainly increase in value in the years to come, particularly with the growth of the City of Perth towards the eastern end of the city. In this respect, it is to be noted that the Commonwealth Government proposes to house certain of its departments in that area; and other commercial interests have announced their intentions to either build or extend their present premises in the same vicinity.

The proposal for the Superannuation Board to invest funds in such a venture is not an original idea. The Superannuation Board in New South Wales has purchased a large building in central Sydney for its own use; and insurance companies recognise the merit of investing reserve funds in substantial office buildings.

It is emphasised that the proposal is not a Government venture involving the expenditure of Government funds. It is an investment of the available funds of the Superannuation Board with the ownership of a very valuable asset remaining with the board. Although this is only a small amendment to the Act, it does involve, and is related to, quite a spectacular proposal; and with the passing of the Bill, it is the intention of the board to proceed with its planning.

Debate adjourned, on motion by Mr. Hawke (Leader of the Opposition).

CHIROPRACTORS BILL

Second Reading

Debate resumed, from the 3rd September, on the following motion by Mr. Ross Hutchinson (Minister for Health:—

That the Bill be now read a second time.

MR. GUTHRIE (Subiaco) [5.23 p.m.]: Let me say at the outset that I welcome this Bill and support it. It is, as has been said by the Deputy Leader of the Opposition, not as far along the track as members of the Royal Commission would have liked to see it, but at least it is somewhere along the track.

I think it is of some importance to trace, very briefly, the history of chiropractic. I am going back in my memory now to the days when we were sitting on the Royal Commission and conducted this inquiry; and I have not refreshed my memory since then. However, it is my recollection that chiropractic first saw the light of day as the result of work of Dr. Palmer in California around about the year 1895; and it is also important to realise, as was drawn to my attention by a pamphlet I read somewhat recently, the conditions that applied in medical practice and medical science in the United States, or portions of the United States, in the year 1895.

It is stated in this pamphlet that at that time certain States of the United States permitted medical students, after one year's training, to start a practice. It was in that context and background that chiropractic took hold. Medical science itself, in certain parts of America, had certainly not progressed very far indeed.

I also recollect that, at the time of the Royal Commission, members of the commission were loaned a booklet by an English physical surgeon, who was a Harley Street specialist. As far as my memory serves me, his name was James Turner. I can remember one statement Mr. Turner made in which he said, "Medical science had its genesis in the days of the bone setters, but when it became more scientific, the medical profession turned away from the bone setter and the knowledge and skills of the bone setter were lost to medical science." They were taken up by the chiropractor; and Mr. Turner went on to add that he thought it was a great pity that medical science had lost the arts and skills of the old bone setter, because he did have some skills which were of some use in aiding those who suffered from injuries and disabilities chiefly to the spine and the joints.

It was Dr. Palmer's contention, if I remember correctly, that all ailments spread from disorders of the spine; and to cure the disabilities of the spine was to cure the ailments. However, I think it is fair to say that chiropractors have now recognised that not all ailments and disabilities can arise out of injuries or disabilities to the spinal chord. That is just a short review of how chiropractic came into being.

I think it is also of interest to follow a short history of chiropractic in this State so far as this legislature is concerned, because I think it can be said to some degree, not of boastfulness, but of accuracy, that we have possibly led Australia in the approach to recognition of chiropractors. The first recognition of chiropractors in this Parliament goes back to the year 1945 when the then Minister for Health (Mr. Emil Nulsen) had before this Chamber amendments to the Medical Act; and at the behest and request of the late Sir Norbert Keenan, K.C., and the late Sir Ross McDonald, K.C., Mr. Nulsen accepted two amendments to the Bill before the House. One, if I remember correctly, he moved himself; and the other one was moved by Sir Ross McDonald.

The amendment moved by Mr. Nulsen at the request of Sir Norbert Keenan, referred to dietitians; and the amendment Sir Ross McDonald was successful in getting this House and Parliament to insert into section 19 of the Medical Act, meant that the Act made some reference to chiropractors and acceptance in their favour. That, I suggest, is one of the reasons why people in this State have gone outside to secure qualifications, and people outside recognised that this Parliament had made the first—maybe very short and faltering—step towards legal recognition of chiropractors.

The second occasion on which Parliament recognised chiropractors was in the year 1950 when the Physiotherapists Act was passed. On that occasion, again, an exception was made in respect of chiropractors; and for the first time an attempt was made to define the word "chiropractic." Again, there was an indication by this Parliament that it was prepared to explore the possibilities of chiropractic being recognised as a legal practice by members of the profession. As far as I am aware, nothing further happened until the year 1959, when the present Deputy Leader of the Opposition—who was also Deputy Leader of the Opposition at that time—introduced the Natural Therapists Bill, which was referred by this House to a Select Committee.

The Select Committee was, in 1960, converted by the present Government to an Honorary Royal Commission; and in 1961 the commission presented its report. The next step was during the last session of Parliament, in 1963, when—as has already been mentioned in this debate—the Deputy Leader of the Opposition again introduced a measure into this House called the Drugless Practitioners Bill; and the present Minister for Health made a statement which the Deputy Leader of the Opposition has already read to the House. To refresh the memories of members I will read it, as it is very short. It appears in volume 3 of *Hansard* 1963, page 3936. The Minister said as follows:—

> Finally, may I say that I will promise, in the period between now and the next parliamentary session, to have a closer look at the possibility of introducing a form of legislation which might suffice in regard to chiropractors. I am not going to promise that legislation will be introduced, but I will have a very close look to see whether it is feasible and practical for the Government to introduce legislation. But at this juncture, I oppose the Bill.

That is the history. That was an indication by the Minister that he was prepared to have a closer look at the matter of chiropractors. I suggest that if there has been an influx of chiropractors into the State in recent years, they were certainly encouraged by events spread over a period of 19 years; and they were led to believe that in this State at least something was likely to be done for them. I think that could be the correct reason for these people coming here.

I propose now to turn briefly to the recommendations of the Honorary Royal Commission. I think they could be summarised into five major recommendations. The first was that chiropractors should be licensed. The second was that unlicensed chiropractors should be prohibited. The third was that there should be a grandfather clause in favour of existing practitioners. The fourth was that there should be an Act setting up a board to administer the chiropractic profession consisting of a Queen's Counsel as chairman, two medical practitioners, and two chiropractors. The fifth major recommendation was that there should be an appeal against an unfavourable decision of the board concerning a chiropractor, an appeal to a judge of the Supreme Court.

I cannot remember whether the commission knew of the proposed legislation in New Zealand. It is noticeable that legislation was passed by the New Zealand Parliament in 1960 and amended in 1961. You will recall, Mr. Speaker, that the Royal Commission was appointed at the beginning of 1960 and sat through until 1961. I am open to correction by my colleagues on the Royal Commission, but I have a feeling that a copy of the Bill or some other reference matter was shown to us at the very tail-end of our deliberations. Having read through our report and the list of documents that were submitted, I notice that the New Zealand legislation finds no place in that list. It occurs to

me that if we had known of that legislation, and we had considered it, perhaps we might have changed our recommendations in some regard; but I think it is safe to say that no careful consideration was given to what has come to pass in New Zealand.

The Minister has preferred the New Zealand pattern to what the commission recommended in its report. One of the difficulties that the Minister was up against was that one of our recommendations was not possible of implementation. We recommended a board including two medical practitioners, and I understand the Minister ran into difficulty in endeavouring to obtain two medical practitioners who were prepared to sit on the board. Consequently, one of the essential points in the commission's recommendations was impracticable of performance.

Personally I would not be over-keen on introducing a licensing system without safeguards in the form of having medical practitioners sitting on the board. I would point out that in connection with the Physiotherapists Act and the Chiropodists Act—I think I am correct in saying this—there are medical practitioners on the respective boards, and in each case monopoly has been given to those who are registered. There are safeguards from the point of view of the public.

Mr. Ross Hutchinson: Those professions are ancillary professions.

Mr. GUTHRIE: I appreciate that. I am not criticising the medical profession; I merely mention it. I do not offer any criticism at all. I do not wish to offer any criticism of anybody in the course of this speech. It must be recognised that this is a Bill which is of benefit not merely to chiropractors, but to the public at large, and the public are entitled to legislative protection. Any legislation in favour of a profession is for the protection of the public. If it does not protect the public, there is no reason why Parliament should pass it.

Mr. Brady: Do you think the public should be protected financially as well as physically?

Mr. GUTHRIE: I am not worried about the financial side. The physical side is all-important. Money cannot buy health, and wrong treatment can cause great ill-health.

Mr. Oldfield: Wrong treatment can still cost you a lot of money.

Mr. GUTHRIE: Money might be the god of some people, but Parliament is not concerned so much about that. That is one of the tasks for the board of control. It will have to determine what will be the fees, and so on.

It is of interest to note that this Bill is analogous to the Architects Act. The latter does not give an architect the sole right or privilege of practising his profession. It merely gives him the right to the use of the name. I would refer members to section 29 of the Architects Act. I do not propose to read it; but if any member cares to refer to that section he will see that it has a similar conception.

People who call themselves draftsmen, or house designers, have the right to practise architecture so long as they do not hold out that they are architects. They can design houses, and they can supervise the design of houses, but they cannot call themselves architects. That is, after all, the basic conception in this Bill, and the basic conception in the New Zealand legislation, which is followed very largely so far as conception is concerned.

Unfortunately it is true, as mentioned by the Deputy Leader of the Opposition, that there is some division in the ranks of chiropractors in this State. Some are members of the Australian Chiropractors Association and others are not. My own view is that those who are not members of the association are entitled to have their rights protected.

I would not like to see this division continue into the future, and I hope that once chiropractors of all types are registered the two parties will come together and form a local association, similar to those of other professions, where they will all become members of the one association. It could be that at some time in the future Parliament might see fit to amend the legislation to remove reference to the Australian Chiropractors Association and to make reference to an association which might have been formed in this State for the benefit of all registered chiropractors.

It must be remembered that a professional man, no matter what profession he follows, will not make a success of his career if he is not dedicated to his profession. It is absolutely essential that all chiropractors—and I say this kindly—should get together, forget what has gone on in the past, and accept the fact that they are all working to a common end and a common cause; and the common end is to help the community, and nothing else.

I propose now to refer briefly to the remarks of the Deputy Leader of the Opposition last Thursday. He made a number of points that I would like to comment on. Firstly, he mentioned that the Bill was a long way away from the New Zealand Act. In some respects that statement was, of course, quite correct; but in its basic conception, the Bill is very close to the New Zealand Act. As the Minister said, it follows the pattern or the basic theme of the New Zealand legislation, which is to license people who call themselves chiropractors; and having done that, it prevents other people from calling

themselves chiropractors. It does not in any way license people to perform the services of a chiropractor or to perform chiropractic.

Once this Bill becomes law, any person will be entitled to do the things that a chiropractor does at present, without committing any breach of the law, so long as he does not call himself a chiropractor or does not represent himself as performing chiropractic services.

This is the type of legislation that was passed by this Parliament many years ago in regard to architects. Practically every other profession, in connection with which legislation has been passed, does not follow that pattern. It follows the pattern of giving to its members the exclusive right to practise their profession, and anyone who practises without a license is liable to prosecution. So to a certain extent the Bill does follow the New Zealand pattern.

The Deputy Leader of the Opposition mentioned that the Royal Commission's report referred to heat processes or X-ray. It is true that the Bill does not make any reference to heat processes or X-ray, but I would draw the attention of the House to the fact that it refers to a proclaimed method. This reference is in the definition and in clause 22.

It seems to me that the heat preparations which have been described to me by chiropractors could very easily be termed a proclaimed method of chiropractic. As to whether the use of X-ray for the purpose of diagnosis needs to be so proclaimed, I would not like to express an opinion on the spur of the moment. I should think that it would automatically follow that if one permitted a person to carry on the profession of chiropractic, one would permit him to make diagnoses. It does not really matter what method he uses to make diagnoses. Regarding the use of X-ray, I take it that chiropractors are licensed under appropriate legislation and are therefore protected.

It has been explained to me that chiropractors like to prepare their patients for manipulation by the process of applying heat, and I think that such a method could be proclaimed under the Act and thereafter become part of the process of chiropractic. I would remind the House that a similar provision appears in the Physiotherapists Act regarding the proclaimed method of applying physiotherapy.

Another point mentioned by the Deputy Leader of the Opposition concerned an appeal to a judge—I think he mentioned a judge—or to somebody, in the event of the proposed board or council making a decision that was adverse to a chiropractor or to an applicant for a license as a chiropractor. As he stated and as I have already mentioned, the Royal Commission recommended that there should be such an appeal.

Since the Deputy Leader of the Opposition spoke, I have taken the trouble to look at some of the legislation that has been passed by this Parliament; and I find that in connection with this subject of giving a right of appeal against an adverse decision of a professional board, this Parliament has been delightfully inconsistent, notwithstanding which Government has been in office.

It rather amazed me to discover that the Medical Act does not give a right of appeal to a medical practitioner who fails to get registered; but it does give a right of appeal to a judge where there is an adverse decision on what is called a regional practice. It does give the right of appeal to a judge where the right to practise is taken away from a practitioner; but, for some unknown reason, unless I have missed it, there is no right of appeal to anybody where the Medical Board, in the first instance, fails to register a student who has just emerged from the University.

The Legal Practitioners Act, of course, has a different conception, because a legal practitioner is actually admitted to practice by the Full Court, and he is removed from practice by the Full Court. The Barristers Board has only powers of recommendation. In neither the Physiotherapists Act nor the Chiropodists Act is there any right of appeal at all in regard to any adverse decision of the board. Strangely enough, the Hairdressers Registration Act does contain a section giving the right of appeal.

I mention these things, in passing, to show that Parliament has not been overconsistent in the matter! But I would like to interpolate here and mention the Architects Act, which provides for a right of appeal, originally to a judge and now to a magistrate. However, with the exception of the Architects Act, all the other Acts give the exclusive right of practice, and therefore the board has the right to take away from the individual who is adversely affected his power to earn a living. He can be prevented from practising his chosen profession and it could well be that the unfortunate individual concerned could not earn a living in any other following or avocation.

But this Bill does not do that. This measure merely licenses the name of the chiropractor. So, to my mind, although the Royal Commission recommended it, it is not so important on this occasion that there should necessarily be an appeal against an adverse decision of the board. I did notice that, although the Deputy Leader of the Opposition mentioned the matter, and he has some amendments on the notice paper, there is not one dealing with this particular point. So I assume, maybe rightly or wrongly, that he is not going to move an amendment. I would

suggest that perhaps the best way would be to pass the legislation; and if we find any concrete cases which would indicate that an appeal was necessary, we could provide for it by way of an amendment in the future.

I would point out that there are certain practitioners who practise chiropractic—and I can think of one man who lives close to where the Deputy Leader of the Opposition does and who has built up a very big reputation. As regards the person to whom I have referred, I do not think it would matter very much to him whether or not he was known as a chiropractor. People know him by his name, and that is probably sufficient for him; and I think there are other practitioners of these arts who have built up similar reputations and are known by their individual names.

However, I would draw the attention of the Deputy Leader of the Opposition to clause 20 of the Bill, which sets out in fairly definite terms what the board must do. It states—

> Subject to the provisions of this Act, and the rules and regulations made under this Act, a person who satisfies the board that he has attained the age of 21 years and is a person of good character, and that he holds any of the qualifications prescribed by the rules as a qualification for registration is entitled to be registered under this Act as a chiropractor.

The board has not a great deal of discretion under that clause. It would be quite simple for a person to prove that he was over 21 years of age; and it would be quite simple for him to prove, I should think, that he was a person of good character. The rest of it is, after all, factual; because, as I understand the Bill, the board will be required to state in black and white the qualifications that are required.

I am not dogmatic about this, but I would suggest that if a chiropractor has the specified qualifications, and there is no evidence that he is not of good character, and the board does not allege that he is is not of good character, it could be a case where he would be able to compel the board, under the normal processes of the law, to register him.

After all, as the Deputy Leader of the Opposition no doubt knows, there is such a thing as a *mandamus* which can be directed against statutory boards which do not carry out their statutory duties. This clause is a little different from some sections which are to be found in other Acts governing professional people and which give to a board the right of opinion. The clause I have just read does not give the members of the board to be appointed under this legislation much opportunity to express an opinion except about a person's character. In any event, I am not absolutely dogmatic about it. I have not had a great deal of time to give thought to the matter, but I suggest that maybe the need for an appeal is probably not as great with this legislation as it would normally be.

The next point dealt with by the Deputy Leader of the Opposition was the grandfather clause in regard to which he has placed an amendment on the notice paper. I will be very interested to hear what the Minister has to say concerning that amendment. I do not think there could be any serious objection to it, because it is a provision normally found in most Acts of this kind; but I wonder whether the new subclause will be in its right position. It is true, as the Deputy Leader of the Opposition told us, that he has taken it more or less word for word from the New Zealand legislation. However, I would point out to the House that the New Zealand subsection found its place in a slightly different section in the New Zealand Act.

I think that if I had been giving notice of this amendment I would have suggested it as a separate clause altogether—I say that in all kindness to the Deputy Leader of the Opposition. It could be that it will have an adverse effect on the construction of clause 20; therefore I trust that the Deputy Leader of the Opposition will be prepared to listen to any reasonable suggestions that may be made in Committee for altering the phraseology. Its context in the New Zealand Act is slightly different from its context as the honourable member proposes it here; but, as I say, we can talk about it at greater length when the Bill is in Committee.

The Deputy Leader of the Opposition also referred to the composition of the board in New Zealand; and you will recollect, Mr. Speaker, that he read to the House the provisions of subsection (2) of section 3 of the Chiropractors Act, 1960, of New Zealand. Unfortunately, however, he did not quite complete the story. The Act provided that it should come into force on the 1st January, 1961; but, in fact, it did not. It was held up and it was amended before it actually came into force, and that particular subsection was removed and replaced by another.

This interests me greatly, because I did not know of the alteration until last evening, and I had put my amendment on the notice paper prior to that time. It interested me and gave me encouragement to find that what the New Zealand Parliament ultimately provided was just what I propose in my amendment to this Bill.

The New Zealand Parliament adopted a provision that there should be four chiropractors on the board, two of whom should be nominated by the association; and it also adopted a proviso regarding their coming from one school of chiropractic.

When it re-enacted the subsection the New Zealand Parliament merely provided as follows:—

(2) The board shall consist of—

(a) the chairman, who shall be a barrister of the Supreme Court of New Zealand of at least seven years practice:

Incidentally, that was an amendment. The original Act did not provide for seven years' practice. It continued—

(b) Two chiropractors to be nominated by the association:

(c) two persons to be nominated by the Minister of Justice, of whom one shall be a chiropractor.

In case there should be any misunderstanding about the reference to the Minister of Justice in New Zealand, I would mention that in New Zealand—I do not know why—the Chiropractors Act is administered by the Minister of Justice. He is the Minister in charge of the legislation; but we would read into that "the Minister for Health", so far as we were concerned.

Mr. Ross Hutchinson: By way of interest, did you get your amendment from the New Zealand legislation?

Mr. GUTHRIE: No; I did not know of the New Zealand amendment until last night, and my amendment was placed on the notice paper last week. It was a coincidence, and maybe great minds think alike!

On the subject of the registration of the association, apparently—judging from the answer the Minister gave to the question asked this afternoon—the registration of the branch in this State is in the course of process; and I do not think it really matters much whether it is in fact incorporated or not so long as the association is incorporated and can be identified. Once we can identify the association, or its headquarters in the Eastern States, it should not be difficult to identify the Western Australian branch: provided, of course, that the constitution in the principal place of registration provides for the setting up of branches and gives them some degree of autonomy. That would have to be checked, I agree; but I do not think any further information regarding the registration or incorporation would be necessary.

The last matter to which the Deputy Leader of the Opposition referred was the recent influx of chiropractors to this State from the Eastern States. I do not propose to repeat what I have already said on that aspect.

It will also be noticed I have another amendment on the notice paper to alter the words "Minister for Justice" to read "Attorney-General". I understand the Crown Law Department agrees with me on this, and I did put it to the Minister that it is preferable to have the words "Attorney-General" instead of "Minister for Justice"; because section 154 of the Supreme Court Act provides that wherever the words "Attorney-General" appear in legislation, and there is no Attorney-General, the words "Minister for Justice" shall be read in their place. But it does not provide the reverse. I cannot find any legislative provision which states that where the words "Minister for Justice" appear, and there is an Attorney-General, the words "Attorney-General" shall be read for the words "Minister for Justice". We might be able to build a case for it out of the Interpretation Act, but I think it is safer to make sure.

Finally, I want to mention two matters that this Bill will bring in its wake if it passes into law. I have already mentioned them to the Minister, and they are mentioned in the report of the Royal Commission. I believe some attention should be given to the Medical Act and the Physiotherapists Act because, as I have already mentioned, both those enactments provide for certain exemptions in favour of chiropractors practising chiropractic.

I am thinking at this point of time of the person who at this moment practises chiropractic but either cannot obtain a license under this measure or, for his own reasons, does not seek to do so. He will not be able to call himself a chiropractor any longer. He will be able to call himself anything else he likes, but he cannot call himself a chiropractor.

I mentioned in passing that it seems to me that that person, who at the moment is protected under the Medical Act, could well lose the protection if he changes the title of his profession. That applies both under the Physiotherapists Act and the Medical Act, and it is not competent for anybody in this House, while this Bill is before Parliament, to move any amendments to the two other pieces of legislation.

I hope the Minister will have a look at that. Perhaps he could wait and see, and if there are any persons who do not obtain a license he might be able to ensure that they are not prejudiced. It would be unfair if people who are permitted to practise at the moment were not given the same protection they had previously, merely because we pass a chiropractors Bill. I do not think I need say any more. I have no hesitation in supporting the second reading of the Bill, and I hope the House will accept the amendments I have foreshadowed before the Bill passes into law.

MR. FLETCHER (Fremantle) [6.1 p.m.]: I would like to make a small contribution to the debate on this Bill now rather than leave it until the Committee stage. I will say at the outset that I support the Bill, but with many reservations. I support it despite its limitations,

which have been referred to by both the Minister and the Deputy Leader of the Opposition.

I hope this legislation will accord the necessary status only—and I repeat only—to those who merit that status. I also hope it will help weed out the undesirable element—the fringe dwellers—who allege they are chiropractors. The Bill asserts that—

> "chiropractic" means a system of palpating and adjusting the articulations of the human spinal column by hand only, for the purpose of determining and correcting, without the use of drugs or operative surgery, interference with normal nerve transmission and expression;

That all sounds very grand, and I would like to draw the attention of the House to the emphasis that is placed on the human spinal column. I hope to show later that chiropractors do intrude into areas other than those associated with the spinal column.

There is a provision in the measure which states that there shall be no intrusion into the rights and privileges of the medical practitioner or the physiotherapist. There may not be intrusion into the rights and privileges of the medical practitioner or the physiotherapist; perhaps there may not be intrusion into the profession itself. But these people do intrude, I suggest, into work which is the prerogative of qualified members of the medical profession and of qualified physiotherapists.

I know there are those among us who do prefer to visit chiropractors. I do know there is a percentage in the community which prefers to do just this; and I respect their right to do so. But where perhaps 1,000 people visit the chiropractors there are hundreds of thousands of people who visit qualified doctors.

I suspect that the Government, when it introduced the Bill, was aware that there is a percentage of the community which prefers to attend chiropractors rather than properly-qualified doctors; and, when he introduced the Bill, the Minister knew that the Government would, in effect, get offside if it did not make provision for the registration of chiropractors, thus ensuring that it would be electorally popular with that percentage of the community. I hope I get my message across to the Minister and to the Government.

Mr. Ross Hutchinson: There was nothing like that in my mind at all.

Mr. FLETCHER: I will believe the Minister; but I am not so naive as to believe any of the other members of the Government—and I do not want any interjections from the member for Wembley, either.

Mr. Bovell: Is that an order or a request?

Dr. Henn: There was a Royal Commission into the matter.

Mr. FLETCHER: I know there was an inquiry by a Royal Commission, but I also have my reservations about many of the aspects of that Royal Commission. I have said that I support the Bill, but only for the reasons I have outlined. Above all, I trust it will provide protection for the public, and that it will create a status for those who merit it within the chiropractic profession. I doubt whether there would be any advantage to the Government if it sought an electoral gain as a consequence of the introduction of this Bill.

Not only do I not like the Bill from the point of view of its being introduced from that side of the House, but I do not like some of the amendments foreshadowed by the Deputy Leader of the Opposition. It will be seen that we on this side of the House can disagree with members of our own party. For instance, I do not like those aspects of his amendment which in effect say that a chiropractor shall be entitled to be registered if he has used that word alone or as a principal word of his description—I refer, of course, to the word "chiropractor."

I feel that a lot of these people could in the past have stuck up brass plates and now declare themselves to be chiropractors. If that is permissible, then it will open the door to all sorts of people and permit them to declare themselves as chiropractors. I hope the introduction of this Bill will prevent that sort of thing. The Deputy Leader of the Opposition has foreshadowed an amendment along those lines. He suggests that a person who has used the word "chiropractor" may be registered, even though he has done so on his own volition. I do not like that at all.

I take it, from what the Deputy Leader of the Opposition suggests, that a person shall have such practical experience in chiropractic as is sufficient in the opinion of the board. That is another aspect I do not like, because the board consists exclusively of chiropractors; and it would be an appeal from Caesar unto Caesar—these people would be playing to the rules they made themselves.

There are other aspects of the Bill to which I would like to make reference. I do know, for example, that there are some doctors who send workers' compensation cases particularly to certain chiropractors from whom they derive some benefit; possibly great benefit. I suggest, however, that those chiropractors have either been trained overseas, or over east: and, as a result, they are very competent in their profession. I do not deny that could be so. There could also be some men here who have trained under such talented people, and I do not doubt that fact at all.

I notice, however, that the member for Subiaco has given notice of his intention to move certain amendments, one of which states—

> Two persons shall be nominated by the Minister, of whom one at least is a person engaged in the practice of chiropractic within the State and registered or entitled to be registered as a chiropractor under this Act.

That, of course, refers to the members on the board. I hope the person in question will be a very competent person, and that he will insist that any of those who work under him, or on the board, or are in any way associated with it, are highly competent people. If they are not, the community will suffer. I would have preferred a far more representative board of people comprising other than chiropractors. As it is at the moment, the board consists exclusively of chiropractors, or of those nominated from that calling.

I would like to read to the House the composition of some other boards in existence. I will first refer to the Dental Board. The amending legislation No. 20 of 1939 states that there shall be seven members on the Dental Board—four of these to be dentists elected by the dentists; two to be dentists nominated by the Government; and one to be a medical practitioner nominated by the B.M.A. That is a safeguard I would have liked to see included in the legislation we are considering.

Under the Physiotherapists Act No. 75 of 1950 we find that the board consists of the Commissioner of Public Health; a medical practitioner nominated by the Governor; only two physiotherapists; plus one person nominated by the University of Western Australia.

Mr. Ross Hutchinson: These professions are, of course, ancillary to the medical profession.

Mr. FLETCHER: That does not detract from the fact that out of five members of the Physiotherapists Board only two are physiotherapists. I know the Minister has had extreme difficulty in obtaining as board members the assistance of highly-qualified medical practitioners, and I wish he had been able to twist more arms and get at least some representation of that type on the board. He could perhaps have included the Commissioner of Public Health. If it is competent for the physiotherapists to have only two representatives on their board, then there should not be more than two chiropractors on the chiropractors board.

For the benefit of the Deputy Leader of the Opposition, I would point out that I said earlier that I intend to support the Bill despite the reservations I am making in connection with it.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. FLETCHER: Before tea I was describing the composition of various boards, and was showing that there were on the Chiropodists, Physiotherapists, and Dental Boards other than members of those professions. I enumerated the personnel of the Physiotherapists Board and Dental Board; and I would ask the House to listen to the membership of the chiropodists board. Under the Chiropodists Act, No. 38 of 1957, the composition of the chiropodists board is prescribed as—

> the Commissioner of Public Health or a medical practitioner nominated by him;
>
> a medical practitioner appointed by the Governor; and three chiropodists selected from a panel of four nominated by the Western Australian Association of Chiropodists Incorporated and appointed by the Governor.

I have already given the composition of the Dental Board and the Physiotherapists Board; and I suggest there should be representation on the chiropractors board by those who are other than the exclusive members in that calling.

I would have sought to amend the Bill in the Committee stage, but the member for Subiaco and the Deputy Leader of the Opposition have precedence in that respect, in that they have amendments appearing on the notice paper; so I shall have my say during the second reading, in an endeavour to ensure that the public are protected as a consequence of possible suggestions I make to this House, with a view to raising the status of what is, admittedly, an exclusively chiropractors board. I do not think I have left anybody with any doubt that I do not like the composition of the board; but I cannot do anything about the matter.

Even if I were to succeed in amending the composition of the chiropractors board, to bring it into relationship with the Physiotherapists Board, which consists of three physiotherapists in addition to the other members; and even if the Government were to accept my amendment, the medical profession would not. I have discovered this as a consequence of telephone calls I made to members of the medical profession—of both general practitioner and specialist status—regarding this representation. Even if a few doctors do accept the limited ability of a minority of chiropractors, they cannot, and will not, accept all who call themselves chiropractors; and, frankly, I do not blame them.

A doctor has to spend five years at the University, and then subsequently another year in studies, to obtain his status and qualifications. A physiotherapist has to spend three years at the University on extensive and intensive study to obtain his qualifications. I can quite understand the attitude of those professional people in not wishing to be associated on a board

with persons of a lower status. Their very association with the chiropractors board would cause people to assume that doctors condoned qualifications less than their own as being good enough for the people of Western Australia, and the people whom doctors treat.

I have heard many people refer to the success of their visits to chiropractors, after they had been treated by doctors; but I am sure there are more doctors who can quote greater success for their patients, after those patients had been treated by chiropractors. Many doctors know about the damage that has been done to patients as a consequence of inexpert handling by chiropractors—sometimes, I believe, with fatal results, as was mentioned in evidence in the recent Royal Commission.

Mr. Guthrie: Was it? You find it in the evidence!

Mr. FLETCHER: I stand corrected by the member for Subiaco; but I was informed as recently as yesterday that evidence was given before the Royal Commission in which a specialist stated that a chiropractor interfered with a patient who had a malignancy of the spine, to the detriment of the patient.

Mr. Guthrie: That witness said the person would have died in any event. Keep to the truth!

Mr. FLETCHER: That was what I had been told.

Mr. Guthrie: Read the evidence!

Mr. FLETCHER: That was what I had been told. I might be wrong, or my informant might be wrong. Perhaps the member for Subiaco is wrong.

Mr. Guthrie: It is on record. Read it!

Mr. FLETCHER: I have this information direct from the specialist concerned, and I am repeating it to the House. I am not naming the specialist, although he would not mind my doing so. Just one swallow does not make a summer; and although I have outlined one case, I am sure it is not the only one in which damage has been done to patients of that category.

We are to be saddled with a chiropractors board which can, among other things, carry out the following functions:—

> prescribing what diplomas, degrees or certificates or schools of chiropractic or other evidence of qualification will be recognised and accepted by the Board as a substitute for the examinations of the Board, and whether immediately or after further training;

I have already outlined the composition of this board. It is to consist exclusively of chiropractors, and they themselves are to decide what is good enough for the people. Other functions of the board are—

> prescribing the professional standards to be maintained by chiropractors and for regulating the manner of making to the Board any charge or complaint against or concerning a chiropractor or a student, and the inquiry by the Board into that charge or complaint, and for fixing penalties in relation thereto;
>
> prescribing fees to be charged in respect of any matter, proceeding, examination, tuition and registration—

Those are only a few of the functions of the board.

Mr. Oldfield: Who constitute the membership of the B.M.A.? Are they not all doctors?

Mr. Guthrie: Who constitute the membership of the Barristers Board?

Mr. FLETCHER: I would not mind legal representation on the chiropractors board; in fact, I would be pleased to see it. I accept that as some protection for the public. I accept with reservations the amendment proposed by the Deputy Leader of the Opposition, even though I do not agree with him. I accept the Bill, even though I do not agree with it in its entirety. I support it simply because all we can hope for is that the chiropractors board will be able to supervise the behaviour of its members and be answerable to this House.

At present, all types of practices are indulged in; and I will give an example here and now. I stated that some chiropractors are entitled to recognition; I say that, maybe, some are so entitled, because some have a little academic or university training, in that they started out to qualify as doctors but could not make the grade, and broke into chiropractic.

I now wish to refer to a case given to me by word of mouth, and I do not doubt its authenticity. The lady concerned related to me her personal experience. She has given me permission to quote the case; but possibly, I may do this inexpertly. The name and address of this lady is available to constitutional authority if the veracity of her story is doubted.

This lady heard of the alleged cures—I say that advisedly—of a self-taught chiropractor. She visited him—with reservations—because of slipped discs in her back. This alleged chiropractor examined her back and then declared that her pelvic bones were displcaed. Let me interpolate and say that a lay person could expect the pelvic bones to be displaced during birth; but for them to be displaced otherwise, I suggest, would necessitate the pelvic bones being broken.

However, this dubious chiropractor told her that her pelvic bones were displaced and needed adjustment; and without propriety or asepsis, and even without permission, carried out painful and obviously inexpert internal pelvic investigations, after dipping his hand in a bowl of olive oil. He later wiped his hand on a towel—no gloves; no regard

for asepsis. I still wonder how many times that oil and the same towel had been used. No regard was given to whether the previous patient of the alleged chiropractor had venereal disease or other transmissible complaints; whether the patient was married, single, or a virgin; or whether the patient had had a hysterectomy or other more delicate repair work done. This clod of an alleged chiropractor interfered in the manner I mentioned without any regard for these matters.

I ask this House: Just how many times have other unfortunate women had this outrageous experience? I also wonder how much damage is being done to patients of this sex, too shy to mention the matter. Doctors perhaps know; perhaps a doctor in this House knows.

Mr. Craig: Is there a doctor in the House?

Mr. FLETCHER: This type of examination is normally done in the presence of a nurse. If an internal pelvic examination is necessary a doctor first tells the patient, the presence of a nurse is obtained, and regard is had for asepsis, previous operations, and symptoms. Some patients prefer an anaesthetic for such examinations by even highly-qualified gynaecologists.

The married lady I mentioned will never forget her unhappy experience and will sign a statutory declaration if necessary as to the authenticity of what I have said. She has since had spinal manipulations under an anaesthetic by a qualified doctor, and she advises others to do the same. I suggest that anything chiropractors can do, doctors and physiotherapists can do a lot better.

Mr. Tonkin: That was not the evidence of McKellar Hall.

Mr. FLETCHER: I would ask the Deputy Leader of the Opposition to direct his interjections to the other side of the House.

Mr. Tonkin: I was just reminding the honourable member that that was not the evidence given by Dr. McKellar Hall.

Mr. FLETCHER: This lady told the facts I have related to this House with a view to preventing similar danger, embarrassment, and illegal interference to others of her sex.

As I said earlier, I support the Bill in the hope that a properly constituted board will, among other things, supervise and, if necessary, discipline and eliminate the type of malpractice I have mentioned. I support the Bill with many reservations.

DR. HENN (Wembley) [7.49 p.m.]: What I have to say on this Bill might be critical, but it does not indicate that I am going to oppose it either at the second reading stage or in Committee.

Mr. H. May: Won't that be used in evidence against you?

Dr. HENN: I will look after myself, I assure the honourable member! I might also say something critical of chiropractors, but I do not mean it in any unpleasant way. I hope that members will realise that what I do say will be said in a constructive way because I have some reservations as to how this legislation will function, particularly in the first year or two after it comes into operation.

Apart from registering chiropractors, I think this Bill demonstrates the commonsense and broadmindedness of the Minister for Health. The Deputy Leader of the Opposition said on Thursday that it must have been a very bitter pill for the Minister to swallow, and I think I saw a rather sardonic look on the Deputy Leader's face at the time. However, I do not ever see any sign of the Deputy Leader of the Opposition attempting to swallow any of the bitter pills the Minister for Police throws across the Chamber in answer to some of his questions about the T.A.B.

Mr. Tonkin: I cannot swallow everything he tells me.

Dr. HENN: In any case I wonder what would have happened if the position had been in reverse, and the Deputy Leader of the Opposition had been Minister for Health, and a Royal Commission had submitted a unanimous report suggesting that chiropractors be not registered. Would the Deputy Leader of the Opposition have put that in the pigeon-hole and left it at that?

Mr. H. May: He would have taken two pills.

Mr. Tonkin: The member for Wembley knows we are not allowed to answer hypothetical questions.

Dr. HENN: I suggest he would have pigeon-holed it and then brought in a Bill to register them.

Mr. Rowberry: You must not impute improper motives to any member.

Dr. HENN: The Bill is certainly a difficult one, not so much to launch, but one which I feel will have its teething troubles and difficulties if it becomes an Act, especially for those who administer it.

I am rather concerned about the definition of chiropractic. I realise, of course, that I may be accused of talking of something about which I know nothing; but, as I said before, my comments are only meant to be helpful. The definition that has been chosen was so chosen I think because it was Dr. Palmer's definition; and he was looked upon as possibly the greatest chiropractor or, as I prefer, chiropractitioner. I do not know if I am coining a new word, but it sounds less Greek than chiropractor.

Mr. Fletcher: He was a qualified doctor first, was he not?

Dr. HENN: I was not suggesting he was not. I do not know. He was a great chiropractor; and the fact is that it is his definition which has been included in the Bill, that definition being—

> "chiropractic" means a system of palpating and adjusting the articulations of the human spinal column by hand only, for the purpose of determining and correcting, without the use of drugs or operative surgery, interference with normal nerve transmission and expression.

Apart from its being a rather ungainly type of phrase grammatically, it conjures up for me a picture of a chiropractor bending over his patient, or sitting down in front of him—the patient lying in the prone position—and running his hand up and down the spinal column, like a pianist on the piano when playing a Beethoven concerto. But it is not as easy as that; because anyone who knows anything about anatomy knows quite well that the articulations of the vertebrae, though small and not very movable, are some of the strongest in the body; and the spinal column taken as a whole is a particularly strong part of the human frame, and it is more the softer tissues in between the vertebrae which are manipulated by the chiropractor than the vertebrae themselves. So I think this definition is somewhat misleading.

I came across another definition which I personally like better. It was in a publication issued in 1963 by the National and International Chiropractors' Association, and reads as follows:—

> is that science and art which utilises the inherent recuperative powers of the body and the relationship between the muscular-skeletal structures and functions of the body (particularly of the spinal column and the nervous system) in the restoration and the maintenance of health.

It seems to me that that is more realistic and is certainly a better-phrased definition. But the one I prefer most of all, although a very short one, is that contained in *Chiropractic and Osteopathic News,* vol. 2, No. 12, May, 1964. I do not know that this definition is meant to be official as it is contained at the bottom of a page, but it reads—

> Chiropractic is the science of treating diseases by removing structural derangement by manipulation.

I like the word "manipulation" in the definition, because I have the idea that most chiropractors use manipulation not only of the spine but also of other joints. I sincerely hope they do, if the public of Western Australia is going to be satisfied, because the public expects manipulation of joints, such as the knee joint, the ankle joint, the wrist joint, and possibly some of the fingers or toes. So I cannot quite understand why manipulation is not referred to in the definition.

I feel quite sure there is a need for this type of treatment in Western Australia. We heard evidence to that effect during the sittings of the Royal Commission, and I feel it would be much easier for the chiropractors if this were mentioned in the definition.

Still with regard to the definition, I would like some mention of heat made. I cannot see that any harm would come from this being openly stated, because I do not see how any chiropractor can perform any operation without first of all warming the part that is to be manipulated. I do not think many of them do perform manipulations without heat first, and, possibly, afterwards. Therefore why not include the reference in the definition? Incidentally, little damage can be done by heat. It is usually obtained by infrared rays and the only harm which I imagine could come from using it is that the patient might get burnt. However, so many people have infrared lamps of their own, that I do not think any harm would be done by including a reference to heat in the definition.

I would also like to see a reference to the use of X-rays included in the definition. I feel that the chiropractors would be protected by the Radioactive Substances Act if they used X-ray apparatus. I am not quite sure of that, but I feel that if they were definitely given the green light with regard to X-rays it would be a big help. I hope to say something later on about the possibilities and the hopes I, at any rate, have with regard to the use of X-rays.

Most chiropractors are well educated. I looked through the pink pages in the telephone book, and one chiropractor had a B.A. from, I think, New Zealand, and another had a B.A. from South Australia. Other chiropractors have passed a very high standard of general education, and I do not see what harm there would be in giving them the green light to use X-rays and possibly to pass the examination the board might set up at a later stage on the use of heat treatment. We are not dealing with folk who are below average intelligence; and I am quite sure the board, when finally constituted, will look after these matters.

I hope that the board, when it becomes constituted, will, in connection with X-rays, look after that part which includes the taking of X-rays and the production of good pictures, because it is very important. I have seen some X-rays from chiropractors, and they have been bad X-rays; and—I am not saying this offensively—I have seen very few X-rays from radiological specialists in the medical field that are bad; and that is simply because

they specialise in X-ray work and their technicians are thoroughly trained. One hopes the chiropractors will have a course for the training of people in the use of X-ray machines.

Coming to the diagnosis of X-ray, again I hope the board will look after their colleagues inasmuch as they will ask them to pass at some later stage—perhaps in five years' time—an examination in radiological diagnosis. They could call it chiro-radio-diagnosis. The medical profession calls it medical radio-diagnosis. It would, of course, be somewhat similar to medical radiology but it would have a special leaning towards chiropractors and the things they want to see in X-rays so that they can interpret them and make use of them when treating patients.

I now come to the constitution of the board. After listening to the various members I am quite at sea and befogged. I thought I was fairly clear on this matter last week. I am very happy to see that a legal practitioner is to be chairman; because if there are to be any serious arguments, I have no doubt a legal practitioner will close them up in short time.

Mr. Guthrie. Hear, hear!

Dr. HENN: I am, however, worried about the other four members of the board. I would like to see—and here I am only giving my own personal opinions—a very broad outlook in respect of the constitution of the board. I think chiropractors are quite able to look after their own affairs. I do not think they need to have a medical practitioner on the board. They certainly need to have a lawyer; otherwise the board members might get out of hand. I do feel that the chiropractors can look after their own affairs, but I would like to see a very broad representation on the board; and, without being offensive to any particular kind of chiropractor, I cannot see what difference it makes in the ultimate if a man is trained in Belgrade or the U.S.A. or the United Kingdom.

I would say, in case anybody misunderstands me, that in Britain the people in this profession are more inclined to be called osteopaths. The Royal Commission, however, did not get evidence from osteopaths because it was not able to. My opinion is that the osteopaths in Great Britain are well trained from the point of view of chiropractic, although they may go by another name.

When the Royal Australasian College of Surgeons was formed some 15 years or so ago, the medical profession looked around, I imagine, at the capital cities of the Commonwealth, selected one or two of the leading surgeons in each capital city, and asked them to be foundation members of the college. But I do not think those who were founding the R.A.C.S. worried very much whether the surgeons they approached had a fellowship of the Royal College of Surgeons of England or of Ireland, or a fellowship of the Glasgow Faculty; or whether they had a Master of Surgery of the University of Birmingham.

Mr. Rowberry: What about Edinburgh?

Dr. HENN: I am sorry I missed Edinburgh, because in my opinion that university is one of the best. I do not think they looked at this question parochially; I think they looked at it with a broad view. They knew the doctors they approached were qualified in the speciality and they felt that provided those specialists were of good repute in the towns in which they were practising, they could ask them to become foundation members of the R.A.C.S. They do not have a lot of bickering, or other difficulties of that sort. So I hope the chiropractic profession will, in the first instance, be broadminded about these matters, and will forget, perhaps, their personal feelings; because that will be all for the good of the community at large and will, incidentally assist themselves.

It seems to me that the chiropractors board will have a great responsibility inasmuch as it will have to look after the question of unprofessional conduct and the standard of ethics of chiropractors in general; and that is why I think this board needs to be of a sympathetic and understanding character and, indeed, broadminded. It will also have to decide on diplomas or degrees of schools of chiropractic for the purpose of registration.

Here again I think the board members will have to be realistic in regard to the situation in this State. They will have to be generous and not mean or petty. If there is any doubt about some of the chiropractors who have been practising in this State, the board should suggest an examination for them, and if they pass it they should be accepted into the ranks of chiropractors in Western Australia—registered, in other words.

Later in the Bill reference is made to the fact that the registration of chiropractors is not to confer certain rights. That is to say, they are to be prevented from practising surgery, obstetrics, and anaesthetics. That provision is all right as far as it goes; but I feel they should also be debarred from practising psychiatry, or psychological medicine. I do not mean they should be debarred from practising psychology, because I realise that no practitioner can have a proper relationship with his patient without, in almost every case, and practically every day, practising some sort of elementary psychology.

But I think the members of the chiropractors board would, themselves, be glad if psychiatry were included, because it would give them the opportunity to catch up with some misguided person who might wander into

the realms of psychiatry—and it is very easy to do it; and I refer particularly to psychoanalysis. We all know how close many of our ills are to difficulties, anxiety states, and maladies of the mind. So I would suggest—I am not going to labour the point because I intend to let the Bill go through as fast as it can—that it would be of great benefit to the chiropractors themselves to have such a provision included.

Many chiropractors have inherent gifts of manipulation. Some may have high academic proficiency, and yet be less efficient than their counterparts in the practise of their art. So I hope that in the early stages of the operation of this Act not too much stress will be laid on what diploma a person has who is being considered for registration, or where the diploma was obtained. I have said that before, but I think it is so important it needs repeating.

The chiropractors have had three years at least in which to organise their members. They saw or read the report of the Royal Commission, and they must have known that sooner or later a Bill such as this would be brought down. For the life of me, I cannot understand why they have not sunk their differences—buried the hatchet, thrown away their pendulums, and got down to the business of organising themselves in this State, even if they went so far as to call themselves something quite different from, although affiliated with, a parent body somewhere else. This is disappointing, I feel, but it is not yet too late for them, now that the Bill has been brought down, to get busy. In fact, on Saturday I saw that somebody had got very busy by incorporating an association which should have been incorporated probably three years ago.

I also hope the medical profession will take some notice of the Bill and will seek to train medical students in the art of manipulation. I know there are some who are capable of doing it, but I am referring mainly to the general practitioner. There are not sufficient of them who are capable of doing manipulation, or who are interested in this very important subject. I am assured by one orthopaedic surgeon that much more notice of it is being taken in the medical curriculum, and I sincerely trust that is so, because I have a lot of faith in the basic training of the medical profession so far as anatomy and physiology go; and without this training I do not think the chiropractor can successfully carry out his art.

I would like to see the chiropractors in later years—perhaps in three or four years' time—raise the standard. I am sure it is possible—and I do not mean to be offensive when I say this—for chiropractors to study anatomy and physiology with the medical students, and then go off at a tangent and leave medicine and continue with their chiropractic.

Mr. Ross Hutchinson: They do study these subjects.

Dr. HENN: Yes; I realise that is so in their fourth year. I cannot speak in any dogmatic way, because I have not attended the courses, but I do know that they do not practise on the cadaver. They do not dissect, as far as I know. I have been told by several that they do not dissect the cadaver; and I do not see how one can know one's anatomy without doing that. It is hard enough to know anatomy after doing the practical work. I know that anatomy can be learned from books; but I know that medical students find it almost impossible to learn it from books.

Mr. Fletcher: Who does the lecturing? That is the important point.

Dr. HENN: Anatomy is the sort of subject that needs to be taught well.

Mr. Fletcher: A highly-qualified person should teach it.

Dr. HENN: That is so. If a person does not dissect a cadaver, I do not see how he can ever remember anatomy. I hope the chiropractic profession will, in due course, come to the same view that I hold on this matter. I am only mentioning this because the chiropractors will now have a very definite duty to the public; and the reason, after all, for the bringing down of this Bill is to satisfy this need in Western Australia, and not for the purpose of satisfying the chiropractors. I feel that if the chiropractors act in the public interest, they will be successful in their endeavours and will not only bring credit on themselves, but will also be of great assistance to the public of this State.

MR. OLDFIELD (Maylands) [8.13 p.m.]: I suport this measure for a variety of reasons, the principal one being that at the moment we have a situation in Western Australia whereby any person whatsoever, regardless of what his qualifications may be, or the lack of them, may put up a plate and have his name included in the phone book, and may set up in business as a chiropractor, naturopath, osteopath, or whatever you like to call it—one of the occupations on the fringe of the medical profession; an occupation that has to do with the healing of the human body. Yet that person might possess no recognised qualifications. I always feel that if we are going to permit people, or a group of people, to treat their fellow men, it behoves the Legislature to protect the public from quackery and charlatanry.

At long last a move has been made in the right direction to introduce legislation to bring about some measure of control over the science of chiropractic, and to set standards which will have to be attained by all those who desire to become practising chiropractors.

What disturbs me is the method by which this board is to be constituted. In 1959 a body known as the Western Australian Chiropractors and Osteopaths' Association was incorporated, although probably it had come into being before that. At the moment I understand steps are being taken to delete the word "osteopaths" from the title of the association so that it will now read the "Western Australian Chiropractors' Association". I also understand that during the formation of this association every practising chiropractor in Western Australia was invited to submit his credentials and become a member, and that certain qualifications were specified.

I believe some chiropractors joined the association, but that now there are only about six members belonging to it, despite the fact that there are approximately 35 chiropractors practising in Western Australia. I think there are roughly 25 or 30 chiropractors who advertise in the pink pages of the telephone directory, and who operate in the metropolitan area. There are also some who practise in country areas. No doubt all practising chiropractors would have their names in the pink pages of the telephone directory because their means of advertising is fairly limited

This Bill has been brought before the House to establish a board to administer the Act. I have no quarrel with that. Nor have I any quarrel with the fact that the board will consist principally of chiropractors; because, as the member for Wembley will no doubt agree, the board controlling the British Medical Association and the Australian Medical Association would consist mainly of medical practitioners, and the same would apply among architects, accountants, and lawyers. Men who are qualified in and who practise those professions would be in control of the charter under which they operate and the issuing of the necessary certificates and diplomas to students who are about to enter the respective professions. That is the practice that has always been followed and always will be.

Therefore I have no quarrel with chiropractors being members of this board. What I do strongly object to is that a Bill which has been introduced to this Chamber seeks to provide that four of the five members of the board—apart from the fact of their following chiropractic pursuits—shall be nominated by a body known as the Western Australian Branch of the Australian Chiropractors Association. The Minister says there is such a body in existence, but I point out to the House that last Saturday morning in the "Public Notices" column of *The West Australian* there appeared for the first time an announcement that this body was seeking incorporation. Those of us here do not know what its constitution is, and it has no listing in the telephone directory.

Mr. Ross Hutchinson: You know that it has been functioning for years without being registered. There is an Australian association.

Mr. OLDFIELD: The Minister comes rushing in! I asked the Minister how long it had been registered as an incorporated body, and the Minister replied that application had been made for incorporation and that it was now being processed. There may be an Australian association in the Eastern States, but it has not been heard of here. There is no listing of it here.

Mr. Ross Hutchinson: That does not matter.

Mr. OLDFIELD: The important point is that four members of the board shall be nominated by a body known as the Western Australian Branch of the Australian Chiropractors Association

Mr. Ross Hutchinson: No it is not.

Mr. OLDFIELD: Does the Minister think we are so naive as to believe that it is not going to hand out plums to its own clique?

Mr. Ross Hutchinson: The Bill does not state that members shall be nominated by that body.

Mr. OLDFIELD: We know that; but the Bill states that that association shall nominate four members of the board.

Mr. Ross Hutchinson: That is so.

Mr. OLDFIELD: Who does the Minister think it is going to nominate? Members of its association, naturally!

Mr. Ross Hutchinson: I said it would not.

Mr. Hawke: Preference to unionists!

Mr. OLDFIELD: Perhaps the Minister expects us to believe that the next time the Liberal and Country League is going to appoint members of its State executive it will not appoint members of the Liberal and Country League, but will appoint the member for Melville!

Mr. Ross Hutchinson: It does not take much commonsense at all to understand the Bill.

Mr. OLDFIELD: One does not need much wisdom to realise that if a body is given the opportunity to nominate four people to become members of a board to administer an Act under which the members of that body will be earning their livelihood it will look after its own members and will nominate them to become members of the board. We then reach the stage when four out of five members of that body are going to be members of the board, and they will decide who shall become members of the association and the qualifications that are necessary. When that stage is reached we will discover there are only five chiropractors practising in Western Australia and that the fees have been increased accordingly.

We know what will happen. They will nominate all members holding diplomas from an American college. I will correct that, because perhaps that may not be wise. It would be a rank injustice and there would be a few complaints lodged, resulting in the matter being aired in Parliament. I would say, however, that whoever holds American diplomas will be admitted to the association, but they will not have any opportunity of becoming members of the board. The five members of the body seeking incorporation will have that sewn up.

Who are these members? For the information of the House, I would point out that the president is J. R. Tunney, of Perth, who has been a resident and a practising chiropractor in this State for many years. The secretary is B. McNamara of West Perth. I understand he has been in Western Australia for four years. The treasurer is R. J. Kennedy, of Wembley, who has been in Western Australia for only four years, and who, I am given to understand, is an American citizen. The other two members are Messrs. H. Corbett, of Bunbury, who has been in this State a maximum of six months, and N. Griff of Alfred Cove, who has also been in the State for only six months, and who is an American citizen.

The Minister is unable to tell us how long they have been in Western Australia, or how long they have been practising chiropractic. As I have said, two of them are American citizens.

Mr. Ross Hutchinson: What is wrong with that?

Mr. OLDFIELD: There is nothing to stop them from practising; but this is the first time I have seen a Bill introduced in this House providing for the constitution of a board, but not providing that one of the qualifications necessary to become eligible as a member of such board shall be that the person nominated shall be a natural-born, or a naturalised British subject. This is the first time a Bill has ever been introduced to this House without such qualification being provided. and I direct the attention of members and the Minister himself to that fact.

The member for Wembley can correct me if I am wrong, but I understand that a medical practitioner holding only American qualifications cannot practise medicine in Western Australia. The member for Wembley has indicated that that is correct. Therefore we will not allow a medical practitioner to practise here if he holds only American qualifications, and yet the only qualification we are going to accept from any person who desires to practise chiropractic will be that he shall hold a diploma from an American college. Further, we are going to have Americans sitting on the board and receiving money.

Mr. Hawke: Dollars!

Mr. OLDFIELD: I know it is the wish of this Government to have the Yanks take us over. I know it is trying to sell out the north-west and everything else it can to the Yanks, but I did not think it would do this with chiropractic.

Mr. Court: We will get your reaction on V.L.F.

Mr. OLDFIELD: I have stirred the Minister for Industrial Development at long last. As a matter of fact, he has been suffering from lack of publicity and he is thinking of putting his foot through a glass door again.

Mr. Court: We would like to get your reaction to V.L.F. if you are so opposed to the Americans coming in.

Mr. OLDFIELD: I am not opposed to the Americans coming in. I am merely opposed to the peaceful infiltration of Americans in taking over our industries and professions.

The SPEAKER (Mr. Hearman): The honourable member had better get on with his speech.

Mr. OLDFIELD: The point is that we have introduced to this Chamber legislation which is unprecedented in Western Australia. We have an association of five members which has been incorporated since 1959, but no mention of that is made in the Bill. We now find out that the member for Subiaco, who sits alongside the Minister for Health, has considered it necessary to place amendments on the notice paper, and the member for Melville has also considered it necessary to place amendments on the notice paper with a view to preventing those who have been practising chiropractors for many years, but who do not hold a diploma from an American college from being left out in the cold, as long as they can show that they have had several years of experience and a record of successful treatment behind them.

However, all that is sought by the amendment foreshadowed by the member for Subiaco is to delete the word "four" in the first line of paragraph (b) of subclause (2) of clause 7, and substitute the word "two", so that the paragraph will then read—

> Two shall be persons who are engaged in the practice of chiropractic within this State . . .

But then he proposes to insert a new paragraph to read as follows:—

> two shall be persons nominated by the Minister, of whom one at least is a person engaged in the practice of chiropractic within the State and registered or entitled to be registered as a chiropractor under this Act.

It is possible that both could be chiropractors, but there is nothing to say that one shall not be. What is the Minister going to do? Under the amendment by the member for Subiaco four members of the

association will still be members of the board, because the association would be nominating its own members.

The board will nominate two, and the Minister will appoint two, so the positions that were earmarked for the four persons originally will still be filled by them. The only redeeming feature of the Bill is that it is a first step in the right direction towards having some measure of control over those persons who are practising this art of healing. I consider the legislation is long overdue, and therefore the Bill is justified for that reason alone. However, I think the drafting of the Bill and its machinery provisions leave a lot to be desired.

It is obvious that injustices will occur. The Deputy Leader of the Opposition pointed out the other evening that, obviously, there was a nigger in the woodpile somewhere. No doubt, by next year, when Parliament reassembles, the nigger in the woodpile will become quite evident.

I trust that at that stage Parliament will be of such a nature it will be able to deal with this legislation and move suitable amendments to make sure the Act is carried out in the spirit in which it was intended—by Parliament and by the recommendations of the Royal Commission that sat some few years back—that it should be carried out.

MR. W. A. MANNING (Narrogin) [8.31 p.m.]: I am glad to support the second reading of this Bill because it is the outcome of the unanimous decision of the Honorary Royal Commission that inquired into this matter. If the member for Maylands understood the complications of this particular matter and the difficulty of establishing what should be done, he would not be quite so critical. I feel the points he has raised are side issues in relation to the importance of the Bill.

The question of whether the Australian Chiropractors Association already exists does not seem to me to matter very much, but it obviously existed when the evidence was taken, because in the evidence of Mr. Tunney taken on the 16th February, 1960, he said he represented the Australian Chiropractors Association and was one of its members. It also had branches in Western Australia, South Australia, Victoria, New South Wales, and Queensland. Whether it was an incorporated body or not does not matter a scrap. I feel the importance on this occasion is that we are introducing a Bill to provide for the registration of chiropractors, something that has been either dodged or avoided in other States and places for many years because of the difficulties involved.

Despite those difficulties we have before us a Bill which the Minister has presented; and it is apparently fairly acceptable, because no-one is going to vote against it, although some comments have been made and there are amendments on the notice paper. If we are going to pass a Bill like this, then first of all it is necessary to establish the need for chiropractic; and I think the commission was able to do that by the evidence put before it. It was also able to distinguish chiropractic from some of the other so-called natural therapies under which people without any training seek to accomplish something.

However, the chiropractor is quite distinct from those who function under the term, "natural therapists." That is why, when a Bill was introduced in 1959, the chiropractors were opposed to joining themselves to a body known as the Board of Natural Therapists. We can quite understand that after the evidence we have heard.

That is where the member for Fremantle went astray. He has called anyone who attempts to do any therapy at all a chiropractor; but if he had looked at the definition in this Bill he would have seen that the practice performed by the person he mentioned was not in conformity with that of a chiropractor. If we establish that the registration of chiropractors is necessary, perhaps we can answer the question which has been raised by one or two members: Why change the present position when we are getting on all right? Chiropractors are operating and people go to them. The public need to know who is a qualified chiropractor and who simply calls himself a chiropractor. I could put up a plate in the Terrace today and call myself a chiropractor, and the law would not be able to stop me.

Mr. Rowberry: If you had done that four years ago you would be eligible.

Mr. W. A. MANNING: Yes. Anybody can do so; and the reason why they call themselves chiropractors in preference to anything else is that a chiropractor is exempted under the Medical Act from certain restrictions. Section 19 of the Medical Act reads—

> Provided that this paragraph shall not apply to a person practising as a dietitian or as a chiropractor who gives advice or service to persons requiring dietitic or chiropractic advice or service.

So, naturally, a person who is going to practise natural therapy is going to call himself a chiropractor because he has a certain amount of protection. Strangely enough, any person who calls himself a chiropractor is one under the Medical Act. We also have the Physiotherapists Act; and the definition of "chiropractor" is exactly the same as that in this Bill and quoted by the member for Wembley.

Incidentally, I am glad to know that my medical friend on my left is supporting this Bill, which shows how good the evidence was in support of chiropractors. It was good enough for him to see the necessity for the registration of these particular people and to distinguish them

from those practising other natural therapies, one mentioned being osteopathy, which is defined in the Physiotherapists Act as follows:—

> "osteopathy" means the adjustment by hand only of the bones or soft tissue of the human body for the purpose of curing or alleviating any disease or abnormality of the body.

The evidence given to us was that those who practised osteopathy seemed to practise all sorts of things. Some were using drugs and others were performing surgery. There was such a wide field that we could not define how it was practised. In order not to repeat things that have been said, I will endeavour to bring out one or two points that might inform members how we arrived at some of the conclusions as to who should be a chiropractor.

The first thing that comes to mind is the medical practitioner who practises chiropractic. That would be the obvious thing; but we found that the medical practitioner, as such, does not do so. In fact, it is right out of his scope; and as far as working with chiropractors is concerned, it is not done officially, although there were instances of some patients being referred to chiropractors by medical practitioners.

This is one of the questions put to Professor Saint, regarding doctors not practising—

> If this is done by medical practitioners they can call themselves chiropractors?

That was, if a medical practitioner practised manipulation of the spine. The answer was—

> To be sure, according to the definition of chiropractor we have been discussing.
>
> Do you think they are fully trained?—They have trained in the principles and practice of orthopaedic surgery. Most doctors who practise manipulative surgery would have taken the trouble to receive post-graduate experience in that procedure, and would have studied under an acknowledged surgical expert in that field.
>
> That would explain why many doctors do not practise manipulation of the spine?—Precisely.

The answer is that doctors have not been fully trained in chiropractic. On page 502 of the transcript Dr. Bedbrook confirmed the training for chiropractic; and I quote—

> Would you look at this catalogue (submitted) and give us your comments on the course contained in it? I think that is a fairly typical example of the sort of prospectus put out by these colleges in America. I do not think we can do better than agree that there is a considerable time spent on the basic fundamental sciences, and a fair amount of time on clinical work. I feel, in a very rough review of this, that it is the type of anatomy and physiology that one would expect physiotherapist students to know. They obviously go a little further in pathology than do the physiotherapist students. In clinical diagnosis they probably do much the same. But in their principles and practice of chiropractic I do not know really what they do in that time although I have tried to find out; particularly in the subject known as principles of chiropractic. The rest of them are fairly basic clinical subjects that are taught to physiotherapists, occupational therapists and the other ancillary branches that are already catered for in this State, particularly. There is no doubt that this course embraces quite a knowledge of the fundamental sciences. Their interpretation is quite another thing.

He supported the course; but he was not prepared, at that point, to support how the chiropractors practised it. We could quite understand his attitude.

On page 504 of the transcript, the same witness, in relation to therapists, was asked the following question:—

> Do you consider that they are not sufficiently trained at the moment?

That is, as chiropractors. He answered—

> Some of them are not sufficiently trained. I think also we could extend that problem to our medical schools.

He went on further regarding medical practitioners, when he answered this question—

> To what extent is the ordinary qualified medical practitioner trained in this art?—In my own course, very little, but over the last 20 years I believe that has changed and we are rapidly approaching the situation where the average chap graduating in medicine will have some basic knowledge of those conditions for which manipulation is of use. He will be able to carry out the simple ones himself and I think the eventual aim is to send the more difficult ones on to the specialist in that particular field or the specialists in this particular system, but not necessarily orthopaedic surgeons. There are a number of medical consultants in the United Kingdom who now come under the specialty of physical medicine and who can be expected to have a more accurate knowledge of this particular problem than the general practitioner or the specialist physician and the general surgeon.
>
> Are there any such specialists in this State?—No, there are no physical medical consultants in this State.

I will read a further portion from the transcript of this witness. It is as follows:—

> The fact that medical students are now being trained to some extent in manipulation would show the growing acceptance of it to medical practitioners?—That is true.
>
> The fact that manipulation is not used now by medical practitioners is because members of that profession have not been trained specifically in that art?—I think that is also true.

We have had evidence of the fact that the art of chiropractic is something which is not taught to medical students. I think that is a pity because it could be done during the medical course. There is evidence that this is the case in other places, particularly in Germany. I think that in the future the art will probably be more approved than it is today. However, we are meeting the situation as it is today, and we are recognising that chiropractic is an art which needs to be practised and one which the medical practitioner is not practising, perhaps with the exception of one or two. I understand there are about three medical practitioners in this State who have studied chiropractic and are practising that particular art.

The recommendation of the Honorary Royal Commission is that we register chiropractors. The essential thing then is that we register those that are qualified. I have before me a summary of the curriculum of the School of Chiropractic in the United States. It is a four-year course, and in the first year there are 975 hours in the course; the second year is the same; in the third year there are 1,267 hours; and there is the same number of hours in the fourth year. This makes a total of 4,485 hours for the four-year course in which chiropractic is studied.

At the Chiropractic and Osteopathic College of Australia there is also a four-year course which is set down under the headings of first-year principles of chiropractic; neurology; innervation; body mechanics; vertebral subluxation; spinal analysis; and fourth-year spinal adjustment. This provides evidence of the fact that those people who have taken a four-year course have a fairly wide basic knowledge of what they intend to do.

The Bill does not prohibit persons who are not registered as chiropractors from practising. This is perhaps a wise thing because it is hard to measure to what extent some are using the proper methods of chiropractic and others are not. It is also equally important that those who are registered should be dependable chiropractic practitioners, or chiropractictioners —I do not like that word very much, but members know what I mean. We should see that they are people the public can depend on. The public want to know who are registered practitioners and who are not; who are worthy of the title, and who have had training that is acceptable.

If people wish to go to persons who are not registered chiropractors, we have no way of stopping them. Unregistered chiropractors will not be able to call themselves chiropractors; but we cannot stop people from going to whomever they wish in order to get advice. The Royal Commission could find no way of arriving at a satisfactory conclusion in the matter. If a person wishes to go to someone who is not registered or recognised as a chiropractor, that is his privilege and we cannot very well stop him.

The Deputy Leader of the Opposition mentioned that there is no right of appeal in this Bill. I turned up the Bills he introduced in 1959 and 1963 and there was no right of appeal in either of them. I do not think it matters very much what happened in the past. It is not of much value having a right of appeal if a person can continue to do what he wishes to do although he is unable to be registered as a chiropractor. If necessary, the matter can be dealt with later on.

The important thing is to define who shall be registered. The Bill provides for a board having an independent chairman and four members who are chiropractors. The latter shall be members of the Western Australian Branch of the Australian Association of Chiropractors. The member for Subiaco has an amendment on the notice paper to provide for two members of the board from the Australian Chiropractors' Association and two others to be selected by the Minister, one of whom shall be a chiropractor. I hope that the House will agree to having two members from the Australian Chiropractors' Association and two others, both to be chiropractors, appointed by the Minister.

It is very hard to define from where the members of the board should be selected. It is hard to name an organisation. However, in my opinion the members should be chiropractors, selected because of their ability to practise the art. I hope the board will comprise four chiropractors with an independent chairman. Who else could we select to carry out the duties of the board of registered chiropractors, other than chiropractors themselves? I shall be disappointed if the board does not comprise four chiropractors.

I should like to emphasise the weakness in the general situation because of difference in thought and lack of co-operation between chiropractors. This aspect was mentioned by the member for Wembley. It is difficult to introduce legislation to right a wrong when those people who should be leading the way are divided. If this Bill is likely to do anything, it should bring these people together. If it does not do

that, it might fail in its objective. It is time that those people looked after their side of the situation if we are prepared to look after ours.

The situation exists. It is a fact. We did not create the division, and we cannot allow it to deter us from going ahead with what we think is right.

In my opinion we should support the Bill and the proposed amendments of which notice has been given; namely, the amendment of the Deputy Leader of the Opposition and that of the member for Subiaco, with the exception that the board shall comprise four chiropractors instead of three and a doubtful one. I have much pleasure in supporting the Bill.

MR. BRADY (Swan) [8.51 p.m.]: As a member of the Honorary Royal Commission, I feel that I should make a few remarks. The Royal Commission dealt not only with the matter of chiropractors, but also with the subject of natural therapy. I have been anxious to see something done to protect the public in connection with the treatment being given by natural therapists and chiropractors. For too long there have been people in Western Australia practising arts which they know nothing about, and some members of the public have suffered as a consequence.

During the sittings we heard of a man who went to Wooroloo after having been treated by natural therapists for a considerable time. He finished up by having to go to Wooroloo suffering from consumption; and he had been treated by natural therapists for something else.

I voiced an opinion in this House that I was keen to see something done to protect the public; and that is what I am going to do tonight—try to protect the public.

So far as I can see, the only people that this Bill is likely to protect are chiropractors. Whilst it is desirable that chiropractors should be registered, we should be careful in the initial stages to see that all aspects of this new venture are covered.

I am going to make the hair of some members stand up. I have heard reference, during the course of this debate, to people having the right of appeal if they are not accepted by the board as chiropractors. If I were arranging a board of appeal, I would provide for an appeal where the public could appeal against prices that are charged from time to time. That is a most important aspect of this particular venture. So far there has been no reference to this kind of an appeal.

The average man in the street has no knowledge of this type of work and it would be just as easy for a chiropractor to charge 30 guineas, 40 guineas, or 50 guineas as to charge two guineas or three guineas. There should be some protection for the general public. We, as members, are here for this purpose; namely to protect the public.

I do not object to chiropractors being registered; because it looks as though the number of chiropractors has grown, due to the neglect of the B.M.A. or the medical profession to follow up this type of work. During the sittings of the Royal Commission I formed the opinion that the number of chiropractors had grown because doctors did not have time to do this type of work. Whether it is too time-absorbing or not remunerative enough, I would not know, but I formed the opinion that there are people now practising chiropractic because doctors in the medical profession have neglected this aspect of their profession.

The public are entitled to treatment, and if there are chiropractors who are able to provide relief then they should be entitled to practise. There should have been, in the legislation, reference to a curriculum so that experts could ensure that all aspects of chiropractic are covered. I know of practising chiropractors who started out as male nurses. Have those people been thoroughly trained in chiropractic or have they not? If they are accepted by the board of chiropractors, will the board satisfy itself that they have sufficient knowledge of the profession to practise? It is not sufficient for those people to say that they have been practising for two years, five years, or even 10 years. They should know the whole of the physical make-up; the anatomy; and all that goes towards making up the human body. They should be qualified in that respect.

Once the board accepts these people as chiropractors it should ensure that they undertake research to keep themselves up-to-date in the profession. They should not be accepted as chiropractors simply because they have been practising for three years, four years, or five years.

The approach to the whole question should be one of thoroughness, and not thoroughness at the expense of the general public. The Minister could have been more thorough in the drawing up of this Bill. Those who are likely to qualify as chiropractors should have a sound knowledge of all matters that male and female nurses have to know about. They should have a thorough knowledge of first aid and of the work that they will be doing. They should not be registered simply because they have had a plate outside their place of residence for the last four or five years stating that they are chiropractors.

The proposed board will assume a very important role in the community. It will virtually have a monopoly over those engaged in the profession of chiropractic.

We, as members of Parliament, must ensure that the people concerned are trained 100 per cent. in the work they will be performing. According to the Bill, chiropractic means—

> . . . a system of palpating and adjusting the articulations of the human spinal column by hand only,—

Let me emphasise those words, "By hand only". Continuing—

> for the purpose of determining and correcting, without the use of drugs or operative surgery, interference with normal nerve transmission and expression;

That definition limits them in their work; but who is going to ensure that they limit their operations to those terms? If members look at the pink pages in the local telephone directory they will find that some of these people are setting out to do half a dozen other jobs as well.

This Bill should be something in the nature of protection for the public. Inspectors should be appointed by the board to ensure that the people concerned undertake only work associated with chiropractic. I am not suggesting that the majority will not confine themselves to this work, but there is an old saying that there is a lot of weakness in human nature. Some of the weaknesses of human nature will be sorely tempted if finances are getting low and a number of patients who are not really suffering from trouble with their spines are offering.

When a Bill of this importance is before the House all these matters should be given consideration by somebody; and that somebody, in my opinion, as an ordinary lay member of the House, and as one who does not know a great deal about the medical profession, should be the Minister for Health or a senior officer from his department. I think all aspects of the profession should be dealt with—how future examinations will be carried out; what qualifications the members of the board, who will set the examinations, should have; whether the qualifications of United States colleges are to be accepted, or whether the qualifications of the Ballarat college, the New Zealand college, or the Melbourne college, will be accepted.

All these factors should receive consideration and the information should be given to members so that we know what we are voting for. I know of people who have been to chiropractors who say they have a slipped disc. I believe that there is no such thing as a slipped disc; it is simply a phrase that these people use more or less to try to talk over people's heads. I have heard professional men discuss this aspect; and, although it is a common phrase that we hear every day, I understand there is no such thing as a slipped disc. Therefore, it is very necessary, when discussing such an important piece of legislation, for us to be thoroughly educated on all aspects of the matter.

I was given a good grounding in it when I was a member of the Natural Therapists Royal Commission. I was intrigued by the types of people who gave evidence. We were even told by some people that a piece of wool would give an indication of what people were suffering from.

Mr. Tonkin: They were not chiropractors.

Mr. BRADY: Magnets and various other items of equipment were brought in by the natural therapists to prove their case. I do not know in what way the chiropractors are trying to prove their case. As I said before, I know many of them are very sincere people; I know many of them are genuine. But I am trying to protect the public against the person who is out to make money at the expense of the general community—the unsuspecting people.

In all walks of life, and in all trades and callings there are the smart alecks—the people who want to get rich quickly at the expense of somebody else. Therefore I think we should insert some provision in this Bill to ensure that that type of person is not given a chance of being recognised by the public as a chiropractor.

There is another aspect of this Bill that I do not like: I refer to the fact that a man can still continue to practise as a chiropractor even though he is not registered by the board. I think that is farcical; it is ludicrous in the extreme. By this Bill we are setting out to create a board and to ensure that chiropractors are properly trained. Yet side by side with that we are going to allow other people to practise the same profession. Provided they do not use a placard stating that they are chiropractors, or call themselves chiropractors in any way, they will be permitted to continue to practise. What a ludicrous position that is!

A person is either a chiropractor, a doctor, a dentist, a fitter, a turner, a blacksmith, or a member of some other trade or calling, or he is not. A person cannot have it both ways; and it looks to me as though somebody in the department is trying to pander to two sections of the community. I think even the chiropractors themselves—that is, those who are to be registered—will not be happy with the position under which they have to provide the finance for a board to control them and yet Jo Blow around the corner can practise in the same profession but need not register himself. To my mind, as a member of Parliament, it is farcical to have Bills containing provisions such as that.

I could speak at great length on this matter, but I do not intend to deal with those aspects which have been mentioned

by other members. I am sure other members will in the Committee stage try to rectify some of the weaknesses in the measure; and even if we cannot remove them now, I am certain that as the years roll on those weaknesses which I have mentioned this evening will be removed.

I support the proposal to register chiropractors so that the public will know who they are and can consult them with a certain amount of assurance that they are people who know something about what they are doing. That is the only reason why I intend to support the Bill.

I had hoped that some members of the medical profession in this State would come before the Royal Commission with evidence to prove that they could do the job much better and more thoroughly than chiropractors. I am disappointed that members of the medical profession did not do that. Evidence was placed before the commission to show that some medical practitioners were actually sending a number of their patients to chiropractors for treatment; and that in itself, in my opinion, justified the registration of these people.

As I said before, I am disappointed that the medical profession has allowed the present position to creep in, and I would not like to see this sort of thing continue in the future. I do not want different people practising different aspects of what one would normally consider to be the work of the medical profession, and which should be carried out by medical practitioners. I support the second reading, but I hope that during the Committee stage we may be able to insert a provision to protect the public against excessive charges by chiropractors.

MR. ROWBERRY (Warren) [9.8 p.m.]: As one who has recently suffered the ministrations of a chiropractor I feel I should say something about the Bill. I hope some day we will be able to bring legislation before this Parliament which will prevent, preserve, or protect the fool from his folly, and that appears to be the main theme of some of the arguments that have been put forward in criticism of the Bill.

I welcome the measure because at present some people with few qualifications, or with no qualifications at all, are allowed to call themselves chiropractors. I have with me a magazine issued by the Chiropractic and Osteopathic College, 289 Malvern Road, South Yarra, Victoria. In this magazine there is an article regarding a Mr. David Lovett, a chiropractor in Bendigo, in which it states, or it is reported that—

> Mr. Lovett said that people had no way of knowing whether chiropractors were well trained and experienced . . . They were not licensed and he said that people could obtain a chiropractic degree simply by taking a three-week correspondence course from one university. Mr. Lovett obtained his degree after a four-year course at a chiropractic clinic at Davenport, Iowa, U.S.A.
>
> Mr. Lovett did not name the university nor its location, but he evidently knows of it. We do not infer that he graduated there, but if there is such a university it only goes to show that it is possible to do a "short cut" course in America—for we presume that is where the accommodating university is situated.

So members can see there is ample need for a Bill of this description. I listened with interest to a member of the medical profession who advocated that doctors should be trained in the art of chiropractic, or should be trained as chiropractitioners—I think that was the term he used.

There is another interesting little article in this paper. Unfortunately, it has no heading and it has no author; it simply says, "Accent on nature" and it is an illuminating criticism of the medical profession, as such, in my opinion. The article reads—

> Some day we will recognise the value and the importance of biology. Today the accent is upon the other sciences . . . chemistry, physics, mathematics. A student who intends or begins to study medicine, needs to know, according to the requirements, for acceptance in a medical school, very little biology. But he has to have chemistry, physics, and mathematics. Then his course of study follows with heavy doses of chemistry, physics, and mathematics. Biology is well nigh, if not completely, neglected and forgotten.
>
> Of course, I have no voice in these things. But it is my sincere conviction that if all of the healing professions studied more biology and less chemistry and less physics and less mathematics, we would have healers that would produce much better results than they are producing for us today. The accent would veer sharply away from synthetic drugs and lean more pronouncedly upon biology, which is nature in her proper natural element.
>
> Some day the truth of my argument will be accepted and followed.

That was not written by me but I think I could have written it because in my view there is too much accent by the medical profession at the present time upon drugs. Simply to write a prescription for certain drugs is an easy way to earn money, but to manipulate somebody's spine requires a certain amount of physical fitness, a certain amount of strength, and a certain amount of knowledge of anatomy as well.

I believe this Bill will fill a much-needed want in the community and some of the fears that members have expressed during the debate in my view are not really well based; because the Bill, in clause 18, says that the board which is to be set up—whether it comprises two members of the Chiropractic Association of Western Australia, or four members of the Chiropractic Association, does not really matter—has authority to do certain things. Clause 18 states that subject to the Act the board may, with the approval of the Governor, make rules prescribing the course of study and training, including practical experience, to be undertaken; the examinations to be passed by persons desiring to be registered as chiropractors; and determining the qualifications to be held by persons desirous of becoming students of chiropractic. The clause goes on—

> (d) For regulating the holding of examinations and the appointment of examiners and for the issue of diplomas, degrees or certificates to persons passing the examinations;

Who would be more qualified to set out the courses of study, the knowledge required, the standard of education, and the examinations which have to be passed, than the chiropractors themselves?

We have heard it said that there should be more medical practitioners on this board; and yet, on the other hand, we have the medical practitioners saying that they have not studied this art. So where do we go from here? Surely we will set up a board of experts in the art of chiropractic, and give them the job of laying down the standards, and a course of study and training including practical experience which they feel is ncessary before a man can be registered by the board. Surely that is commonsense!

The Bill also provides the board with power to prescribe fees to be charged in respect of any matter, proceeding, examination, tuition and registration, and of the granting of any license, permit, certificate, degree or diploma under this legislation, and in respect of any charge or complaint made to the board. So it will be seen that the board will have power to deal with the sort of situation that the member for Fremantle has raised. By its very existence the board could prevent the sort of thing mentioned by the honourable member.

After all, the law is not intended to prevent one from doing something. There is no law to say that one cannot do so-and-so. There is no law that says one cannot drive a car, or that one cannot go along in a certain area. But the law does say that if one does go along there one will be punished. So under our present set-up it is almost impossible to preserve or protect people from their own folly. If they desire to go to an unregistered practitioner after this legislation becomes law, on their own heads will be the punishment.

After this legislation becomes an Act they will know that the persons who are registered chiropractors are indeed in possession of certain knowledge, and have gone through certain training, which could be recognised in the same manner as medical training, dental training, or any other specialist training in a professional or industrial field. It is a hallmark and a criterion for protection of the public.

This Bill will certainly fill a much-needed want. I will not say that all chiropractors are good, or that they all accomplish the desired results. I do not think that is the point at issue. The point at issue, which this Bill tries to ensure is that people who set themselves before the public as chiropractors must first go through a certain course of study, and possess a certain knowledge in the art they propose to practise.

This magazine sets out certain qualifications which will be required of chiropractors. It is very interesting to read, particularly after hearing some of the fears that have been expressed to the effect that these people will not be properly qualified; that they will only need to call themselves chiropractors to, in fact, make themselves chiropractors.

Under the heading, "The Chiropractic and Osteopathic College of Australasia Inc.", we find set out certain features of a curriculum for the teaching of the students of chiropractic. The first year consists of basic orthopedy; the second year consists of anatomy and physiology; the third year consists of neurology; the fourth year deals with basic technique; the fifth deals with pathology; and the sixth with chemistry. Added to this is radiography, or X-rays.

There is no authority for this, but it could very well be the basis upon which the board could prescribe its course of study and training. The article to which I have referred says that—

> The chiropractor is a clinician who emphasises the management and treatment of human ailments by endeavouring to restore normal nerve supply to the organs and tissues primarily involved. This basic premise extends into every phase and department of clinical practice. In the study of the various categories of clinical practice this chiropractic thesis is constantly emphasised, although competent and thorough considerations are made in relation to other necessary measures of care and treatment. As a general practitioner, the chiropractor should be well trained in all phases of clinical procedure that relate to the non-medical care of sick people. He

should be qualified to differentiate between those cases that are amenable to chiropractic—

and here's the rub—

and those that necessitate the ministration of other types of practitioners.

If the board insisted on that it would provide a safeguard against some of the fears that have been expressed. Under the heading of "Anatomy", the subjects and their content are as follows:—

Osteology and syndesmology; myology; splanchnology; angiology; special senses; neurology I and II; histology I and II, embryology, dissection and orthopedy.

That could take care of the objection raised by the member for Wembley when he said that we should insist on students of chiropractic doing a course of dissection of cadavers, which means they would have some practice in dissecting the human body. That is included as one of the subjects in the course that these people would have to take.

There is another point that has not been mentioned in the debate, and that is that at present moneys paid to one of these persons are not allowable income tax deductions; in fact, some chiropractors do not even give one a receipt for the account paid. So this will be a most admirable provision in the Bill inasmuch as moneys paid to a chiropractor will, in future, be an allowable taxation deduction

The income tax form states, "monies paid to a qualified medical practitioner." When this legislation becomes law, will these qualifications be deemed sufficient to class these people as qualified medical practitioners? If we are going to register chiropractors and put them on the same qualified level as a medical practitioner I cannot see any reason why they should not be deemed as qualified medical practitioners under the Income Tax Act.

Mr. Ross Hutchinson: Don't forget the dentists.

Mr. ROWBERRY: We are allowed £20 per annum for dentists.

Mr. Ross Hutchinson: But that is not the reason you are mentioning this. You are mentioning a qualified medical practitioner with reference to some benefits under the Hospital Benefits Fund.

Mr. ROWBERRY: No. I merely said that moneys paid to a qualified medical practitioner and a dentist are allowable deductions under the Income Tax Act. I hope that this Bill will permit people in future to make deductions on their income tax returns for moneys paid to duly qualified chiropractors. As the Minister said, one is not allowed to claim for moneys paid to these people. Under the compensation Act no allowance is made for treatment given by chiropractors unless one is sent to a chiropractor by a qualified medical practitioner.

In conclusion, I would say that I would rather go to a chiropractor and be manipulated for certain aches and pains in the body than have a doctor prescribe as much as 12 aspirins in a day to be taken for three weeks on end, particularly when we hear of aspirins being the cause of internal bleeding which could result in death. We find people barring chiropractors who operate with their hands to relieve pain and suffering; but, on the other hand, being prepared to go to a qualified doctor who has done five years specialised training and who merely writes out a piece of paper suggesting the purchase of 300 aspirin tablets to be taken at the dosage of 12 a day. There is not much future in this. There are, of course, other drugs which are prescribed for rheumatism and arthritis and which cause leukaemia or cancer of the blood cells.

There is certainly a very good plea to be made for a bill of this nature. It will fill a much-needed want. I commend the Bill to the House. I am sure that some of the fears expressed during the debate are not well based. I would, however, like the Minister, when replying to the debate, to give an assurance to the House that a certain standard will be set according to those prescribed in the course for the qualifying for a degree of chiropractic along the lines suggested by the chiropractic association itself.

Mr. Ross Hutchinson: The board will do this.

Mr. ROWBERRY: Yes. Of course, we are up against the situation that the board comes first. But what does the board base its decisions upon? It bases its decisions upon what has gone before, and upon what it knows itself. We should take the board at its own words, and read back to it those words, and say, "If these are the standards you are going to set with regard to experience then these are the standards that shall exist." The Minister should have a word with these people who will probably be appointed to the board; and I hope some of them are here listening to the debate tonight.

Mr. Ross Hutchinson: I shall certainly do that.

Mr. ROWBERRY: He would then get some idea of the fears and desires expressed by members. I support the Bill.

MR. TOMS (Bayswater) [9.30 p.m.]: It is not my desire to repeat the many criticisms, or the many words of praise, expressed by members on this measure. I consider the opening remarks of the Deputy Leader of the Opposition, during the second reading debate, to be very appropriate when he said this legislation was a start. He hoped that something better could come of it, and other members on this side have expressed a similar hope.

One phase of the registration of chiropractors has not been dealt with forcibly, although it was skirted around in the debate. This will mean the difference between the success and the failure of the move to register chiropractors. I refer to the proposed composition of the board, and to the exclusion of a medical practitioner. This, in my opinion, is somewhat ominous.

For many years a great deal of obstruction has been raised by the medical profession; and the medical status was at stake, because the doctors feared that chiropractors were intruding into their field. There has been unnecessary frustration. I hope the success of this legislation now before us will be enhanced by the efforts of the members of the British Medical Association.

I am saying that, because I have been approached by many people who were treated by chiropractors but who were not referred by their doctors to chiropractors. They went off work through certain disabilities; they attended their doctors; they subsequently received treatment from chiropractors; and then they had to go back to their doctors to obtain clearances before returning to work. In such cases the people concerned had no claim under the health benefits scheme. At the present time no provision is made for reimbursement of expenses incurred in securing treatment from chiropractors. With the co-operation of doctors, we should be able to look forward under this legislation to the extension of health benefits, to cover the new set-up.

I support the second reading of the Bill with the earnest hope that the statements I have made relating to the medical profession will be taken into account, because their co-operation is needed. I hope we can bring about that co-operation, because if we have continued frustration it will be very difficult to have highly qualified chiropractors registered in this State; and the fears of many members of having people practising as chiropractors without registration will be borne out.

MR. HAWKE (Northam—Leader of the Opposition) [9.34 p.m.]: I intend to support the motion for the second reading of this Bill. It proposes, as other members have already pointed out, to set up a chiropractors registration board; and the constitution of that board is clearly defined in the Bill. I shall have some words to say on that aspect a little later on.

Very serious objection could be taken to the procedures outlined in the Bill for the registration of chiropractors by the board, subsequent to this legislation becoming law, either in its present form, or in some amended form, except for the fact that chiropractors who fail to obtain registration will still be entitled legally to operate and to carry on their art, if that be the proper description of the activities which they perform.

Unless that were to be the situation this board could establish a fairly close preserve for those who are successful in obtaining registration, and we could easily find a situation developing in which those who are members of the board, and those who initially obtain registration, might have a vested interest in keeping the numbers to be registered as low as possible. However, that danger, if it be one, is well covered by the point I made earlier; namely, that those who do not succeed in obtaining registration from the board will still be entitled to carry on their activities, and to treat people who care to go to them.

Clearly, the provisions contained in this Bill cannot be put into operation, after Parliament has approved it in one form or another, until the board is set up and starts to function. The board is the authority to be given the right to grant registration. This Bill basically, and almost totally, is one to provide registration through the board for such chiropractors as are considered from time to time by the board to be justified in obtaining registration.

In my reading of the part of the Bill which provides for the setting up of the board, it will not be possible legally to set it up under the wording used. For the information of members I shall read the wording of paragraph (b) of clause 7(2). It is as follows:—

> four shall be persons who are engaged in the practice of chiropractic within the State and are registered or entitled to be registered as chiropractors under this Act . . .

In my understanding of the situation there would not be a person engaged in the practice of chiropractic within the State who, at the same time, was registered, or entitled to be registered, as a chiropractor under this measure.

Clearly, if this Bill becomes law in this form, there would be nobody already registered as a chiropractor and, therefore, there would be nobody eligible to be appointed to the board as a registered chiropractor because, at that stage there would be no-one registered as a chiropractor in Western Australia. Equally, in my view, there would be no-one entitled to be registered. There would be a lot of people entitled to be considered for registration, but clearly no-one is entitled to be registered as a chiropractor until such time as this board is set up, gets into motion, and sets down the procedures under which the board will, at some later date, consider applications for registration.

Therefore I would be very anxious indeed that this particular part of the Bill should receive the very close consideration

of the Minister and be discussed very deeply by the Minister with his legal advisers.

Mr. Ross Hutchinson: I will have a look at it. I think it is the chicken and the egg sort of thing. We can probably get started.

Mr. HAWKE: In the view of the Minister it might be a question of which came first—the chicken or the egg—but in my view that is not a fair summary of the particular part of the clause which I read. We know which has to come first if this legislation is to function. The board must come first; and the Minister must be in the position legally—not illegally—to appoint the full membership of the board. He must be in a position legally to appoint the chairman plus four persons who are engaged in the practice of chiropractic within the State and who are in addition registered, or entitled to be registered, as chiropractors under this Act.

I say that, when the Minister sets to work to choose the four chiropractors to be appointed to the board to enable the board to be set up, he will not be in a position legally to obtain them because they will not exist with the qualifications which are set down here in relation to either being registered or entitled to be registered as chiropractors under this proposed law. Therefore, as I said a moment ago, I would ask the Minister very carefully to investigate this matter and to discuss it throughly with his legal advisers.

I think that subsequently he would probably agree there would have to be some alteration of the wording; perhaps some additional words after the word "entitled" to enable the board to be set up legally in the event of this Bill becoming law, as seems almost certain. Having discussed that matter briefly, I repeat again that it is my intention to vote for the second reading of the Bill.

MR. ROSS HUTCHINSON (Cottesloe—Minister for Health) [9.44 p.m.]: Firstly, I think it incumbent upon me to thank all members for their contribution to this debate. It is not unnatural that there should be some disagreement with some of the provisions of the Bill, but the really remarkable thing is the very great degree of unanimity regarding the principle and the main provisions of the Bill. I would think this is a treatment which is usually accorded only to those Bills which increase the salaries of members of Parliament. In any case, I think the criticism that has been levelled has been rather kindly and took into consideration the fact that this was a first attempt at this sort of legislation by any Government in this State and that as such it would probably reveal some imperfections.

I do feel that the Deputy Leader of the Opposition was somewhat left-handed in the compliment he paid me at the outset of his speech. He gave with his left hand and took away very smartly with his right. However, that is to be understood. The Deputy Leader of the Opposition did refer to the fact that there was a "Palmer" influence at work in regard to the establishment, inauguration, or initiation of this legislation, and that this "Palmer" influence exercised undue influence. He was critical of this and went on to be highly critical of the trained chiropractors. This, I think, was unfair. To the best of my knowledge there are eight American trained chiropractors in the State, and they represent four different schools. These schools are Lincoln, San Francisco, New York, and Palmer.

Mr. Hawke: Not Nebraska.

Mr. ROSS HUTCHINSON: I cannot see one. Then the Deputy Leader of the Opposition mentioned that there were some imports. I do not know whether he referred to a flood of chiropractors coming into the State, but he eventually mentioned there were four or five—

Mr. Tonkin: Five.

Mr. ROSS HUTCHINSON: —in the last four to six months. I do not know whether this is so or not, and I do not think it really matters a great deal. The member for Subiaco did point out that when the Honorary Royal Commission inquired into the work of chiropractors and dietitians this was news in the Eastern States. It may have been for these reasons that interest has been aroused; and it may be because Western Australia is the coming State. Who can tell? But I for one am pleased that people are coming to this State of ours.

The Australian Chiropractors' Association knows of only one qualified chiropractor who has come to the State in recent times; and, as a matter of fact, this particular gentleman visited Western Australia some 14 years ago when he tried to buy out a chiropractor then in practice. However, he was unable to do so and went overseas. Eventually he came back; and I am quite pleased he came back. I do not even know the gentleman, but I know of him. Therefore, any of these recent arrivals of which the Deputy Leader of the Opposition spoke are people about whom he has herd or from whom he has heard. I do not know.

Mr. Tonkin: Their names are in the telephone book.

Mr. ROSS HUTCHINSON: He says he has read their names in the telephone book. I do not know whether they have just come here are have been here for some time. The Deputy Leader of the Opposition has his own methods of finding out this information. It has already been pointed out there is a Western Australian branch of the Australian Chiropractors' Association, and it is in the final stage of being incorporated.

In any case, this is a young profession. It is young in the sense of legislation, and it is not unnatural that it should not be properly incorporated in a State such as this; but there are some 90 or 100 members of the Australian Chiropractors' Association, just the same as there are quite a number of members of other chiropractic associations. It has been queried by some members as to why I named the Australian Chiropractors' Association in the legislation.

Under clause 7, to which the Leader of the Opposition referred, this group is bound to nominate four persons. I say right at this juncture that it is my intention to agree to the amendment of which notice has been given by the member for Subiaco. Indeed, we worked quite closely together to arrive at the terms of the amendment. With regard to naming the Australian Chiropractors' Association, I believe there must be a sound platform of formal training in chiropractic upon which we can build the future of the profession. This association, which is Australian-based and Australia-wide, should be well regarded by members.

After all, one of the prime purposes of this legislation is to initially set a standard and have the board try to raise the status of the profession, which has done so much good. That point is in all our minds and is the reason members of this Chamber have been unanimous in their agreement on the Bill. There has not been a dissenting voice raised on the principle of the legislation—only some minor criticism.

This association can be built into a strong association. Various members have said they hoped chiropractors, in furthering their aims and objectives, will sink some of their differences and work together for the common good. I am sure they will do this. There will be teething troubles and difficulties as some members mentioned; but after these early troubles I feel sure the profession will definitely raise its status.

It should be mentioned that the members of the Australian Chiropractors' Association are properly qualified after a period of four years in training. Therefore, it is logical that we should grasp at some sound basis. The Western Australian organisation has been sneered at by some members, including the member for Maylands.

Mr. Tonkin: How many members has it?

Mr. ROSS HUTCHINSON: I would like to say that this Australian Chiropractors Association from time to time sponsors scholarships for young men to go to the United States to acquire formal training in the profession. As a matter of fact the alert members of this Chamber—I have no doubt the Deputy Leader of the Opposition can be ranked as one of these—would have noted a recent item in the *Daily News* in which it was stated that a young man of 22 or 23 was going to one of the colleges in the United States, and he was completely sponsored by the association.

Therefore it is logical that an association with 100 qualified members should have a status and I think members here should try to avoid looking after some groups of chiropractors and instead consider the status of the profession. I have the list of aims and objectives of the association which would bear reading, but time presses on.

I feel that it is extraordinary that some members have criticised members of this association because the purpose of the legislation is to help raise the status of the profession so that the ethics, procedure, and standard will be improved thereby benefiting the chiropractors themselves and the public.

The original idea of having a board nominated in the manner envisaged in the Bill was to give chiropractors themselves a chance of forming their own standard and criterion of rules and regulations, and I as the Minister—and this legislation is subject to the Minister—intended to have close discussions with them on the initial stages in particular in order to ensure that a grandfather clause would be included in order that the large number of people practising would be invited to apply for registration, and that the board would be generous in its initial proceedings. This was always my intention and I think members realise that I am honest enough to follow that out.

Moreover, I am even prepared to agree to the amendment foreshadowed by the Deputy Leader of the Opposition, but I would like to make an amendment to it myself, which will not alter his intention to a great extent except perhaps to reduce the effect on the previous clause and put it in its right perspective.

I have a lot of other notes here, but I think they might well be dealt with in Committee. The member for Subiaco did mention the fact that he thought it might be necessary to alter the Medical Act and the Physiotherapists Act. I have had a look at this matter and I do not think at this juncture it will be necessary. If members read the Medical Act they will notice that chiropractors are not mentioned as such. Reference is made to people practising as chiropractors and those who are in some strange way not registered under this Act will still be able to practice some form of chiropractic.

The member for Fremantle made one unkind remark. He said that this Bill was an endeavour by the Government to gain advantage electorally. As a matter of fact this is just not so. Everyone knows how this legislation came into being. Indeed, the Deputy Leader of the Opposition at the commencement of his speech pointed out that I said last year

I would have a look again at this matter and see whether some form of legislation could be introduced. Since last year the matter was evaluated and the points for and against were very closely discussed by my officers and persons outside the department, and myself and eventually it was decided, in the interests of the public and the profession, to introduce this legislation.

Now, if this decision made by the Government is instrumental in assisting the Government electorally, I shall be very pleased, and I think I am entitled to be. Indeed, I think people would be entitled to support us because of this, and I have the inclination to congratulate them on their very good sense.

The matter of heat and X-rays can be covered by the board once it has been set up. It will have a good deal of work to do. I should imagine that the board will, in the early months or during the first year, have a monumental task to perform in evolving rules and regulations that will satisfy this young profession, from a legal aspect.

The member for Wembley said he did not like the definition. This matter was pursued thoroughly. It was eventually decided that the definition was one that was frequently referred to as being the classic definition, and therefore it was incorporated in the Bill. The honourable member also suggested that there should be prohibition concerning psychiatry. However, I think we might see how the legislation operates over a period of time.

The member for Swan spoke about price control, and he rather unfairly accused chiropractors of overcharging. Without knowing very much about the charges of chiropractors, I would say that his remarks were unfair. In my opinion the charges of chiropractors compare favourably with those of other professions.

The Leader of the Opposition differed from the member for Swan regarding persons who would be able to practise a form of chiropractic even though they were not registered as chiropractors. There is a safeguard here which I made a point of incorporating in the legislation. The Leader of the Opposition thought that the board could not be set up.

Mr. Hawke: Could not legally be set up under the wording in the Bill.

Mr. ROSS HUTCHINSON: I mentioned that I would have a look at the matter. Subclause (3) reads as follows:—

> (3) The nomination of the four members pursuant to paragraph (b) of subsection (2) of this section shall be made in the manner prescribed, but if no nomination or no sufficient nomination of persons for appointment as those members is made by the body referred to in that paragraph within fourteen days after the prescribed nomination day, the Governor may on the recommendation of the Minister appoint any person or persons, whether a chiropractor or not, as a member or as members of the Board as a representative or representatives of the body so referred to.

That could be used to overcome the difficulty mentioned by the Leader of the Opposition.

Mr. Hawke: I do not agree.

Mr. ROSS HUTCHINSON: I doubted whether you would.

Mr. Hawke: We will discuss it in Committee.

Mr. ROSS HUTCHINSON: The Bill rightly merits the unanimous support of the House. I would ask members to be as lenient and as understanding as possible during the Committee stage with a view to getting this measure on the Statute book. Once the legislation is in operation we will be better able to determine the best way of amending it from time to time.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr. I. W. Manning) in the Chair; Mr. Ross Hutchinson (Minister for Health) in charge of the Bill.

Clauses 1 to 6 put and passed.

Clause 7: Constitution of Board—

Mr. GUTHRIE: I move an amendment—

> Page 3, lines 16 and 17—Delete the words "Minister for Justice" and substitute the words "Attorney General;"

I do not require to say very much concerning this amendment. The Crown Law Department is agreeable to the amendment. There is legislation to the effect that the words "Minister for Justice" can appear in lieu of the words, "Attorney General", but there is no legislation to deal with the matter in reverse.

Mr. ROSS HUTCHINSON: The member for Subiaco discussed this amendment with me, and I have consulted the Crown Law Department, which advises me that the amendment is desirable. I therefore agree to it.

Amendment put and passed.

Mr. GUTHRIE: I move an amendment—

> Page 3, line 18—Delete the word "four" and substitute the word "two."

If members are intending to defeat this amendment, this is the time to do so. If it is accepted, then the others will follow automatically. The purpose of the amendment is not to have four chiropractors nominated by the Western Australian branch of the Chiropractors' Association; but to have two chiropractors appointed by the association and two other persons to be nominated by the Minister, one of whom shall be a chiropractor. After placing the

amendment on the notice paper I discovered that this set-up has been followed in New Zealand. The Minister and some members have indicated that they are in favour of the amendment.

Mr. ROSS HUTCHINSON: As I indicated during the second reading debate, I intend to support this amendment. I say again, briefly, that the original conception of having four persons nominated by the Australian Chiropractors' Association was not intended, so that every one of that four would be a member of the association. However, to put matters right I have agreed that two persons shall be nominated by the Minister, and one at least will be a person engaged in chiropractic. I support the amendment.

Amendment put and passed.

Mr. HAWKE: I again take up the question which I raised during the second reading debate. When the Minister was replying he suggested to members that subclause (3) of clause 7 would overcome the difficulty which I foresaw. I am sorry the Minister suggested that, because I think it is not proper to look to subclause (3) to overcome the difficulty which could easily arise in trying to operate subclause (2).

Mr. Ross Hutchinson: It is only an initial difficulty, is it not?

Mr. HAWKE: Yes. I pointed out that the main provision in this clause is to give to the association the right to nominate a certain number of members to the board. The Minister says that if legal difficulty is found to develop subsequently and the association is not in a position to legally nominate anyone, then the Minister will use the power residing in subclause (3) to do the appointing himself, without any nomination at all from the association.

Mr. Ross Hutchinson: But under the formula.

Mr. HAWKE: I think it is unreasonable and unfair to put into the Bill that an association shall have the right to nominate a certain number of people to be on a board, and carry the Bill into law with a very serious doubt in our minds as to whether, when the Bill becomes an Act of Parliament, the association will be able to exercise that right. I think this difficulty can be resolved very quickly by deleting the words in lines 20 and 21 "registered or entitled to be registered as chiropractors under this Act." That would not take away from the subclause anything of value, but would completely remove the very serious doubt which I have referred to. The subclause would then read—

> two shall be persons who are engaged in the practice of chiropractic within the State and are nominated by the body known as the Western Australian branch of the Australian Chiropractors' Association.

That is what the Minister and the association really want, and I suggest to the Minister that he accept or support the amendment. I will not move the amendment at this stage but will hear what the Minister has to say.

Mr. ROSS HUTCHINSON: I really think that the Leader of the Opposition is quibbling a little on this point. What he suggests would, indeed, fit the Bill initially. It is another way in which nominations could be made. I agree that if those words were deleted there would be no legal doubt.

Mr. Hawke: None at all.

Mr. ROSS HUTCHINSON: I agree. But this is only to overcome the initial trouble which the Leader of the Opposition foresees. After the board had been initially appointed we would be left without the words "registered or entitled to be registered as chiropractors under this Act," and it is probably desirable that these words should be left in.

Mr. Hawke: The association would still be the nominating authority.

Mr. ROSS HUTCHINSON: Quite so; but I think it probably desirable to have the words left in. I think the Leader of the Opposition is quibbling on this point.

Mr. Hawke: That is silly.

Mr. ROSS HUTCHINSON: I repeat that if members look at subclause (3) they will see that this initial trouble can be overcome.

Mr. Tonkin: No it can't! That is no help at all.

Mr. Hawke: That is quibbling on your part.

Mr. W. Hegney: That is subterfuge.

Mr. ROSS HUTCHINSON: There is no subterfuge, as the member for Mt. Hawthorn suggests.

Mr. Hawke: Of course it is!

Mr. ROSS HUTCHINSON: Let me proceed, and I will explain.

Mr. Hawke: The further you go the more trouble you get into.

Mr. ROSS HUTCHINSON: This clause was framed with a view to nominating the chiropractors board. Subclause (3) was inserted in case of initial difficulties. Let me run through it again as briefly as possible. The board shall consist of five members of whom one shall be a person who is a practitioner within the meaning of the Legal Practitioners Act and two shall be persons nominated by the Australian Chiropractors' Association.

Mr. W. Hegney: But they have to be registered.

Mr. ROSS HUTCHINSON: They are entitled to be registered as chiropractors under this Act. The other two members will be appointed by the Minister, and one will be a chiropractor. Subclause (3) allows for any necessary alterations. I do not know why the Leader of the Opposition is so upset.

Mr. Hawke: The Minister is the only one who seems to be upset.

Mr. ROSS HUTCHINSON: I said it first.

Mr. Hawke: I am only trying to help the Minister.

Mr. ROSS HUTCHINSON: I think the necessary amendments have been placed on the notice paper by the member for Subiaco. Proceeding to subclause (3), it states—

> The nomination of the four members pursuant to paragraph (b) of subsection (2) of this section shall be made in the manner prescribed,

The clause goes on to state—

> but if no nomination or no sufficient nomination of persons for appointment—

Mr. Tonkin: What does that mean?

Mr. ROSS HUTCHINSON: It means that if there are not sufficient nominations—

Mr. Tonkin: Suppose they nominated two people who were ineligible?

Mr. ROSS HUTCHINSON: The clause goes on to state—

> or no sufficient nomination of persons for appointment as those members is made by the body referred to in that paragraph within fourteen days after the prescribed nomination day, the Governor may on the recommendation of the Minister appoint any person or persons, whether a chiropractor or not, as a member or as members of the board as a representative or representatives of the body so referred to.

What would the Minister do under those circumstances?

Mr. Kelly: You tell us.

Mr. Hawke: That is what we are worried about.

Mr. ROSS HUTCHINSON: I will tell members what the Minister would do. He would do the sensible thing, as usual.

Mr. Tonkin: Whether it is legal or not?

Mr. ROSS HUTCHINSON: He would consult the Australian Chiropractors' Association. I think the Leader of the Opposition is just quibbling. However, I have promised to discuss the matter with the Crown Law Department and I will do so, but I see no reason why we cannot carry on. There is no doubt as to what is meant, and it is only a legal quibble on the part of the Leader of the Opposition.

Mr. HAWKE: I move an amendment—

> Page 3, lines 20 and 21—Delete the words "and are registered or entitled to be registered as chiropractors under this Act."

The Minister admits the strength of my argument—

Mr. Ross Hutchinson: I do not admit anything of the sort.

The CHAIRMAN (Mr. I. W. Manning): Order! We will have one speech at a time.

Mr. HAWKE: —by taking refuge in subclause (3) and saying it is a solution of the problem I foreshadowed in the event of that problem actually taking shape.

Mr. Ross Hutchinson: Don't worry about it.

Mr. HAWKE: The Minister is the only one worrying about it. Let us be honest and fair about this situation.

Mr. Ross Hutchinson: I think that is a very good idea.

Mr. HAWKE: My only concern in the matter is to ensure that the right which the Bill purports to give to the association shall be a legal and absolute right. Why should we put into a Bill what appears to be a right when we have considerable legal doubt in our minds whether in practice it would be a right which the association could exercise?

Mr. Ross Hutchinson: You just want to talk. That is all you want to do. You just want to get on the band wagon.

Mr. HAWKE: Which band wagon?

Mr. Ross Hutchinson: I don't know.

Mr. HAWKE: The Minister is becoming highly irrational.

Mr. W. Hegney: He has been looking at Wagon Train too much.

Mr. HAWKE: In this clause the Minister proposes to give to the association the legal right to nominate a number of its members to the board, but there is considerable doubt whether that right is legally given. Is that quibbling? Is that getting on the band wagon?

Mr. Ross Hutchinson: You are most unreasonable.

Mr. HAWKE: The words which I propose to delete do not affect the situation at all. The clause has much more legal effect and is equally as effective in every other way with the words deleted.

I said earlier that no chiropractors will be registered when the board is being set up, because the machinery for the receiving of applications and for the registration and deciding of applications will not be in motion. It will not be set up until after the board is appointed and gets into operation. No-one at that time will be entitled to be registered, because the processes in relation to registration and the

rest of it will not have been decided upon. These things can only be decided by members of the board after the board has been legally constituted.

My only concern is to give to the association, in fact as well as in name, the right which is contained in the clause, and the Minister could not have any objection to that. The Minister has told us some extremely queer things.

Mr. Ross Hutchinson: Good Lord!

Mr. HAWKE: Subclause (3) has been put in only to meet a situation which would arise if the association fell down on its job and failed to make any nominations, or insufficient nominations.

Mr. Ross Hutchinson: It could be used for the purpose I mentioned.

Mr. Tonkin: No; it could not.

Mr. HAWKE: It could not be used for that purpose, but even if it could it is not the proper approach to the situation. If my amendment is accepted the association will be left in an unchallengable position to go ahead and in due course submit its nominations to the Minister.

Mr. Ross Hutchinson: I am reluctant to take the words out because they only overcome an initial problem as you see it.

Mr. HAWKE: They do not only overcome an initial problem; and if they do, why should we not overcome it? Why allow a Bill to be passed which will create an initial problem?

Mr. Ross Hutchinson: Because you make further problems.

Mr. HAWKE: Of course not! If we delete the words to which I have referred we leave with the association the right initially, and at any subsequent time, to nominate such number of its members as would be required to be nominated. That is all we do. I sincerely hope that some members of the State Government will look reasonably and sensibly at this situation and support the amendment.

Mr. ROWBERRY: The Leader of the Opposition and the Minister appear to be at loggerheads, and yet there is a simple solution. The Minister insists on the wording as contained in paragraph (b) of subclause (2). On the other hand, the Leader of the Opposition says there are not any chiropractors registered or entitled to be registered. I suggest that we should arrive at a compromise. If we substitute the word "or" for the word "and" in line 3 of paragraph (b), the subclause would then read—

> four shall be persons who are engaged in the practice of chiropractic within the State or are registered or entitled to be registered as chiropractors . . .

That would meet both viewpoints. It would still leave the persons who are engaged in the practice of chiropractic eligible for nomination, and would make provision in the future for appointment to the board of those who are registered or entitled to be registered. The word "and" is a conjunction, and it links the two groups mentioned in the subclause. However, if we separate the two parts of the subclause by the word "or", I submit —despite the submission of the member for Subiaco—that there would be two different groups of people. This would take care of the Minister's fears and would satisfy the Leader of the Opposition.

Mr. TONKIN: A great deal of the difficulty of the Minister arises from the fact that he is unable to appreciate the difference between the words "eligible" and "entitled". To give an illustration, there have been persons in this State in years gone by who have been eligible for long service leave but were not entitled to it because the decision to grant it was never made, and therefore they could not claim it in the court.

In this instance there will be a number of persons eligible to be registered as chiropractors, but they will not be entitled to be registered until the board has examined their qualifications and decided upon their eligibility, and when it has given a decision in their favour they will be entitled to be registered.

It is the firm conviction of those on this side of the Chamber that it will be impossible legally to establish this board under the wording now in the Bill. I know that the legality of certain matters has not been a worry to this Government, and I could quote a number of instances to prove that. But when it comes to something being decided to prove the point, what a mess we would be in if the constitution of the board were challenged, should it not be properly established!

There are no registered chiropractors in the State at the moment, so we cannot make a selection of chiropractors to establish a board. Nor are there any persons in the State at present entitled to be registered under the provisions of this Bill. There may be many who are eligible to be registered, but they are not entitled to be registered until the board says so. But until the board is constituted, how on earth can it say so? The Minister proposes to set up a board from registered chiropractors who do not exist, and from persons entitled to be registered who also do not exist. How can he select from non-existent persons those members who are to form the board?

It is left to the Minister to overcome that difficulty, and he can do it in the way the member for Warren has suggested or as the Leader of the Opposition has suggested; and there is not much difference between the two propositions. But if the Minister insists on the wording in the Bill I declare most definitely it will be legally impossible to establish the board. Surely the Minister does not want that situation! He cannot rely on subclause (3), because

that only comes into operation if the association neglects to make a nomination, or makes insufficient nominations. What happens if the association nominates the requisite number of people who are eligible? The Minister cannot come in then, because it has made its nominations. He can only enter if the association does not make its nomination, or the nominations are insufficient.

The Minister has to realise he is in a fix, and it is now loss of face to have the clause properly constructed. Let us assume we pass this clause and the Minister proceeds to have the board established. How does it come about? He has to look for two persons registered as chiropractors. But they do not exist; so he cannot appoint them. So he looks for two persons who are entitled to be registered as chiropractors, and finds they do not exist; and they cannot exist until after the board is established. They may be eligible for appointment, but that is not what the Bill says. The Bill says they are entitled to be appointed, which is a different proposition entirely.

How many people have been eligible for things and have never been entitled to them because a decision has never been made to give them those things! That is the point the Minister has failed to appreciate. Instead of talking about the Opposition quibbling in this matter the Minister should realise that this is vital to the whole Bill, because if he cannot set up his board he cannot register chiropractors, and until there are registered chiropractors,—as the Bill is worded—the board cannot be set up. So what is the good of being foolish about it. We must face it that the drafting is bad; it is faulty, and it must be corrected if the Bill is to be worth anything.

Mr. HAWKE: I should not have to repeat this, but I am only trying to help the Minister in this matter. I am prepared to accept the member for Warren's suggested amendment if the Minister is prepared to accept it. If he is not then I will have to continue to press the amendment I have moved. I would like the Minister, and the Premier now that he is here, to have a look at the wording of paragraph (b) of subclause (2). It reads, following the amendment by the member for Subiaco—

> two shall be persons who are engaged in the practice of chiropractic within the State and are registered or entitled to be registered as chiropractors under this Act, nominated by the body known as the Western Australian branch of the Australian Chiropractors' Association.

Obviously the purpose of this subclause is to give the association the undoubted right to nominate two of its members to become members of the board. There is surely no doubt about that. But the words, "and are registered or entitled to be registered as chiropractors under this Act," in my view mean that there would be no-one eligible among the chiropractors to be appointed to the board because no chiropractor in this State at that stage would be registered as a chiropractor under this legislation; no chiropractor would be entitled to be so registered. So the subclause as worded is not capable of legal operation and legally the association would be in a position where it could not nominate anybody.

The Minister says should that difficulty arise the situation could be met by subclause (3). However, as the member for Warren truthfully said, subclause (3) is part of the proposed law to be operated only in the event of default on the part of the association; to be operated only should the association fail to nominate the full number allowed to it, or to nominate only part of the number allowed to it. Surely the Minister does not want to place the association in a situation where the Bill would appear to give it certain rights, only to find later that it had no such rights at all.

I have moved to delete the words, "and are registered or entitled to be registered as chiropractors under this Act." As no such persons could exist when the board was being set up nothing is lost by the deletion of those words, because they mean nothing. If my amendment is accepted paragraph (b) will read—

> Two shall be persons who are engaged in the practice of chiropractic within the State nominated by the body known as the Western Australian branch of the Australian Chiropractors' Association.

That would give the association the right to nominate two chiropractors to the Minister for appointment to the board, and they would be appointed in the proper and legal manner. The Minister would nominate two members to the board; he is now to be given the power to nominate, and the other member of the board who is to be a legal practitioner would be appointed by the Governor. The board would then have its full membership and proceed to do its work under the provisions of the Act. I am sure the Minister sees the legal doubt to which I have referred, and he would lose nothing by wiping out that legal doubt in the manner I have suggested. I hope the Minister will agree to the amendment.

Mr. GUTHRIE: It amazes me that this point should not have arisen on many other occasions. It should have arisen under the Physiotherapists Act, and also in New Zealand under the Chiropractors Act. If members refer to those Acts they will see there is not even an alternative

in either of those Acts of their being entitled to be registered. They had to be registered; and how they ever got off the ground I do not know.

From a literal reading of the Bill the Leader of the Opposition would appear to be correct. But what puzzles me is that this form of draftsmanship has been used over the years, and we have got the boards off the ground somehow. Maybe people did not think of it. Clause 20 of the Bill lays down what makes a person entitled to be registered; and he cannot become entitled to be registered until the board is set up, because the board must lay down the qualifications. Whether or not that is the correct construction I would not know, but it would appear to be so.

I am also trying to be helpful, but I suggest that the amendment does not quite achieve what the Minister seeks to do, because once he takes out the words, "registered or entitled to be registered," we then have a provision in the Act which remains there for all time: that two persons who are engaged in the practice of chiropractic may be nominated by the association. It therefore does not confine their nomination to registered chiropractors, and they could be anybody.

Mr. Hawke: I would accept the amendment of the member for Warren.

Mr. GUTHRIE: The member for Warren still leaves it in that position. I suggest that progress be reported so that this point can be examined. I suggest something along these lines might solve the problem, not as words of an amendment, but as a guide to the principle to be adopted: That whilst there are no registered chiropractors they shall be two persons who are engaged in chiropractic but while there are registered chiropractors they shall be registered chiropractors, or entitled to be registered as chiropractors. That would cover the position in the future, and ensure that they must be registered chiropractors.

In any sort of appointment under the Bill these people must hold office for three years, so it is highly desirable that when a person is appointed he should be able to continue. Personally I am very averse to drafting amendments under these circumstances.

Mr. ROSS HUTCHINSON: The member for Subiaco has pointed out that the method proposed in the Bill to form the board has been used in other legislation, without objection being raised. I believe there is legal entitlement for the appointment of members of the board, under the term "entitled" appearing in paragraph (b). There will be a board which will be able to conduct the affairs of the profession in the best possible manner; and the deletion of the words will not necessarily mean that the Minister will appoint persons who are not registered chiropractors.

Mr. W. A. Manning: They cannot be registered chiropractors.

Mr. ROSS HUTCHINSON: Even with the passage of this Bill, some people will still be entitled to practise as chiropractors, but they will not be known as such. I am still in doubt about the wording, and I am agreeable to progress being moved.

Progress

Progress reported and leave given to sit again, on motion by Mr. Brand (Premier).

MILK ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 3rd September, on the following motion by Mr. Nalder (Minister for Agriculture):—

That the Bill be now read a second time.

MR. ROWBERRY (Warren) [10.55 p.m.]: This Bill seeks to make certain amendments to the Milk Act. It contains a provision which makes it compulsory for milk to be pasteurised, when it is sold to householders or for human consumption. The Minister did not tell us what pasteurisation meant. In moving the second reading he used many terms, and he should have explained them to the House. He referred to infections which include brucellosis, and organisms such as streptococcal and staphylococcal; but it is necessary for us to know the meaning of those terms.

I have looked up the dictionary on the derivation of those words, and I found that at times their meaning is misunderstood. For instance, some members believe that ivory towers are houses built in Nedlands from the tusks of elephants, but nothing could be further from the truth. I turned to the handbook I used when I was studying to be a health inspector, and found that the word "micrococcal" meant small spherical bodies; and that the word "streptococcal" meant chain-like bodies. In their association, they are found in chain-like formations, and because of that we can identify them with certain diseases. The term "staphylococcal" means the germs are found in clusters; and the profession is thus able to identify them as germs giving rise to certain diseases.

When I was studying for my health inspector's examination, I learnt that pasteurisation meant the heating of milk to 167 degrees Fahrenheit, and keeping it between 167 to 178 degrees for 15 to 20 minutes, so that the germs which are described by the Minister would be immobilised or killed.

The diseases likely to be caused by these germs are tuberculosis, cholera, diphtheria, scarlet fever, sore throat illnesses, undulant fever, and epidemic diarrhoea, because milk is a very excellent medium for the growth of bacteria and germs.

We therefore see why this Bill is so very necessary. The Minister in introducing the Bill said that the Commissioner of Public Health had advised that examination of samples of raw milk taken from a licensed dairyman-vendor in the Perth metropolitan area revealed the presence of brucella organisms. Of course, these are the organisms which cause contagious abortions in cows.

The germ in human beings can give rise to undulant fever and severe sore throats. That, in itself, would be a good reason why this Bill should be accepted by the House.

The Bill seeks to amend section 27 of the Milk Act; and for the information of members I will read that section. It is as follows:—

> The Board may at any time after the first September, one thousand nine hundred and forty-eight, on giving twelve months' notice prescribe that after the expiration of such notice all milk delivered to householders other than that which is supplied from T.T. accredited herds and complies with any other conditions which the Board may prescribe shall be pasteurised in conformity with the definition contained in the Food and Drug Regulations and bottled and capped in conformity with regulations issued by the Board.

The Minister said that the Commissioner for Public Health had found certain cows and certain milk were infected with brucellosis organisms and because of that it was necessary that the whole of the milk be sent to a depot to be pasteurised.

Under the Act as it now stands 12 months' notice has to be given before this can be done; and that is one very effective change in this measure. The new section will read as follows:—

> The Board may by notice published in the *Government Gazette* prescribe that before any milk or cream is delivered for sale by any person—
>
> (a) to householders in any district specified in the notice, the milk or cream—
>
> (i) shall be pasteurised in conformity with the provisions of the regulations for the time being in force, relating to pasteurised milk or cream;

There is a vast difference between a notice published in the *Government Gazette*, which takes almost immediate effect, and having to give 12 months' notice. Another significant portion of the amendment is that the milk shall be pasteurised. When quoting figures to the House I like to quote them from the relevant regulations, but at the moment I will have to rely on my memory. However, the words "the regulations for the time being in force" which appear in the Bill mean nowadays that milk shall be heated immediately to between 145 deg. Fahrenheit and 150 deg. Fahrenheit and kept there for half an hour, and immediately cooled to 40 deg. Fahrenheit. That is called the holding method. There is another method under which the milk is heated to between 165 deg. Fahrenheit and 170 deg. Fahrenheit and immediately cooled within 15 seconds to 40 deg. Fahrenheit. This is called the flash or immediate process of pasteurisation.

Back in the early thirties, the pasteurisation of milk was just about as controversial as the fluoridation of water is at the present time. Lots of people were against it because they considered it would take the place of hygienic measures and cleanliness would be at a premium on the part of dairymen. However, I think it has been proved that pasteurisation is not only a protection to the public, but is a further means of making the milk, which is a valuable nutrient for human consumption, very much more acceptable and safe. This is particularly so when we consider that diseases such as tuberculosis, cholera, diphtheria, and scarlet fever could spread to epidemic proportions.

Therefore it is necessary that the Milk Board have the power envisaged in this legislation. I cannot find any reason why we should not pass this Bill, unless it be that the penalty for anyone who fails to comply with the notice is too low for an offence of that nature. We have to consider that the health of the public is at stake because we know of the diseases which can be easily communicated by milk which is an ideal medium for the growth of bacteria. It is quite easy to contaminate milk with disease germs; and if this should happen the population would be killed in a very short time. Because of that, the only fault I have to find in the Bill is that the penalty of £50 is far too low for this offence. I support the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

House adjourned at 11.10 p.m.