the chairman of the council is absent the chairman will nominate his deputy in writing. I move—

Page 8—Insert after clause 8 the following new clause to stand as clause 9:—

Deputy Chairman of Council.

9. Where the Chairman of the Council is unable for any reason to attend any duly convened meeting of the Council, the person nominated in writing by the Chairman to be the Deputy of the Chairman—

(a) shall preside at that meeting; and

(b) while so presiding shall be deemed to be a member of the Council and has all the powers and duties of the Chairman of the Council.

New clause put and passed.

Schedule put and passed.

Title put and passed.

Bill reported with an amendment.

BILLS (3): RECEIPT AND FIRST READING

1. Electoral Act Amendment Bill.
2. Legal Practitioners Act Amendment Bill.

   Bills received from the Council; and, on motions by Mr. Court (Minister for Industrial Development), read a first time.

3. Cemeteries Act Amendment Bill.

   Bill received from the Council; and, on motion by Mr. Nalder (Minister for Agriculture), read a first time.

BILLS (3): RETURNED

1. Health Act Amendment Bill.
2. Agriculture Protection Board Act Amendment Bill.
3. Inquiry Agents Licensing Act Amendment Bill.

   Bills returned from the Council without amendment.

House adjourned at 1.15 a.m. (Wednesday)

Legislative Council

Wednesday, the 23rd September, 1964

CONTENTS

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS ON NOTICE

SCHOOLS

Fly-proof Screening

1. The Hon. R. H. C. STUBBS asked the Minister for Mines:

   (1) How many schools under the control of the Education Department have had fly-proof door and window screenings installed in—

   (a) Metropolitan area;

   (b) country districts?

   (2) Is it proposed to install fly-screening at schools this financial year?

   (3) If so, where?

   The Hon. A. F. GRIFFITH replied:

   (1) (a) Thirteen since 1962.

   (b) Fifty-one since 1962.

   (2) Yes.

   (3) Provided that the funds allocated are sufficient, the following schools will be fly-screened this financial year: West Dale, Rossmoyne, Bullfinch, Hillcrest, Aldersyde, Babakin, Wanneroo, Brookton, Bodallin, Upper Ferguson, Glen

Forrest, Jigalong Mission, Corrigin, Calingiri, Wilson, Lakewood, Kweda, Roelands Mission, Cowaramup, Moorine Rock, Burracoppin, Mukinbudin, Newdegate.

PARLIAMENT HOUSE

Untidy Approaches

2. The Hon. A. L. LOTON asked the Minister for Mines:

Is the Joint House Committee aware—

(a) That there is no proper approach to the front of Parliament House if walking up the path from the corner of George and Hay Streets?

(b) That the rubble on the bank at the eastern end of the brick wall is an eyesore and should be tidied up and grassed?

(c) That the main entrance approach to the front of Parliament House is a disgrace for the following reasons—

(i) that cartons, milk bottles, and ashes from the incinerators are dumped on the ground;

(ii) that two very dilapidated incinerators, one without a top, allow smoke and ash to blow wherever the wind directs; and

(iii) that two galvanised rubbish bins appear totally out of place?

(d) That washing hung out on the line does not harmonise with what should be a pleasing approach to Parliament House?

(e) That some foodstuffs are being delivered to the Harvest Terrace entrance and not to the service entrance?

The Hon. A. F. GRIFFITH replied:

I am advised by the Chairman of the Joint House Committee as follows:—

(a) Yes; the Joint House Committee is aware that there is no such approach.

(b) Yes; it is realised that rubble and weeds need removing.

(c) (i) The Joint House Committee is not aware that this is so at the present time.

(ii) and (iii) The Joint House Committee has been striving for several months to have a suitable structure built to house the rubbish bins, incinerator and the compost, and is exercising every effort to have this work expedited.

(d) This question is hard to understand as no clothes lines exist.

(e) Some foodstuff was delivered to the Legislative Council, Harvest Terrace entrance, which is against the accepted practice, and the Joint House Committee has this in hand.

The Chairman of the Joint House Committee welcomes any honourable members to discuss privately with him any such domestic matters.

ESPERANCE EAST COAST ROAD

Reconstruction and Maintenance

3. The Hon. J. J. GARRIGAN asked the Minister for Mines:

(1) Is the Minister aware of the deplorable state of the Esperance East Coast road, also known as Merrivale school bus route, during the winter months?

(2) If the answer to (1) is "Yes," will the Minister advise whether any additional finance has been made available this financial year for reconstructing and maintaining this road?

The Hon. A. F. GRIFFITH replied:

(1) This road is the responsibility of the Esperance Shire Council. The department has not received any recent reports regarding its condition.

(2) £12,000 has been provided on the Main Roads Department's current programme of works to gravel and prime 3.25 miles. In addition, £2,000 has been provided for the general improvement of the remainder of the road.

PNEUMOCONIOSIS COMMITTEE

Availability of Report

4. The Hon. R. H. C. STUBBS asked the Minister for Mines:

(1) Is it proposed to have the report of the Pneumoconiosis Committee printed?

(2) If so, when is it likely to be available?

The Hon. A. F. GRIFFITH replied:

No. But sufficient copies will be roneod and made available as required.

PRESBYTERIAN CHURCH ACTS AMENDMENT BILL

Third Reading

Bill read a third time, on motion by The Hon. L. A. Logan (Minister for Local Government), and passed.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 2)

Second Reading

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [4.41 p.m.]: I move—

That the Bill be now read a second time.

I wish to make it clear that the Local Government Act is one which will require amendment from time to time as circumstances alter and as experience indicates the need for variations. The Act has now been in operation for just over three years and some anomalies have been discovered, while some changing conditions have also made it necessary for alterations to be made.

The Bill is not one which should cause any great contention, and in general the amendments are already known to, and approved by, the Local Government Association and the Country Shire Councils Association. Some of the less important amendments have been incorporated without conferring with those bodies, but all major ones have been the subject of discussions.

The first amendment proposed by the Bill is simply to vary the provisions dividing the Act into parts and divisions, by altering the name of the division of part XII which at present deals with building lines so that this will read "street alignments." The purpose of this is to avoid confusion, and the later provisions are based on that same idea.

In the past there has been some confusion between a building line and a set back line at which buildings are to be erected. The normal conception is that the building line is the place where a building may be erected. However, because of the power to declare building lines, coupled with the idea that residences, for instance, should be set back behind the building line, there has arisen a confused idea of what the term indicates.

The amendments now proposed therefore substitute for the term "building line" the term "street alignment." This allows for the existing street alignment and for a proposed new street alignment. The building line may then be fixed, and that will apply to either the street alignment or the new street alignment if one is declared. The next amendment is to include an interpretation clause defining what is a street alignment.

The next amendment is to enable a piece of outlying land—that is, an area reclaimed from the river—to be included in an adjoining district on the certificate of the Minister that it is desirable that this action should be taken. This is to cover cases where the council is prepared to accept the piece of outlying land; but there may be some person occupying land in it which would be ratable if it were to be included in the district, who is not prepared to join in a petition for inclusion of the land within the adjoining district. It is considered that no person should be able to evade local government control; and, therefore, in cases where the council cannot obtain the acquiescence of any ratepayer in the area the Minister is still able to direct that the outlying land be included in a local government district.

The next amendment is to clarify a disqualifications clause in relation to the nonpayment of rates. A case occurred some little time ago where there was a doubt as to whether a person concerned was debarred under the present provisions of the Act, because there was some doubt as to whether the provisions relating to trustees applied to all trustees or only to the trustees or liquidators of companies.

Under the new provisions, a person who owes rates as a trustee will be debarred if his sole right to membership is that of a trustee. If, however, he owns land of his own, and is not in arrears in respect of that land, the fact that he is in arrears in respect of land of which he is only a trustee will not debar him.

The opportunity has also been taken in the same clause to deal with the question of pensioners, there having been some doubt whether in fact a pensioner who had had his rates deferred was debarred from membership. Some solicitors have held that there was no doubt that a pensioner whose rates were deferred was debarred, but others have held that as the pensioner's rates were deferred they were not owing in the full sense of the term, and he was eligible.

As the whole purpose of the Act is to ensure that the persons administering the council do not owe money to the council and therefore cannot be charged with imposing burdens on people while failing to meet their own commitments, the provisions have now been amended to provide that a pensioner who has taken advantage of the right of deferment of his rates is debarred from membership. This provision has the support of the Local Government Association.

The next amendment is one which simply corrects a typographical error. The next enables a council to amend the electoral roll by including in it the name of any person who has been omitted by error but whose name appeared in the electoral list and whose name, in the finalising of the roll, was omitted.

A glaring example of this possibility occurred this year in one country district where a complete page of the electoral list was missed in compiling the actual roll, there being no less than 32 persons thereby disfranchised. The provision will enable a council to correct such an error. I might say that I took the bit between my teeth when I realised that an injustice could be done to those 32 people. I issued an Order-in-Council that the 32 names be inserted back in the roll. Whether I was legally entitled to do that, I do not know; but I did it. I think it was the right thing to do. This amendment will give the council the right to automatically correct such mistakes.

The next amendment deals with the election of a deputy president and makes this follow the same routine as the election of a president, in that it is to be done by secret ballot. In the past the president has been elected by secret ballot, but the deputy by open vote. It is felt it would be preferable that each of these should be elected in the same way, and the amendment is to ensure this.

The next amendment deals with the nomination of candidates. There have been a few cases where candidates have nominated and have at the time owed rates. Although the returning officer was fully aware of that fact he had no power to reject the nomination, because the Act prevented him from doing so.

This new provision therefore requires the returning officer to inspect the rate book, and if he finds that the person so nominated does in fact owe rates which are overdue more than six months, he is bound to reject the nomination. Possibly we would not have the same trouble around the country if this had been in the Act before.

The next amendment is to make provision for what is known as "claim" voting, and will authorise a person entitled to be on a roll and whose name appeared in the electoral list for the year or on the previous roll, but does not appear on the roll being used for the election, to cast a vote upon making a declaration that he is entitled to vote and that his name has been omitted from the roll without proper cause.

The provision is somewhat similar to that in use in the Electoral Act, although it has been borrowed from the Victorian Local Government Act for the purpose. The next provision is to provide a consequential amendment arising out of the amendments made to the same section last year.

The next amendment is also consequential on the amendments made last year in regard to the change in the method of counting votes where there are two or more vacancies to be filled at the one election. This makes it quite clear that the deposit of the candidate is forfeited if he does not obtain at least one-fifth of the votes counted as first preference votes in favour of the elected candidate who obtains the least number of first preference votes.

It is admitted that under this method of counting it is somewhat difficult to decide whether a person has been sufficiently discredited as to justify forfeiting his deposit, but it is felt that the provision now set forth is a proper test to apply.

The next amendment authorises the scale of fees payable to returning officers, deputy returning officers, and poll clerks. This is based on increasing costs and the desire of the Local Government Association and the Country Shire Councils Association to see that returning officers, etc., are paid a reasonable figure. The increases are made quite obvious by the way the amendments are set out.

The next provision deals with the duty of councillors to vote. The intention of the Act has been that councillors must vote except when they are disqualified from doing so. However, it has been found that there is a doubt as to whether, in fact, the provisions of the Act are clear on this point, and therefore the amendment is to ensure that they must vote unless disqualified from doing so.

The next amendment deals with committees of the council and makes it definite that the deputy mayor or deputy president will act as a deputy in place of the mayor or president at any committee meetings where the mayor or president respectively is absent.

The next amendment is based on the same idea that the deputy mayor or deputy president shall act at committee meetings in the absence of the mayor or president as the case may be.

The next amendment deals with by-law making powers in respect of removing rubbish, etc., from land where it is considered that the presence of that rubbish or other material is likely to affect adversely the value of adjoining property, or the health, comfort or convenience of the inhabitants.

A court decision made it doubtful that, for instance, old motor bodies could be regarded as coming within the provisions of the section, and the amendment therefore is to make it quite clear that any material of whatever kind could be ordered for removal under a by-law made by virtue of the section.

The next amendment is to incorporate power to make by-laws to control one of the things which is becoming quite an eyesore in our metropolitan area as well as in other metropolitan areas throughout Australia and, I think, throughout the world; that is, the dumping of disused motor vehicle bodies in large quantities

on land. The new section which it is proposed to insert will give power to make by-laws to deal with this problem.

The next provision deals with a by-law making power under which model by-laws have been made and have been adopted throughout the north-west, and in other parts of the State, which enable roads to be closed after rain.

The present provisions are not completely satisfactory, in that the road must be closed entirely to all types of traffic, and this means that there are times when light vehicles such as motorcars are forbidden to travel although they could do so without any trouble at all, and it is only larger vehicles which could cause damage.

The new provision therefore is to allow the road to be closed completely, or to traffic of any particular class; and it also enables the opening of the road to light traffic before it is completely opened after the closure. This will be welcomed in the districts which suffer heavily from cyclonic storms.

The next amendment is quite an important one in providing power to close private streets and to distribute the land concerned among adjoining owners. This is aimed principally at rights-of-way or access lanes. These lanes have been a problem for many years and councils would be very glad to dispose of them, but in most cases they are still owned by the original subdivider of the land. They could at present be revested in the Crown for non-payment of rates, but that still means that the laneway exists and can become a repository for rubbish as well as a menace in the bush-fire season.

The proposal set forth in the Bill is that where a council wishes to close one of these, it must prepare a proposal for the closure of the right-of-way and its distribution among the adjoining owners. Having done that it must give notice of its intention to the owner of the land itself, and to the adjoining owners, and must also notify departments such as the Water Supply Board, State Electricity Commission, P.M.G. Department, etc., so that these may inspect their plans to ascertain whether the right-of-way is actually needed.

The council, having given notice, must accept any objections, and may modify the proposal or abandon it altogether. If it proceeds with the proposal, either as originally conveyed or as modified, it then submits it for the approval of the Governor-in-Council. This having been done, the right-of-way is closed and the land is distributed in accordance with the approved proposal. The Land Titles office is then required to adjust all the titles without payment of any fee. It is hoped that this procedure will allow this difficult problem to be dealt with as cheaply as possible, but ensuring that every person affected has the right to make representations.

The next amendment deals with regional councils created under section 329 of the principal Act. Some doubts were created at Kalgoorlie where a magistrate held that a regional traffic council constituted there, which incidentally has been doing a particularly good job, was not properly constituted.

I might say at this point that I have, through the National Safety Council, received a report of the activities of this regional traffic council during the last six months, and I can inform members, generally, and particularly those from Kalgoorlie, that this committee is doing a wonderful job; and I would like to see more such committees throughout the State.

The amendment now proposed clarifies this position by making it quite definite that such a council may exercise functions and powers conferred upon the constituent councils under the Traffic Act. It also provides for a specific or general delegation of powers, thus clarifying the position generally.

The next amendment is to provide councils with power to close streets or parts of streets for the purpose of carrying out traffic control experiments. The idea is that it may be possible for councils to close, for instance, an entrance of some streets to a major highway, thereby compelling the users of those streets to enter the highway at one or two selected spots where light or other traffic control measures may be used. Until the matter has been tested, however, it cannot be certain that there will be an improvement by such a diversion.

The proposal, therefore, is to insert a new section 331A giving councils power to close a portion of a street for the purpose of carrying out experiments and tests. Without the consent of the Minister, the closure cannot extend beyond 14 days; and to ensure that there is no clash of interests in the matter, the whole power is made subject to the approval of the Minister for the time being administering the Traffic Act.

The next amendment is to meet requests by local authorities for a variation in the present provisions concerning the construction of crossings over the footpath. The present provisions are that on the application of an owner of land for a crossing, the council may either permit the crossing to be constructed at the cost of the person concerned or may construct the crossing and recover half of the costs.

Cases have arisen where a landholder has asked for more than one crossing or has asked for particularly large crossings. The council, while prepared to agree to the request for the crossing, considers that the ratepayers as a whole should not be called upon to meet the extra costs involved in these crossings. The new amendment, therefore, differentiates between a

standard crossing and special types of crossings, and provides that where a standard crossing is provided a council shall bear half of the cost. If the crossing is below standard, the council bears no part of the cost; and, if it is above standard, all costs over and above half of the cost of a standard crossing must be borne by the landowner concerned.

The next amendment is to change the name of division 9 and is a machinery alteration. The next amendment is, as foreshadowed earlier in my comments, to provide a complete clarification of the provisions relating to building lines. The term "street alignment" is to be substituted for the term "building line" thus giving either a street alignment or an old and a new street alignment if a new street alignment has been fixed.

The council has the right to prescribe a new street alignment by by-law, this being exactly the same as the present power to establish a new building line by by-law, but overcoming the confusion in the terms. The redrafted section contains most of the provisions of the original section 364, but makes one important change in that there is no compensation payable simply because of the declaration of the new street alignment, except in a district to which that liability has been extended by the Governor.

This means that, in general, when a council establishes a new street alignment, the land between the old street alignment and the new remains the property of the landowner until, in the majority of districts, the council itself later acquires the land for the widening of the street. In the declared districts, the land would become vested in the Crown immediately the buildings had been demolished and removed by the owner, and compensation would thereupon become payable.

These provisions are of importance, particularly in the metropolitan area where, because of the regional plan, new street alignments are being required to meet the requirements of the Metropolitan Region Planning Authority. Councils have been disinclined to provide by-laws fixing building lines because of the danger of compensation. The new provisions mean that compensation will not be payable until the property in the land is transferred, and this may not become necessary for many years. However, the fixing of the street alignment will prevent any new building construction taking place in front of the new street alignment, and this will make it far easier for the landowner as well as the council.

The next amendment makes it a definite offence for a person who has obtained a building permit to make any variation in the work as compared with the plan, without obtaining the approval of the building surveyor. It has been found that in quite a lot of cases a person has obtained a building permit and then has deliberately done something which is forbidden under the by-laws. Under this new provision he could be prosecuted for doing so. Some variations are quite acceptable and are permissible under the by-laws, and therefore the building contractor could obtain the approval of the building surveyor without any trouble; and in such cases he commits no offence. The new power, however, to impose a penalty for a deliberate breach is considered to be very desirable.

The next amendments are consequential upon the change in the term "building line" to "street alignment." Under section 433 paragraph (26a) there is already power to require a set back for buildings in relation to a building line, and this is now to be made to operate in respect of street alignments. However, as there are still building lines in operation and councils may desire to fix building lines which are really set back lines between street alignments in the future, this by-law making power has also been included.

The clause then proceeds with another amendment by giving power in making by-laws to require that in respect of a building erected after the coming into operation of the amendment Act, the persons must provide on that land such number of motor garages, carports, or paved parking spaces as is prescribed in the by-law or in proportion to the number of persons residing or working in the building.

With the growth of motor traffic it is necessary that vehicles should be parked on the land rather than on the streets, and this new power is to ensure that a council can validly make a by-law requiring the provision of parking spaces in relation to flats, dwellings, industrial buildings, etc.

The next amendment is a simple machinery change to facilitate the gazettal of the application of the uniform building by-laws to various districts. In the past it has been found, because of the language used, that on every occasion when there is an amendment of the building by-laws this amendment must be applied to every district to which the by-laws apply. The new power will simply mean that once the by-laws have been applied any amendments or additions thereto will also apply.

The next amendment deals with valuations, and this has the approval of the Local Government Association, which has gone very carefully into the matter. In dealing with annual values, it has been laid down in the Act that land is regarded as unimproved unless there are on the land improvements valued at one-third, at least, of the value of the land without improvements, or £50 for each lineal foot of frontage, whichever is the lower. It has now been decided to lift that proportion to one-half, so that land will be regarded

as unimproved unless it carries improvements valued at half, at least, of the value of the vacant land. This is important, particularly where the land itself is valuable, and is regarded as necessary.

The amendment then goes on to provide that in respect of adjoining lots these are to be valued separately except where there is a building partly on each of the lots and the value of that building is at least one-half of the unimproved value of the lots. In this case the two lots are to be grouped and valued together.

The next amendment is to clarify the provisions of section 552 which authorise a minimum rate of up to £5. Doubts have arisen as to whether the expression used applies a minimum to the complete holding of the person or to each individual piece of land. The intention was that the minimum would apply to each separate piece of land, and the amendment is to make that clear.

The next amendment is to clarify the provisions of section 561 relating to the deferment of rates on behalf of pensioners. Firstly, it is proposed to make it perfectly clear that the deferment of rates under this section does not enable the Limitation Act to be pleaded as justification for not paying rates after the rates become due. This is regarded as only proper.

Secondly, the fact that rates for pensioners cannot be deferred without the consent of the Director of War Service Homes, where the pensioner occupies such a home, has proved troublesome in the past, and it is therefore proposed that in order to ensure that the Director of War Service Homes will not object to a deferment, the claim of the council must rank after the charge in favour of the Director of War Service Homes.

Thirdly, in view of some doubts which have arisen in connection with cases where the property is occupied by a pensioner and also by another person who is either a pensioner or is not a pensioner, this has been clarified. The right to deferment is not lost when the property is occupied by the pensioner and some other person who is also a pensioner or is a dependant of the pensioner himself. If the property has as one of its occupants some other person who is not a pensioner and not a dependant, it is presumed that that person is making a contribution and therefore deferment of rates is not granted in such a case.

The next amendment is to remedy an error in the numbering of the forms in the 22nd schedule where the forms have been inserted in the wrong order. The amendment will transpose the references to correct this.

The next amendment deals with the fact that the councils are authorised under section 626 to entrust a sum to the clerk or treasurer to be used as a petty cash or other advance, or for an account to be operated upon by that officer alone. This is to be clarified by the amendment to make it clear that the advance is to be on the imprest system; that is, to be recouped and brought up to the original amount from time to time, and is to be applied to such uses as the council authorises. This would prevent the account being used for any other purpose.

The final amendment in the Bill is in relation to the declaration of townsites under the Local Government Act. Section 686 enables the Governor to declare land to be a townsite and to change the name, but at present it does not provide the power to vary the boundaries of the townsite or to declare that it no longer exists. The amendment is to remedy this and to allow the boundaries to be varied or the whole townsite to be cancelled. This does not, of course, apply to townsites under the Land Act which are not affected. I commend the Bill to the House.

Debate adjourned until Wednesday, the 7th October, on motion by The Hon. F. J. S. Wise (Leader of the Opposition).

BUSH FIRES ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. L. A. Logan (Minister for Local Government), read a first time.

CANCER COUNCIL OF WESTERN AUSTRALIA ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 22nd September, on the following motion by The Hon. A. F. Griffith (Minister for Mines):—

That the Bill be now read a second time.

THE HON. J. G. HISLOP (Metropolitan) [5.7 p.m.]: This Bill is a matter of interest to me because of the close association I had with the formative committee which eventually became the Cancer Council of Western Australia as we know it today. So far as I can see from the Bill, looking at it as a whole, it contains three proposals. One seeks to increase the scope of the work of the Cancer Council; the second proposes to provide the necessary increase in personnel—which is considered to be warranted—of the council itself in order to allow this expansion to take place; and the third is to introduce a much better method of handling the business and other matters of the council than there is at the moment.

The first amendment in this measure seeks to enlarge the definition of the word "institute" in order to clarify the definition of a cancer institute as an institute to detect and treat cancer and allied

conditions. "Allied conditions" will probably refer, in the main, to disorders of the blood, such as leukemia and other conditions within that category—which I have no need to mention—all of which, within recent years, have proved to be malignant in type; and the result is that it is felt these conditions should come within the scope of the Cancer Council.

The other amendment proposed in the Bill—with the extension of this train of thought—seeks to insert the word "diagnosis." This word is asked for on the basis that the Cancer Council has been assisting in a cancer detection campaign for some considerable time and the work done on detection has proved to be of real value in this campaign. However, the word "diagnosis" as opposed to the word "detection" makes me feel that the two words have two separate meanings. If one is going to diagnose a malignancy, one is going to look into the whole history of the patient and the symptoms of the patient, but if one is going to detect a malignancy, one is going to use methods which are well known in the detection of malignancy; and that is what seems to be in the minds of every cancer institute in other States.

It is interesting to read section 8 of our Cancer Council of Western Australia Act of 1958, which states—

> Subject to subsection (1) of this section the objects, functions, duties, and powers of the Council are—
>
> (a) to co-ordinate and stimulate in Western Australia research into the causation, prevention, and treatment, of cancer and allied conditions;
>
> (b) to promote and subsidise research into the cause, diagnosis, prevention and treatment, of cancer and allied conditions.

So the word "diagnosis" already appears in the Act; but I think the object of the Bill is to give the word "diagnosis" to the cancer institute.

The objects of the committee in Tasmania are as follows:—

> (a) to co-ordinate in this State all activities in relation to research and investigations with respect to cancer and allied conditions and with respect to the causation, prevention, and treatment thereof;
>
> (b) to promote and subsidize such research and investigations.
>
> (c) to provide maintenance and travelling expenses to persons in need who are suffering from cancer to enable them to become inmates of, or to attend, a public general hospital, or special cancer clinic for treatment;
>
> (d) to investigate the advisability of the establishment of special cancer clinics, and, if thought advisable, to establish such clinics; and
>
> (e) to facilitate the improvement of the treatment of persons suffering from cancer.

The Victorian Cancer Council, which is, of course, a much more extensive council than ours, has an exclusive medical and scientific committee which we, in this State, might consider setting up. Members will note, on looking through the personnel forming our cancer council, that there is a large proportion of medical men who were appointed in the first place, and the number of persons outside the profession on the council is rather small in proportion. If we had a separate medical and scientific committee, as is constituted in Melbourne, it would have a real part to play in a purely professional manner. I say that for this reason: that in the measure there is also a request made—and this appeared in the Minister's speech as well—for an increase of literature to be sent to the members of the medical profession to assist in the diagnosis of cancer.

I trust that not a great deal of literature on the diagnosis of cancer is to be distributed to the general public, because quite a few of us have a fair knowledge of the intense education of the public in disasters of this type.

One wonders whether some of the greatly increased number of persons suffering from psycho-genic illnesses, neuroses, and so on, may have had their ailments brought on by a degree of fear that could have been engendered in their minds. When it comes to a question of the cancer council providing information for members of the medical profession, I trust the council will do it by means of a method which was established last year and which was very successful; namely, by sending it out to the members of the profession under the name of the Cancer Council, but through the postgraduate committee of medicine, and with the approval and co-operation of the Cancer Council.

I mention that specifically for this reason: I do not think anybody in this House has any idea of the mass of literature that comes to every member of the profession every day. I would say that in our rooms we would fill a basket of waste material out of the two mails each day. It is almost impossible to keep up with the amount of literature that is received; and unless it is literature in a scientific journal it is likely to be treated in very much the same way as the rest of the information. Even to keep up with the *Medical Journal* is almost impossible. One has to dissociate oneself from the information contained in journals and pick out that which is suitable for the immediate object in hand.

I am certain the Cancer Council committee will produce continuing results in the profession as it did in 1963. Therefore I hope that this organisation, which has done such good work in the past, will continue to co-operate with a committee set up purely by the profession for training in all forms of postgraduate medicine and allow it to take the onus of distributing such material to the profession in a form that will be read by its members.

I sometimes wonder whether literature is the only way of spreading knowledge because, quite frankly, I know of the amount of literature that has to be looked at and how little of it can really be read at the time it arrives. Sometimes one has to set aside a whole night to go through a number of journals to see if they contain anything of real value. I wonder whether it would not be better if we could devise some other means of distribution of information. I am quite certain that an arrangement of clinics attended by general practitioners practising in a particular form of medical progress and giving instruction would be much better than a large pile of literature arriving at one's doorstep.

I am also concerned that a large number in our profession are, by the very method of carrying out their work, unable to attend postgraduate lectures, or hospital lectures. I refer to those who are running one-man practices. These practices cannot be left unattended by these men to go into the centre of the city for lectures. They cannot attend these lectures continuously, although they may attend some from time to time.

The Hon. F. R. H. Lavery: There would not be enough hours in the day for some of them.

The Hon. J. G. HISLOP: Not nearly enough. I would mention the good work being done throughout the north-west by sending specialists, from time to time, into that area where they work with the general practitioner and assist him with his cases, and telling him something of the modern advances in medicine. I wonder whether it would not be a better method to send to these areas a gynaecologist as one form of counsellor; a surgeon for another form; and a pathologist at different times, to point out, man to man, how the situation can be met. I would hope the Cancer Council would give thought to this, rather than just maintaining a continuance of the idea that for diagnosis, treatment, or anything else, literature is the best method of spreading the gospel of the control of cancer.

I have no objection to the Bill, because I realise the work these men are doing is of very great worth to the community; but I think it is necessary for an organisation of this sort to sit down every now and again and take stock of where it is going. Before next year I would like the Cancer Council to review its progress and have a look at the Acts of the other States—they are clearly laid out—to see whether there is a better method to distribute information to the profession.

It is for that reason I suggest that instead of mixing, as we have done, a vast number of the profession on the council with a small number of laymen, it would be better if we had a council on which there were professional officers and a larger number of lay people. The council would then be similar to some of the organisations one sees in the other States. The council in Victoria has presented to it by the executive committee a general report of proceedings of that committee; a report by the finance committee; one by the medical and scientific committee; and another by the appeals committee. The work of the council, therefore, is virtually a matter of co-ordinating the work of the various sections.

It may be that the work here would not require the number of committees there are in Victoria, but I still feel it is questionable whether we should continue to send methods of diagnosis and further information about cancer in quantities to the lay people. I believe that in dealing with a problem of this sort, a straight talk to individuals in small groups is the answer. Having reached its present stage of success, I ask that the council have a look at what the future will bring.

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines) [5.23 p.m.]: I would like to thank Dr. Hislop for his remarks and his support of the Bill. I propose to send a copy of his speech to my colleague, the Minister for Health, with a request that he examine it.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. A. F. Griffith (Minister for Mines) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Section 6 amended—

The Hon. J. G. HISLOP: I draw the attention of the Minister to subsection (17) of section 6, which reads as follows:—

> The offices of members of the Council or their deputies shall be deemed not to be offices of profit from the Crown on acceptance of which offices by a Member of the Legislative Council or the Legislative Assembly, his seat becomes vacant.

The Minister of the day introduced that subsection in order that I might continue on the Cancer Council. However, it was found out afterwards that it was of no value and the House decided—I think it was on the third reading—that we could not

contract ourselves out by changing the interpretation of other Acts. As a result, it was decided that it would be too risky and dangerous. If it is a dangerous subsection, I think the Minister in charge of the Bill might consider taking it out. It is misleading to leave it in the Act.

The Hon. A. F. GRIFFITH: Section 6, subsection (17) apparently purported to protect a member of the Legislative Council who may be a member of this body and, as a result, receive some remuneration for his service. I will take the matter up with the Minister for Health before the third reading is concluded and acquaint him with the honourable member's views on the matter.

Clause put and passed.

Clauses 5 to 11 put and passed.

Title put and passed.

Report

Bill reported, without amendment, and the report adopted.

PRISONS ACTS AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines) [5.30 p.m.]: I move—

That the Bill be now read a second time.

This Bill was introduced in another place by the Chief Secretary, who administers the Prisons Act.

The necessity for increasing the penalties in a court of summary jurisdiction for prisoners charged with aggravated or serious prison offences has been under consideration by the comptroller-general for some time past. Also, the W.A. Gaol Officers' Union asked recently that the penalties under the Act be increased in the interests of the maintenance of disclipline and as a deterrent to prisoners from committing breaches of discipline.

An increase of penalties and support of established authority under the Act are considered justified because of the degree of lawlessness being shown by many of the younger prisoners. It is thought there should be a greater deterrent against lawlessness at the prison as a protection to prison staff. The maintenance of strict discipline is one of the prime responsibilities of the staff, as also the prevention of escapes.

While on that subject, it may be desirable to mention that on the 22nd March of this year, there was a determined attempted escape from Fremantle Gaol by four prisoners. It was prevented, fortunately, and the magistrate hearing the case imposed on three of the prisoners sentences of 28 days in the cells plus the loss of three months' remission, which normally is given for good conduct.

The fourth man, who attacked an armed guard during the attempted escape, received a similar penalty though the charge was of a much more serious nature. This could indicate to members that either the assault was not treated with sufficient severity, or that visiting justices are unable to impose any higher sentence. Indeed the latter proved to be the case, for it was the maximum punishment the magistrate could impose under the existing law.

Now, with the proclamation of the Offenders Probation and Parole Act being expected shortly, the maximum remission which could be forfeited is 36 days in any one year. This is considerably less than the existing three months permitted, and obviously some adjustment of punishment to meet serious offences is necessary; for, as the Act stands at present, it seems impossible to impose punishments which will have the necessary deterrent effect.

With those thoughts in mind, this Bill has been drafted to provide that where prisoners are charged with an aggravated prison offence, sentences of an additional six months' imprisonment may be imposed and, in addition, there may be a loss of remissions of up to one year.

The Prisons Act Amendment Act of 1963 was passed to come into operation on the day on which part II of the Offenders Probation and Parole Act, 1963, came into operation. The reference to part II is a typographical error. Part III, dealing with the parole of offenders, is the relevant part in this connection, not part II, which deals with the probation of offenders and has no relevance. There is a small amendment in this Bill to correct this error.

Debate adjourned, on motion by The Hon. W. F. Willesee.

SUPERANNUATION AND FAMILY BENEFITS ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines) [5.35 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to widen the authority of the Superannuation Board over the investment of superannuation funds. The investment of funds is at present restricted by the Act to trustee investments and to loans guaranteed by the Commonwealth or States.

It is essential that contributors' funds be reserved in the superannuation fund, and every endeavour is made by the board to procure a suitable interest return on their investment so that future liabilities for pension benefits accruing to contributors on their retirement may be met.

The reserves of the fund now exceed £10 million and the policy in more recent years has been to confine investments to the support of loans raised by bodies operating in Western Australia. Restrictions imposed by the Australian Loan Council on the total borrowing programmes of State instrumentalities and local government bodies, however, limits the amount which can be invested by the board in this type of security..

The board has always followed this line of investment, for in earlier years substantial sums were invested in loans raised by semi-governmental and local authorities of other States. Some of these earlier investments are now nearing maturity and the board does not intend to renew them. As a result, additional moneys will become available for reinvestment locally.

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

It is proposed in this Bill to authorise the board to invest in land and buildings with the consent of the Treasurer for the purpose of providing office accommodation for the board and such tenants as may be approved from time to time.

Upon the passing of this measure, it would be 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.

The land is described as portions of Perth Town Lots A8 and A9 being Lots 1 and 2 on Diagram 1815. This property has a total frontage of 138 feet 8 inches to St. George's Terrace, plus use for access and building over a 10-foot right-of-way. It has a depth of 185 feet. Existing structures consisting of a small block of flats and several old houses present no clearing difficulties.

The site was acquired by the Government at a figure of £120,000, and it is agreeable to transferring title to the Superannuation Board for a similar sum. Though the building design has not yet been determined, it is known that a 12-storey building providing a floor space of approximately 80,000 square feet is estimated to cost in the vicinity of £1 million. Such a building could be utilised in housing Government departments for a considerable period; though it may be desirable, because of its earning capacity, to think in terms of reserving the floor space for private letting.

Numbers of Government departments are at present accommodated in leased or rented premises, and additional accommodation of this type will become necessary when the existing offices of the Main Roads Department and the Town Planning Board are demolished to make way for the western switch road.

I have been advised, Mr. President, that 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 site, owing to the growth of the Public Works Department and the Metropolitan Water Board, nor does available finance permit the devlopment of the central Government office scheme through the construction of a second office block at this stage. Indeed, the commencement of the second block on the Observatory site may be delayed for some years.

Apart from the office accommodation needed in the meantime for the Main Roads and Town Planning Departments, the growth in other departments will continue the need for office space in the central city area. It would seem desirable at this stage to centralise such departments as the Stamp Office, branches of the Crown Law Department, the Companies Office, and the Superannuation Board's offices, some of which are accommodated in rented offices in Cecil Building and the T. and G. Building.

The steady expansion of the Rural and Industries Bank and the State Government Insurance Office will, in time, require them to use more of their own buildings for their own activities so that other Government departments now housed in those buildings will have to move out. Notwithstanding the movement in due course to the Observatory site of the larger proportion of Government departments, there will remain a need to maintain some departments now appropriately located in the central city area.

Not only would the Superannuation Board's proposed building provide a very good return on the board's investment, but it would also assist greatly in resolving the problem brought about by the growing need for additional office space for expanding Government services.

The commercial rentals to be charged by the board for space let both to Government and other tenants would provide a return on its investment considerably in excess of normal earnings. The Government would, however, be prepared to provide against any possible losses by guaranteeing 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 the land and the building over a reasonable period of years.

Should an early start be made, the building could be completed in approximately two years' time; and the board expects 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.

The site, as it is, 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 eastwards. Just recently the Commonwealth announced its intention to house certain of its departments in that area. Other commercial interests have announced their intention to build or extend their present premises in the same vicinity.

Honourable members should not be led to believe that the proposal by the board to invest funds in such a venture is an original one. The Superannuation Board in New South Wales has purchased a large building in central Sydney for its own use; and insurance companies, for instance, recognise the merit of investing reserve funds in substantial office buildings. The proposal contained in this measure is not a venture involving the expenditure of Government funds; it is an investment of the available funds of the Superannuation Board in the ownership of a very valuable asset remaining with the board.

Debate adjourned, on motion by The Hon. F. J. S. Wise (Leader of the Opposition).

CHIROPRACTORS BILL

Second Reading

Debate resumed, from the 22nd September, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. J. DOLAN (West) [5.43 p.m.]: This Bill arises following a recommendation from the Honorary Royal Commission which was appointed in 1960 to inquire into the provisions of the Natural Therapists Bill. The commission recommended that chiropractors should be registered. It might be of interest to recall the constitution of the Royal Commission. It consisted of Mr. Guthrie, as chairman; Mr. Tonkin, the Deputy Leader of the Opposition in another place; Dr. Henn; Mr. W. A. Manning; and Mr. Brady.

The commission had before it as witnesses a good cross-section of the community, and the large amount of evidence that was taken is indicated by the two volumes which honourable members may see in front of the honourable Dr. Hislop. Considerably over 1,000 pages of typed evidence was submitted for consideration. In its report, the Honorary Royal Commission referred to three notable things. The first was that there is a demand for the services of chiropractors. The second part of the report said that chiropractors served a very useful purpose in the community; and, thirdly, it was felt that for the protection of the public, they should be licensed.

The evidence seemed to give the reasonable conclusion that, in the main, the public received satisfactory results from the work of the chiropractors. Their conduct has always been excellent; and evidence was given by the President of the Medical Board and by the Commissioner of Public Health that prosecutions have never been levelled against chiropractors. Prosecutions, of course, are only made after complaints have been received by appropriate authorities; and complaints have never been made. I think that is a good indication of the general standard and character of the men who have been engaged in this occupation. I would also remind honourable members that it was stated in the evidence that 85 per cent. of the chiropractors' patients had already consulted medical practitioners.

After hearing the enormous quantity of evidence, the commission reached the opinion that chiropractors should be registered. It also came to the conclusion that representation should be made for the training of persons interested in this profession, and that investigations should take place having in mind the setting up of schools of instruction.

The first important feature of the Bill is the constitution of the Chiropractors Registration Board, and I commend the framers of the Bill for reaching the decision that the chairman of the board should be a legal practitioner. As a matter of fact, in the report of the Royal Commission it was suggested that not only should the chairman be a legal practitioner but, if possible, a Queen's Counsel. I feel that the commission had in mind the task which the board faced in establishing this profession on a proper basis, and it felt that the advice of a Queen's Counsel would be invaluable. From that point of view alone I would commend this provision in the Bill.

The Minister is really responsible for the appointment of three members out of the five who will constitute the board. The president—or the chairman—of the board, and two other members, will be appointed by the Minister, or on his recommendation, and the other two members of the board are to be members of the Chiropractors' Association of Western Australia.

Doubt has been thrown on the qualifications of some of the men who practise chiropractic in Western Australia, and on the degrees which they hold from other parts of the world, notably, of course, the United States. There was a Royal Commission on chiropractic in British Columbia in 1932. The commissioner was a judge of the Supreme Court and he had the benefit of leading counsel, who appeared for the college of physicians and surgeons, and also the chiropractic association. The judge named five institutions

in the United States, and one in Canada, where proper training was available for chiropractic.

Only registered persons will be permitted to use the title of chiropractor, and the qualifications and eligibility for registration will be prescribed in regulations set up by the registration board. I feel that the members of the board will carry a terrific responsibility in making sure that the profession is given its proper place in the community. I feel that the members will regard this matter as a challenge, and they will set the highest possible standard for those they propose to license. Those licensed will receive the earnest consideration of the board at all times.

It is a wise move to register the chiropractors and give them professional standing. I also feel that the public will be safeguarded by this step. If the public have a choice between a group of men who are registered and another group who are not registered—although they practise the same profession—I think the wise citizens will go to the registered men who are under some control. I think the day will come in Western Australia when we will have a state of affairs similar to that which exists in Canada today.

I was very impressed by the sworn evidence given before the commission about the set-up in Canada. Chiropractors are registered in every Province in that country. In one Province they even have health officers appointed on their qualifications as chiropractors. They are also called as expert witnesses in courts of law —and recognised as such. They may advertise, and bear the title of "doctor." In Canada chiropractors' fees are a deductible allowance from income tax on the same basis as our doctors and dentists' fees are deductible.

The Canadian chiropractic profession was awarded the coronation medal by Queen Elizabeth II because of its service to the community. I think that awards of this nature are not made lightly by the royal person I have named, and the profession in Canada must have done exceptional work to receive such recognition. As I said, I feel the day will come when we will have a similar state of affairs in Western Australia. It may take a long while, but we have to start somewhere; and this Bill will set in motion something which will eventually benefit the whole community.

I was particularly interested in the evidence given by two members of the medical profession. They are notable doctors who have practised for a long while; namely, Dr. Bedbrook and Dr. McKellar Hall. Their qualifications are absolutely amazing. I cannot understand why anyone would go to a chiropractor while the services of these men are available. In the evidence given before the commission, Dr. Bedbrook was asked the following question:—

> Do I understand from that that you feel if chiropractors are to be permitted to practise, it would be better to have them under some legislative control?

The doctor's answer to that question was—

> The answer to that is "yes," I think, for the benefit of the public.

Further on in the hearing Dr. McKellar Hall was asked—

> Do you think it would be a good thing or a bad thing if osteopaths and chiropractors were given some form of registration in order that only those who were qualified to carry out such treatment would be permitted to do so?

The answer was—

> I think it would be a very good idea.

I feel that one of the greatest arguments in favour of the registration of chiropractors is that 51 out of 55 States and Provinces in America and Canada have seen fit to legislate in favour of those people. I think we can follow with safety the lead set up in those countries. To come closer to home, in our neighbouring Dominion of New Zealand there is similar legislation. New Zealand has always been a leader in protecting the health of its citizens.

As I said earlier, doubt has been thrown on the qualifications of some of the men who operate as chiropractors in Western Australia. Perhaps reference to one of them—and there are others who hold similar qualifications—will give honourable members some idea of the amount of training those men have had and the qualifications they possess. I will refer to Dr. Horner, who is a practising chiropractor. He completed a course which involved 4,680 hours of attendance at lectures. Working it out on the number of hours per week and, perhaps, on a 40-week year, he must, for at least five years, have attended a university or institution which was well fitted to award the doctorate or diploma, or whatever honourable members might like to call it. Dr. Horner is a New Zealander by birth, and he is one of the men who has helped to give the profession in Western Australia the good name which it enjoys.

As Dr. Hislop has said, I also feel that many of the clauses of the Bill will be discussed in Committee. I have examined all the proposed amendments on the notice paper, and compared them with the Bill, and I have formed my own ideas. I feel there will be various opinions expressed, and many of those opinions could arise from the fact that we have men practising chiropractic in Western Australia who could never pass a course at a recognised training institution. Yet those same

men possess marvellous natural qualities—exceptionally sensitive fingers and hands. I have known some of those men and seen some of the work they have done and I can commend them for their treatment of certain disabilities.

I have always felt that a doctor's place in the community is unrivalled, and where doctors possess qualifications and specialise in manipulative surgery or treatment, they are the first men to go to. I also feel there is a place in the community for the chiropractors, and they should be licensed and kept under control.

I repeat: The success or failure of the move to register those people will depend upon the board. The members of the board will regard it as a challenge and they will set the highest professional standard possible. They will not grant a license without the fullest examination from every possible angle, taking into account the qualifications, previous experience, and general standing in the community of the applicant.

I feel that, with the safeguards provided, it is well worth while making a start. All groups—even doctors themselves—had to make a start at some time, and therapists, dentists, and so on, had all to receive recognition in the community; and I think it is better that the chiropractors should have recognition in the form of registration rather than allow them to proceed as at present without registration.

I understand, of course, that those who are not able to be registered will still carry on their work, but there will be restrictions on them. They will not be able to advertise, and will not be able to call themselves chiropractors. Under those circumstances, I feel I am quite justified in supporting the measure. It is time a move was made, and the introduction of the Bill will mark the stepping-stone so far as this particular line of practice is concerned in Western Australia. I support the second reading of the Bill.

THE HON. A. R. JONES (Midland) [6 p.m.]: I wish briefly to address myself to this subject as I am of the opinion the speech made by the honourable Mr. Dolan covered the field very well, particularly from those angles which most of us might have wanted to discuss. However, there are one or two points I would like to mention, and there are one or two others which at this stage I would like to refer to but do not propose doing so at this point.

As many people have been striving for some time to obtain recognition for the group of people covered by this Bill, in the interests of those people, and in the interests of the public generally, I do not think now is the time that we should raise anything that might hinder the passage of the legislation. In my view it is so important that one should strive to the utmost to see that the Bill is passed. We hope that the board which is to be appointed will do a thorough job and gradually bring the practice of chiropractic, as it will be known, in Western Australia to the stage where we all think it should belong.

The points I wished to discuss mainly concern the personnel of the board. As the honourable Mr. Dolan has already pointed out, the chairman of the board will be a legal man, which is most desirable; and two shall be persons engaged in the practice of chiropractic, and they are to be nominated by a body known as the Western Australian branch of the Australian Chiropractors' Association. Of the other two members of the board, at least one shall be a person engaged in the practice of chiropractic, and the other could be anyone.

I am sure the Minister will do his best to get the men who are most suited for this job, and who are the most acceptable; but as at least two of the chiropractors are to be nominated by one body, whose numbers in Western Australia are not great, we will have to be careful that they do not dominate the board and make it difficult for those who have been practising for a number of years, and who are well recognised by the general public, to enter the field and be registered.

The people to whom I refer have been trained in America where, of course, the art of chiropractic has been known for many years. Whilst there are several schools of chiropractic in America, two of the best known are the Palmer School and the Lincoln College of Chiropractic. I am told that of those who trained in America only four are members of the association in Western Australia, to which I have referred, leaving, I am also told, another nine or 10 chiropractors who have no association at all, but from whom the other members of the board could be elected.

I think that by leaving it to the Minister, or to the Governor as the Bill provides, to select the third and the fourth members of the board, leaves the position wide open; and we in this House should do everything possible to give some definite direction as to who shall be selected; because from the way the legislation now reads anybody at all could be chosen.

As we all know the administrative heads of departments change; Ministers of the Crown change; and I think we should sew up the position fairly well so that the right personnel, particularly in the early stages, will be appointed to the board. I realise that a great deal rests with the board because it will be starting something which, at the moment, has no foundation whatsoever.

I do not know whether other honourable members share my views, but in any case I hope they will express their views, particularly in regard to the representation on

the board. There are no chiropractors in England. A different set-up exists there altogether, and those people are known as osteopaths and they train in colleges established for that purpose. There are no chiropractors in the true sense of the word although, when one looks at the two definitions in the dictionary, they seem to be similar, and there is a definite tie-up between the two. Therefore, although they are not eligible to join the Australian Chiropractors' Association in Western Australia, possibly they are just as well qualified as some of those who are entitled to join.

So I ask every member to take into consideration what I have pointed out, and I hope others here will express their views on the Bill. I certainly support the second reading.

Sitting suspended from 6.7 to 7.44 p.m.

THE HON. J. M. THOMSON (South) [7.44 p.m.]: I wish to commend the Government for bringing down a measure of this nature during the present session of Parliament, because I am sure we all agree it is a very important piece of legislation, and will be of tremendous satisfaction to those who will be registered as chiropractors, and also to the scores of people who find it necessary to attend their clinics.

The reason I am speaking in the debate on this Bill is that in my opinion there are one or two omissions which could well afford to be included, and for that purpose I have placed three amendments on today's notice paper. The Bill contains definitions of chiropractors, their responsibilities, and what they will be permitted to do when they are registered. Their activities are to be confined to palpating and adjusting the articulations of the human spinal column by hand only. The scope of these definitions could be widened to include human joints as well as the spinal column, and also to include the application of heat treatment, which is so necessary to bring about flexibility in the joints, muscles, and other parts of the body before manipulation and treatment.

As will be noticed from the amendments standing in my name, I am seeking to include, among the things which a registered chiropractor is permitted to do, the authority for him to direct patients to a hospital or radiological clinic to receive radiological treatment. I understand from a very good authority with whom I have discussed this matter that it is not permissible for a chiropractor, even though he be registered under this legislation, to send his patients to a hospital to have an X-ray taken so as to enable the chiropractor to ascertain the treatment that is necessary. This has to be done under the authority of another person. If we are to place legislation such as this on the Statute book of Western Australia, we should include the wider scope to which I have made reference.

It has been said that this Bill, which has been amended in another place, should be brought into operation, so that the legislation can be amended at some other time if that is found to be necessary; but that is shelving a responsibility which we should assume when we are discussing the measure.

It is with the idea of improving the Bill that I am attempting to amend it. Frequently people suffering from disabilities such as dislocated ankles, knees, hips, shoulders, and other joints, attend chiropractors to receive treatment. Such forms of treatment should be permitted under the Bill, and they should not be restricted to palpating and adjusting the articulations of the human spinal colmun by hand only, and left at that.

I have examined an Act similar to this, which applies to a similar field of practice. That Act contains the very things I have mentioned, such as the application of heat to the portions of the body to be treated. For the reasons given, I have placed my amendments on the notice paper. I think it is only right for me to inform honourable members of my intentions, because it has been said that this is a Committee Bill and will receive careful consideration in the Committee stage. I support the measure as it is, with a view to pursuing the amendments in my name.

THE HON. L. A. LOGAN (Midland—Minister for Local Government) [7.52 p.m.]: Naturally when something new is before the House, differences of opinion arise. It is apparent that this Bill, which is the product of a Royal Commission, still does not find favour *in toto* with some members. The honourable Mr. Jack Thomson believes that this is the time to amend the legislation, but I suggest this is not the time to do so. We should find out from practical experience whether we should alter it.

I am inclined to believe that the honourable member is going a little too far in suggesting that we alter the definition of "chiropractic." It took a lot of time, thought, and study to decide on the definition in the first place, because, as the honourable Dr. Hislop will agree, many interpretations can be given to it. We have to be careful when deciding on this definition that we do not tread on dangerous ground and overstep the mark. The honourable Mr. Thomson's suggestions bring us into the field of physiotherapy, which is not intended to be covered by this Bill. Physiotherapists are dealt with under a separate Act.

My own opinion is that physiotherapists should have learnt the art of chiropractic in the first place and combined the two. Why they did not, I do not know, but it

seems to me that one could have worked in with the other. However, that is my own personal opinion; and at the moment we are dealing with them as two separate classes and each class is going to have a responsible task in the treatment of people. Therefore I believe it would be much wiser to allow a little time to elapse before we start considering altering the interpretation and making the field of chiropractors wider than it is now.

I could not follow the thoughts Dr. Hislop expressed regarding protection. He said he doubted whether we were going to give protection to the people. It seems to me that if we are setting up a board and legalising these practitioners, we are giving the public the opportunity of obtaining treatment from those who are trained and registered. If we let the people know who these chiropractors are, I feel they will, when there are possibly 20 to 24 people practising, have greater protection than they have under the present set-up. I daresay if we walked down Hay Street or St. George's Terrace and asked anyone who the best practising chiropractor was, no-one would be able to tell us who he was or what qualifications he held. Therefore by establishing a board and registering these people and allowing them to advertise as chiropractors, we are offering some safeguard to the public. If people go to those who are registered they will have some protection.

I am not saying that some of the chiropractors operating outside the Act may not be as good in their own way, and the risk of going to them is one which some people will probably take. We find everywhere that someone will always try to go outside the scope of the medical field to find some other cure.

However, it has been stated, and I agree, that this is a Bill which can be better dealt with in Committee. There are a few amendments on the notice paper, and I think we should deal with them as we come to them. I thank honourable members for the support they have given to the Bill in principle; and I hope and trust that we do not amend it too much because, as I said earlier, we are in a new field in which we are groping to a certain extent to find the right answer. I think we can only learn by experience; and I am certain that if this Bill is made law at a date to be proclaimed, then the function of the board will be to ensure that the profession is maintained at the highest standards, which is so much desired.

Question put and passed.

Bill read a second time.

In Committee, etc.

The Deputy Chairman of Committees (The Hon. A. R. Jones) in the Chair; The Hon. L. A. Logan (Minister for Local Government) in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Interpretation—

The Hon. J. M. THOMSON: I move an amendment—

Page 2, line 15—Insert after the word "human" the words "joints and".

The idea of this amendment, as I have said before, is to widen the scope; because if we do not do so, a person requiring treatment for the spinal column may find it necessary to go elsewhere, as these words have not been included in the interpretation.

The Hon. G. C. MacKinnon: On that reasoning, why limit it to joints?

The Hon. J. M. THOMSON: What else can I say?

The Hon. G. C. MacKinnon: You can palpate muscles.

The Hon. J. M. THOMSON: Muscles are attended to. We could well include the word "muscles" if that would be satisfactory to honourable members. But that would be cutting across something that the Minister said in reply to my remarks on the second reading. I think the word "joints" would suffice in this instance.

The Hon. L. A. LOGAN: I think the interjections are a classic example of the difficulties of trying to alter the definition of "chiropractic." How far do we go? If we start on joints, we can go to muscles and anything.

The Hon. F. J. S. Wise: Once you start to specify, you limit.

The Hon. L. A. LOGAN: There is no end to where we might go; and that is why I warned the honourable Mr. Thomson not to alter the definition. Joints and muscles are attended to by physiotherapists, if not the medical profession, and bones are looked after by osteopaths. We are not dealing with these people at the moment, but with chiropractors. I suggest that members do not agree with the amendment, but leave the clause as it is printed.

The Hon. J. G. HISLOP: The definition clause gives me cause to wonder, because it reads as if the chiropractor will no longer be able to refer his patients for radiology, or will not be able to carry out radiology. Yet that is the whole clue to diagnosis. Some difficulties arise from that situation.

My first suspicions of chiropractors came many years ago when I was approached by a leading chiropractor to take this matter up in this Chamber. I told him I had seen some films which had been taken by chiropractors and which were of such bad quality that I could barely make a diagnosis from them, but I said that I would consider doing what he suggested if the chiropractors would agree to send all their cases to a trained radiographer, as we in the profession do.

The Hon. N. E. Baxter: Are you not speaking on the wrong amendment?

The Hon. J. G. HISLOP: I am talking on clause 4 in which "chiropractic" is defined. Chiropractors cannot get on without radiography. The gentleman to whom I was referring owned an X-ray plant which had not cost very much to purchase, and it was inferior to the plant which Dr. Donald Smith had. Dr. Smith had paid about £10,000 to re-equip his place. The chiropractor said he got more information out of his cheaper X-ray than from the new one. I got a bit suspicious of that.

About this time I also got suspicious when a pamphlet was circulated showing a diagram of the spinal column. From each disc space in the vertebral column there was a line leading out to a disease; and almost every organic disease apparently arose from some interference with the nerves emanating from these disc spaces. The only difficulty I found was that the diagram was of a spine which was abnormal, but which one sees occassionally. It had one extra vertebra in the lumbar section. But that did not make any difference; that was where a disease came from in that particular area.

I understand that since those days much of the idea that pathological diseases, etc., come from the disc spaces, no longer exists; but I would be grateful if the chiropractor would be agreeable to send his cases to a trained radiographer. It does not matter whether the chiropractor accepts the radiographer's diagnosis or not; so long as there is a true picture, others can discuss and criticise it. If that is done, we should allow these people to do radiography.

One must realise that if a patient consults a member of the profession and an X-ray is taken by a trained radiographer, there is never any hesitation on our part —if the individual desires on that date or at a later date to have the X-ray film to take somewhere else—to give it to him at once.

If this type of radiography was allowed, there would be nothing to cover up, and anyone at all would be able to see the basis on which the diagnosis was made. I would like to know whether this definition is meant completely to exclude radiography from chiropractic.

The Hon. J. M. THOMSON: It is well for us to have a look at the definition. It specifies the human spinal column. Reference is made in the Physiotherapists Act to manipulation and the massage of muscles. In the legislation dealing with osteopaths there is reference to manipulation and massage in connection with bone structure. But in no legislation at present have we reference to a qualified person being able to do what this particular amendment seeks to permit, namely, to manipulate and massage joints that are required to be attended to in the course of chiropractic activities. Therefore it would not be amiss to have this definition included in the legislation.

The Hon. G. C. MacKINNON: I imagine that when the Minister was framing the Bill he went to some trouble to ask chiropractors what they thought chiropractic was. My understanding, from speaking to chiropractors, is that this expresses exactly what a chiropractor believes that he does.

The Hon. J. M. Thomson: And nothing else?

The Hon. G. C. MacKINNON: And nothing else. I do not know how far the honourable member wants to go; because he admitted he would not mind including joints and muscles. He might want to go from muscles to ligaments, and so on. This would be getting right out of the scope of chiropractic as I understand chiropractors regard their field. I see no more point in putting in "or joints" in this definition than I would in including "or sell yards of nylon" in a Bill controlling butchers; because it would be outside the scope.

The Hon. J. DOLAN: I draw attention to the *Oxford Dictionary* definition of chiropractic; namely, the manipulation of joints, especially the spine, as a method of curing disease. I feel that by combining the two the dictionary has stated definitely what are the elements of chiropractic. I see some merit in the amendment and I am prepared to support it.

The Hon. L. A. LOGAN: Members should think of the types of diseases, fractures, and so on that can occur to anybody. They should also consider the number of joints there are in the human body and the different types of treatment given to every joint. If we are going to allow a chiropractor to treat some of these ailments, the patient will be in trouble. If the amendment were included, a chiropractor could attempt to do anything; things that should be done by a medical practitioner. That is the danger of widening the definition.

In regard to the query raised by the honourable Dr. Hislop concernning radiological pictures, the Bill will not prevent a chiropractor from getting a picture.

The Hon. J. G. Hislop: It would prevent him from having his own machine.

The Hon. L. A. LOGAN: No; but I would prefer that anybody who handles an X-ray machine should be someone who knows something about it. Some chiropractors patronise radiological centres now; but I cannot see anything in the Bill that would prevent them from using their own machines.

The Hon. R. THOMPSON: I think the Minister drew a red herring across the path of what the Bill sets out to do. The

amendment will make no difference whatsoever to the measure or to what a chiropractor will do as compared with what he has done in the past.

In the first place a chiropractor deals with people who have been to numerous doctors without getting relief. They go to a chiropractor in the hope of getting some relief. I do not think we need have any fears at all that people with bone diseases will go to chiropractors; because those who attend chiropractors have exhausted all avenues of the medical profession before doing so. I intend to support the amendment.

The Hon. J. M. THOMSON: In reply to what the Minister has said in regard to the danger to which patients would be subjected, I view the Bill as a means of safeguarding people against the dangers that exist at present. The passage of the Bill will mean that we will have fully qualified registered chiropractors practising in this State. I refuse to accept that a person entrusted with the responsibilities that are set out in the Bill would attempt to do what the Minister suggested. His own commonsense and his professional prestige would not permit him to take any risk with a patient; and he would definitely advise a patient, if he were in doubt, to consult a doctor. I think we could well write into the Bill the amendment I have moved.

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

Ayes—13

Hon. C. R. Abbey	Hon. R. Thompson
Hon. N. E. Baxter	Hon. S. T. J. Thompson
Hon. D. P. Dellar	Hon. J. M. Thomson
Hon. J. Dolan	Hon. W. F. Willesee
Hon. J. J. Garrigan	Hon. F. J. S. Wise
Hon. H. C. Strickland	Hon. J. D. Teahan
Hon. R. H. C. Stubbs	*(Teller)*

Noes—9

Hon. A. F. Griffith	Hon. H. R. Robinson
Hon. J. Heitman	Hon. H. K. Watson
Hon. J. G. Hislop	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. J. Murray
Hon. G. C. MacKinnon	*(Teller)*

Majority for—4.

Amendment thus passed.

The Hon. J. M. THOMSON: Before moving the next amendment I have on the notice paper, which would be made in page 2, line 16, I ask leave of the Committee to amend it by deleting the words "application of infra-red ray heating" in the amendment, and substituting the words "heat or light". I now move an amendment—

> Page 2, line 16—Delete the words "hand only" and substitute the words "heat or light and by hand".

I have amended my amendment because it will be more in keeping with the section in the Physiotherapists Act dealing with a similar matter. The amendment itself is sought because where a patient is to receive treatment from a chiropractor his first step is to apply heat to make more flexible the portion of the body that is to be treated. The amendment will enable that to be done and, as I have said, will conform to a section in an Act which deals with a similar matter.

The Hon. J. G. HISLOP: This amendment could be positively dangerous, because heat and light could be administered by powerful apparatus. If we are going to allow short-wave therapy to be used with the aid of coils disseminating heat through the body, we will be in the field of physiotherapy most definitely; and chiropractors have to be certain of what they are doing. I think the amendment could be a very dangerous addition to the Bill, and I certainly will not vote for it.

The Hon. L. A. LOGAN: What I said in opposition to the first amendment applies to this one also. What type of chiropractor will we have eventually now that we are getting away from the original definition? This is a further attempt to hand over to a chiropractor a method of treatment which does not come within the realm of a chiropractor. I oppose the amendment.

The Hon. G. C. MacKINNON: I wonder if the honourable Mr. Thomson can palpate by heat and light, or adjust or articulate by heat and light? To accomplish that which he wishes to accomplish, and to make the clause read sense, I think he would need to reframe his amendment, because I do not think one can adjust or articulate by heat and light. Whilst I agree with the honourable Dr. Hislop and the Minister in what they have said in regard to the amendment, I do not think the amendment in the form proposed by the honourable Mr. Thomson would make sense.

Amendment put and negatived.

Clause, as previously amended, put and passed.

Clauses 5 and 6 put and passed.

Clause 7: Constitution of Board—

The Hon. J. G. HISLOP: I move an amendment—

> Page 3, line 12—Delete the word "five" and substitute the word "six".

This amendment is designed to overcome the difficulty that may arise with a small board. It could so happen at a meeting of the board that two could sway the remaining members. I think at least three should have to agree to any matter that comes before the board. The Minister should look at the amendment, because it is purely intended that the board's findings shall always be made following a deliberative discussion on what is on the agenda paper.

The Hon. L. A. LOGAN: Whilst appreciating what the honourable Dr. Hislop seeks with this amendment, I cannot understand the reasoning behind it. There are many boards composed of five

members, which have a quorum of three. The chairmen of such boards have a deliberative vote or a casting vote only. This board would be no different from any other. If another member were appointed to the board he would be drawn from the ranks of the chiropractors. As the Bill is printed, the board will consist of a legal practitioner and, most likely, four chiropractors. If another member is appointed to the board, it will consist of a legal practitioner and five chiropractors; so I do not think anything would be gained if the amendment were agreed to.

Over the past few years it has been general practice to give a chairman only one vote; either a casting vote or a deliberative vote. I hope the committee will not agree to the amendment.

The Hon. C. R. ABBEY: I understand the amendment is an attempt to create a situation whereby there will be a minimum of three members forming a quorum. However, further on in the Bill provision is made for three members of the board to constitute a quorum, so Dr. Hislop's desire is met by this provision.

Amendment put and negatived.

Clause put and passed.

Clauses 8 to 10 put and passed.

Clause 11: Meetings of the Board—

The Hon. J. G. HISLOP: In view of the rejection of my amendment to clause 7, I do not propose to pursue the amendment I have on the notice paper.

Clause put and passed.

Clauses 12 to 15 put and passed.

Clause 16: Funds of the Board—

The Hon. J. G. HISLOP: I move an amendment—

> Page 8, line 4—Insert after the word "of" the words "post registration".

I have moved the amendment because I cannot visualise how, at this stage, these people can organise a training school for students. The amendment limits the time for postgraduate education. Once the board has been appointed there should be a settling down period before a school is thought of, or it will impose too much on the board and on the members. The answer is for them to hold postgraduate courses amongst themselves and bring themselves to the standard necessary to teach students.

The Hon. L. A. Logan: Do you think registration is the right word?

The Hon. J. G. HISLOP: I do not mind what words are used or how they are interpreted; because I take it the board will register these people. A great deal of help will be given to the board in holding postgraduate courses. To start a school immediately, worries me. I would refer members to the findings of the Honorary Royal Commission on this matter of the training facilities. We find that degrees can be given only at the University, but the board has the power to initiate a system of degrees. So all through I have used the word "diploma," because there will be diplomas and not degrees issued from the Technical College. Some universities in other countries give degrees and allow the use of the word "doctor." I doubt whether the Technical College can do anything; because we are not yet able to say that we can help our surgeons to higher degrees without extra staff at the anatomy school. The work done to help these young fellows to become fellowship surgeons has been done gratuitously by practising surgeons taking time off to help them in their courses at the University. We will not, in a school like this, get that help straightaway from practising members of the profession.

We should wait until these people act as a board and decide who are eligible to receive diplomas in chiropractic. They can hold conferences and clinics to which they could invite people to assist them. If they showed this desire they would get all the help they want. When the board feels it has reached the stage when it can train students then we can go on with the school.

The Hon. R. THOMPSON: Dr. Hislop has suggested that a school can be set up immediately. I cannot read that in the Bill, and perhaps the Minister can clarify it. A school could be set up in five or 10 years' time. The power is there, but it does not say "immediately."

The Hon. L. A. LOGAN: That is quite true. There is nothing laid down. I presume Dr. Hislop is of the opinion that once a board is set up it will immediately endeavour to put its powers into practice and that is why he is moving along these lines. Immediately could mean 12 months or two years—as soon as practicable after the board is appointed and the Act proclaimed. I see nothing wrong with the amendment. It merely adds another avenue through which the funds of the board can be spent. I support the amendment.

The Hon. R. THOMPSON: It then means that the "funds of the board may be applied by the Board for"—and then it goes on. It means that all funds that go into the organisation could be used by that organisation for that organisation, and no moneys payable to the board could be used in the assistance of setting up a school or the training of other people.

The Hon. L. A. Logan: This is subject to the Minister.

The Hon. R. THOMPSON: I realise that. If the funds are subject to the Minister it is not necessary to have the words "post registration."

The Hon. H. K. WATSON: As it stands the Bill provides that the funds of the board may be applied in the furtherance

of education research in chiropractic. At present it means either pregraduate or postgraduate education. The amendment would restrict the powers of the board to postgraduate education, and this would unnecessarily restrict the broad outline of the Bill.

The Hon. N. E. BAXTER: I agree with the honourable Dr. Hislop. At this stage we should restrict to some degree the educational side of chiropractic. In the past we had difficulty in training students in physiotherapy, and we will have much greater difficulty over this matter. There are no training schools in Australia for this purpose, and we would have to draw on somebody outside Australia who would be considered qualified to teach chiropractic in this State. It would probably cost a fair amount of money to employ somebody. It is doubtful whether many students would apply in the chiropractic field. We should proceed slowly, and adopt the amendment; and when the board is operating and it sees the necessity to establish a school, and has the means whereby to do so, it can come back to Parliament and have the Act amended.

The Hon. J. DOLAN: I oppose the amendment. We should not restrict the board in its operations. If it wishes to use its funds for pre-education instead of post-education I am all for it. If we leave the Bill as it is we will show confidence in the board and allow it to use its funds as it will. That is what it is there for.

The Hon. F. D. WILLMOTT: I oppose the amendment. If we limit the use of these funds to postregistration education, the time must come when we will eliminate the chiropractor, because the board will not be able to apply any of its funds to the education of students.

Amendment put and negatived.

Clause put and passed.

Clause 17 put and passed.

Clause 18: Rules of the Board—

The Hon. J. G. HISLOP: I move an amendment—

> Page 8, lines 32 to 35—Delete all words after the word "Act" down to and including the word "chiropractic".

The purposes of this amendment are to limit the power of this board to accepting those who have the qualifications of a chiropractor, and to limit, for a few years, the possibility of forming the school. I am sure everyone of us, including the Minister, is concerned as to whether this school can be of a high standard or not; and if it cannot be of a high standard it should be deferred until such time as this is possible. I admit there is nothing in the Bill which says the school must be formed immediately; but we know what happened when the Physiotherapists Act was passed; and when mechanics registered as dentists not long after that scheme came into being. There were tremendous difficulties for a few years.

The Hon. G. C. MacKINNON: I cannot see anything in this measure that limits to Australia or Western Australia the spending of money for educating students desirous of becoming chiropractors. As I see the Bill, this board could give a scholarship and financially assist a student, whose qualifications it has determined, to travel to America and undergo studies there; and I think it is reasonable that the board should be able to determine the qualifications of the person to whom it is going to issue a scholarship.

The Hon. L. A. LOGAN: I cannot see any limitation in this Bill regarding the spending of funds by the board; and I think we can assume the board will be a responsible one; and it will be under the control of the Minister. Therefore it is not likely to spend money unwisely.

The Hon. G. C. MacKinnon: You would not consider a scholarship unwise expenditure, would you?

The Hon. L. A. LOGAN: No; I did not say that. That is not the intention of this part of the Bill. The intention is that when the board is set up, chiropractors will be registered. Any person desirous of becoming a chiropractor should make application to the board, which will have the opportunity of considering the qualifications of the applicant to see whether he is a fit and proper person to take into training.

The Hon. R. Thompson: If this is taken out of the Bill, someone without even a Junior Certificate could become a chiropractor.

The Hon. L. A. LOGAN: It would leave everything wide open, and I think the words should remain in the Bill.

The Hon. J. G. HISLOP: This is the first of a series of amendments which will take students completely out of the Bill. If these amendments are carried, it will mean that no students can be appointed because the board will not have the power to run a school. If honourable members look at one amendment on its own, they will get into difficulties. We do not want to have a school that is below standard.

In reference to what Mr. MacKinnon said, I do not think he really appreciates what happens when a scholarship to America is granted. It is a very costly business to go to any American organisation, even for postgraduate work. I think the least we could offer nowadays to a student going to America as a qualified medical practitioner to be a student in some higher field of medicine would be £2,500; and he attempts, by passing an entrance examination to America, to find a post in some institution so that he can add to that money. Even the money the Mayo

Clinic offers to a fully-qualified medical practitioner doing higher degrees is barely enough to live on. Even if the whole of the 32 people practising as chiropractors were appointed to the board, I cannot see that they would find enough money to carry on the board and finance scholarships.

Amendment put and negatived.

The Hon. J. G. HISLOP: I move an amendment—

> Page 9, line 3—Delete the passage ", degrees or certificates".

Unless this is a school that can be appointed by the University, students will not be able to get degrees as they are the privilege of a university; and certificates are of not much value to a man when he is qualified as a practitioner in chiropractic or any other sphere of medical activity. Therefore the only thing the board could do would be to grant diplomas; so we should stick to the one principle and allow the board to give a diploma. What is the good of a person who obtained a degree in America coming here and obtaining a certificate to practise, unless the board can accept American degrees? I have left the Bill so that the board can do that; but to give a license and a certificate is of no value at all. I think we should stick to the granting of a diploma.

The Hon. L. A. LOGAN: I am quite prepared to accept the deletion of the word "degrees" but not the word "certificates." We have to remember this board is only making rules, which are subject to the approval of the Governor, to regulate the holding of examinations, appoint examiners, and issue diplomas and certificates to those persons who pass the examinations. In this case it may be necessary for the word "certificate" to remain to enable those people who do not receive a diploma to receive a certificate. In view of Dr. Hislop's interpretation regarding degrees, I am quite prepared to delete that word.

The Hon. J. G. HISLOP: I will accept the compromise, and I ask leave to alter my amendment by deleting from it the words "or certificates."

Leave granted.

Amendment, as altered, put and passed.

The Hon. H. C. STRICKLAND: As I understand the amendment, as altered, it leaves only the word "degrees" in the Bill.

The Hon. L. A. Logan: The word "degrees" was deleted.

The Hon. H. C. STRICKLAND: Deleted from the Bill or from the amendment?

The DEPUTY CHAIRMAN (The Hon. A. R. Jones): Paragraph (d) will now read—

> for regulating the holding of examinations and the appointment of examiners and for the issue of diplomas or certificates to persons passing the examinations;

The Hon. J. G. HISLOP: I move an amendment—

> Page 9, lines 9 and 10—Delete the passage "license, permit or certificate" and substitute the word "diplomas".

There is no necessity for the words. When a qualified chiropractor arrives from another country, he is given a license to practise here. To such a man, a license or permit does not mean very much. I refer members to the wording of paragraph (g), which means that if a person arrives from overseas or interstate with qualifications as a chiropractor, the board can decide whether those qualifications should be accepted. I cannot understand the reason for the words "license, permit or certificate" in paragraph (f).

The Hon. L. A. LOGAN: It is essential that the board should have power to make regulations for the form or manner in which licenses, permits or certificates will be granted. It is purely a machinery clause.

The Hon. H. K. WATSON: I refer, honourable members, to clause 19, which throws light on this matter. It says that a person shall not use the title of chiropractor unless he is registered as a chiropractor under the Act and holds a license to practise.

Amendment put and negatived.

The Hon. J. G. HISLOP: I move an amendment—

> Page 9, line 20—Insert after the word "professional" the words "and ethical".

Something can be done in a professional manner and to a professional standard, but that does not mean that the standard of ethical behaviour is in line with professional manner and standard. I cannot say to a person that treatment will cover a long period and that he must attend every day regularly for possibly six months; yet chiropractors tell an individual that his treatment will take a long time and that he must attend regularly. That is not professional and ethical conduct. It means that a person is told that he is not going to get any benefit for a considerable period. The correct thing to do is to tell him that he has a chronic condition and that it will require considerable treatment. To use such words as "You must come to me regularly" is not ethical. The patient should feel that he can go to another chiropractor if he wishes. A doctor can say that a patient requires a considerable course of treatment, and the patient is free to go somewhere else if he wishes.

The Hon. J. DOLAN: In my opinion the amendment is unnecessary. Professional standards embrace ethics. I do not believe in gilding the lily. The amendment is superflous. When we refer to professional standards, the words "and ethical" are understood.

The Hon. G. C. MacKINNON: The *Oxford Dictionary* devotes two pages to the word "professional" which is defined as being any occupation which returns a remuneration. There would therefore appear to be some ground for the amendment.

Amendment put and passed.

The Hon. J. G. HISLOP: I move an amendment—

Page 9, line 31—Delete the passage ", degree".

Amendment put and passed.

Clause, as amended, put and passed.

Clause 19 put and passed.

Clause 20: Registration—

The Hon. J. G. HISLOP: I move an amendment—

Page 10, line 19—Delete the words "any of".

The Hon. J. DOLAN: I support the amendment. Certain qualifications are laid down, and I think we should adhere to them. As soon as we pick one qualification out of three, qualifications cease to have any value.

The Hon. L. A. LOGAN: I have no objection to the amendment.

Amendment put and passed.

The Hon. G. C. MacKINNON: In view of the amendment, I think the words "as a qualification" in line 20 should be deleted. I therefore move an amendment—

Page 10, line 20—Delete the words "as a qualification".

The Hon. J. DOLAN: I support the amendment. Deletion of these words will improve the wording of the clause.

The Hon. L. A. LOGAN: I am not too sure whether or not the words would not be better left as they are. It is a qualification for registration and I think it should be left in.

The Hon. R. Thompson: I think he is on the right track.

Amendment put and negatived.

The Hon. J. G. HISLOP: I move an amendment—

Page 10, lines 28 and 29—Delete the passage "(the last two years of which were in Western Australia)".

Right through the report of the Royal Commission it makes it quite clear that the Physiotherapists Act and the Medical Act have never laid it down that it is illegal to practise chiropractic in Western Australia. I understand also that three or four men have just come to the State and apparently they have reasonable qualifications. The Bill as it stands would exclude them and I think that would be doing an injustice to those people if they are of a high standard. I consider the matter should be left to the board to decide.

I also think that they may be excluded for all time, because subclause (3) says that no person shall be entitled to be registered unless he makes application for registration within one year after the commencement of the Act. I think we should allow these people to continue as if they had been practising in Western Australia. Previously we have always adopted the principle that if an individual had been practising he was registered when the board was formed. In my view that should happen here.

The Hon. L. A. LOGAN: If we take these words out we lose the context in subparagraph (ii); one is related to the other. I think it would be a debatable point if we allowed a person who had just arrived in Western Australia, say, last week, to be registered as a chiropractor.

The Hon. H. C. Strickland: Or next week.

The Hon. L. A. LOGAN: Yes, or the week after. I think there should be some time limit as a starting point. Whether two years is too long, I do not know; but at least we should have some knowledge of their qualifications, and what they were doing prior to applying for registration. This Bill will not stop any chiropractor from practising, but he will not be able to use the word "chiropractor," or advertise in that respect. I would prefer to see the words left in the Bill.

Amendment put and negatived.

The Hon. J. G. HISLOP: I move an amendment—

Page 10, lines 30 and 31—Delete the words "or as a principal word of his description".

The subparagraph with the words I wish to strike out is fairly open, and it would depend entirely upon the board. I do not think people who in recent times have started up as chiropractors, without any training, and with only some intuition, should be given the same rights as those who have been trained.

The Hon. H. K. Watson: Would you leave the word "alone" in, or take that out too?

The Hon. J. G. HISLOP: I do not think it makes any difference to the man who has been practising as a chiropractor; he will be no worse off if he is not registered, because people will still go to him. The unorthodox will always attract, and I would not mind taking a small bet that when the Bill goes through those who are left outside will make more than they did before. I am also certain that the fees of the chiropractor will rise as soon as the Bill is passed; because, as a chiropractor, he could not charge a fee; he had to take what was put on the plate.

The moment the Bill goes through there will be a fee and the public will pay more. But they will continue to go to the unregistered, and therefore I do not think we are doing them any harm. There is nothing in the Bill which says a person cannot start as a masseur, or rubberdowner, and therefore the Bill will not do them any harm.

The Hon. L. A. LOGAN: This, too, is a debatable point, and it is one upon which I am unable to give honourable members much information. I have no information as to how many chiropractors who have used the word "chiropractic" alone, have been practising; I do not know the number who have been using the word "chiropractor" together with other words which would give them some status; or the number who have been practising without using the word "chiropractor" at all. I am inclined to think we will reduce the field considerably; and it may be we will be reducing it too much and we will be giving a little too much status to a few, and not enough to some of those who are just as entitled to be registered as others who have been using the word "chiropractor" alone. For that reason I am rather loth to accept the amendment.

The Hon. H. C. Strickland: The Minister would not have put the words in unless he had some purpose.

The Hon. L. A. LOGAN: I think the words were put there to cover those people who have been practising as chiropractors.

The Hon. J. G. Hislop: Will you get the information for the third reading?

The Hon. L. A. LOGAN: I will endeavour to do so.

The Hon. J. DOLAN: I oppose the amendment. Like the Minister, I think there is a danger that we will eliminate people who have a just right to be considered for registration. I have been looking at the telephone directory and I find that the first fellow advertises himself as a chiropractor and a masseur. The next one is also a masseur, while the next is a highly qualified doctor of chiropractic who qualified in the United States and in his advertisement he states—

> Vertebral Adjustments, for Abnormal Nerve, Muscle, Skeletal and Related Constitutional Conditions.

He would be wiped out under the amendment. A little further on it mentions sauna baths and massage as well as chiropractic. Such people are eliminated once it is restricted to "chiropractor" alone.

The Hon. L. A. Logan: Is the last one Yaksich?

The Hon. J. DOLAN: That is so.

The Hon. J. G. Hislop: Are you prepared to accept it if the word "alone" is taken out?

The Hon. J. DOLAN: I do not think it alters it much. I think the clause is better left as it is.

The Hon. J. G. HISLOP: There are some chiropractors who are masseurs. Is not that manipulating the muscles? Do they have to stay as masseurs when they are registered as chiropractors? It sounds like it, does it not?

Amendment put and negatived.

Clause, as previously amended, put and passed.

Clause 21 put and passed.

Clause 22: Proclaimed method—

The Hon. J. G. HISLOP: This seems to be a very wide power to give to the Government, to say that it can alter, without coming back to Parliament, the method of chiropractic. This could amount to anything; even masseurs could be added to the list. I think we should allow the actual change within the definitions to take place, but I also think we should add the words at the end "provided such method is in conformity with the definition of 'chiropractic' in section 4 of this Act."

The Hon. H. K. Watson: This virtually nullifies the Bill.

The Hon. J. G. HISLOP: Yes, the whole Bill. We might as well scrap it and adopt the clause. I move an amendment—

> Page 11, line 21—Insert after the word "Act" the words "provided such method is in conformity with the definition of 'chiropractic' in section four of this Act."

The Hon. L. A. LOGAN: There is no necessity for the amendment, which seeks to add the words—

> provided such method is in conformity with the definition of "chiropractic".

This clause does not deal with definitions; it only deals with proclaimed methods of practice; and in clause 4 a proclaimed method is defined. The addition of the words proposed in the amendment will deny the board the right to make recommendations for declaring any method of practising chiropractic as a proclaimed method. I oppose the amendment.

Amendment put and negatived.

The Hon. H. K. WATSON: I find it difficult to understand the reason for including this clause at all. I am aware that clause 4 defines a proclaimed method; but having regard to the definitions of "chiropractor" and "chiropractic", I suggest Parliament should retain the right to decide what is chiropractic and who is a chiropractor. Whatever method is to be employed should be embodied in the Act. If at a later stage it is decided to vary or to enlarge the practice of chiropractic then the definition could be amended. It is a strange procedure to pass a law, and then

to leave it to the Governor to make a proclamation as to what is the essence of that law.

The Hon. L. A. LOGAN: I would point out that clause 4 contains a definition of "proclaimed method." It states—

> in relation to the practice of chiropractic, means a method of practising chiropractic recommended by the board and declared by the Governor, by proclamation, to be a proclaimed method.

Clause 22 will put into effect what is contained in clause 4.

The Hon. H. K. WATSON: What would be wrong if the definition of "proclaimed method" were eliminated from clause 4, and if clause 22 were deleted? That would not weaken the legislation, nor make it incomplete.

The Hon. N. E. BAXTER: There is a very similar provision contained in section 14 of the Physiotherapists Act which states—

> From time to time the Governor may, on the recommendation of the Board, by Proclamation published in the *Gazette*, declare any method of practising physiotherapy a proclaimed method for the purposes of this Act and may likewise revoke or vary any Proclamation made pursuant to the provisions of this section.

Clause put and passed.

Clauses 23 to 27 put and passed.

New clause 23—

The Hon. J. M. THOMSON: I move—

> Page 11—Insert after clause 22 in lines 17 to 24 the following new clause to stand as clause 23:—
>
> > 23. Registration under this Act shall confer upon the person registered the right and authority to direct patients to a hospital or a radiological clinic, for the purpose of radiological examination.

This clause will enable a registered chiropractor to direct his patients to a hospital or radiological clinic for the purpose of radiological examination. It is a necessary power for chiropractors to possess, particularly those practising in country districts.

The Hon. L. A. LOGAN: What is sought in the new clause goes beyond what is intended under the registration of chiropractors. I am not sure of the position when a person requests a radiological centre to take an X-ray.

The Hon. J. G. Hislop: He would have to be referred by a medical practitioner.

The Hon. L. A. LOGAN: I think this amendment is premature. When the board to be set up under this legislation is satisfied that professional ethics and standards have been maintained, it might be quite a different matter to give chiropractors the power that is sought in the new clause. There is nothing to prevent registered chiropractors from recommending patients to have X-rays taken. The patients could do that through their medical practitioners.

The Hon. J. M. THOMSON: If registered chiropractors are not given the authority to direct patients to a hospital or radiological centre for radiological examination, and if in certain circumstances no co-operation exists between medical practitioners and registered chiropractors, then an unsatisfactory state of affairs could arise. No harm would be done by agreeing to the new clause. We have acknowledged the qualifications and standards which chiropractors have to attain, yet they are not to be given the authority to direct patients to a hospital or a radiological centre for the purpose of radiological examination so that they, the chiropractors, may give the necessary treatment.

To say that the new clause is premature, and that it should be introduced after the legislation has been in operation and registered chiropractors have attained the required ethical standards, is quite wrong. There is no justification for refusing to give registered chiropractors the powers sought in the new clause; certainly no harm would be done to anybody by supporting it.

The Hon. J. G. HISLOP: This brings up some interesting points. First of all I do not think the person who needs admission to a hospital should be under the control of a chiropractor. When a person is in a very acute stage, even of a back pain, he should be in the hands of a trained person in medicine or surgery. All facilities are at the disposal of such a person. An X-ray is taken and an unbiased report is given by the radiologist who has no axe to grind in the matter. He simply states what he sees on the film.

Another point is that a chiropractor cannot perform manipulation of the spine on a bed because he must lean on the patient's back, and immediately he does that the mattress gives way. It has to be done on a hard plinth which means that the patient must be taken to the theatre, adding considerably to the cost. I think the present system should be allowed to continue.

I do not know the attitude of the radiologist in relation to taking films of patients referred to him by chiropractors. However, I think it would be a good idea if some agreement could be reached on this matter. Some chiropractors have their own machines and they are certainly not up to the standard of the machines used by the radiologists. These machines are expensive items and I have never believed in having my own X-ray plant

except for some special purpose. However, when it comes to specialised work it is very much wiser to obtain an X-ray report from an unbiased individual who knows nothing about the patient except what he sees on the film. Of course, one does not always have to believe what the radiologist says. It is necessary to put his report alongside one's own knowledge of the patient.

The main thing I have had against the chiropractor is that his diagnosis is made mainly on the X-ray film taken, mostly, on an inferior machine. In recent years I believe that a lot of chiropractors have sent their patients to a particular radiological technician in Hay Street. Whether he gives a report on the film I do not know.

If some sort of conference could take place between the Minister, the new board and the Australian Medical Association, to get over the difficulty which exists at present, this would be better. An arrangement should be made to allow radiologists to give an independent report on films sent along by chiropractors. That would cover what the honourable Mr. Thomson wants.

The Hon. S. T. J. THOMPSON: It seems to me that the honourable Mr. Jack Thomson is trying to ensure that these X-rays are taken by experts. That is the aim of his amendment, and I feel it is desirable. Therefore I am going to support his new clause.

The Hon. H. C. STRICKLAND: I do not like the idea of anyone having the authority to direct his patients to take certain action. I think that is absolutely wrong. I do not think the medical profession possesses such authority. Doctors can advise their patients that an X-ray is desirable, and then it is up to the patient to go along. For a chiropractor to be able to direct a patient is absolutely wrong.

The Hon. A. F. Griffith: That is not what it means.

The Hon. H. C. STRICKLAND: That is the way I read it, although I could be wrong. However, surely even today if chiropractors have any ethics they would, if they were unable to diagnose the trouble, advise their patients to ask their doctor to refer them to a radiologist.

The Hon. A. F. Griffith: A doctor has the right to direct, but you do not have to go.

The Hon. H. K. WATSON: I agree with the hounorable Mr. Strickland on this one. If you direct me to resume my seat, Mr. Deputy Chairman (The Hon. A. R. Jones), I have to resume it. If I am directed to go to a hospital or clinic I must, if this new clause is agreed to, go.

The Hon. J. M. THOMSON: I quite appreciate the point raised. When I was drafting the new clause I chose first of all the word "sent," but I did not like it and finally chose the word "direct." However, I am quite prepared to alter the word to "refer."

The Hon. A. F. Griffith: The terminology is all right. It is the intention that is not.

The Hon. J. M. THOMSON: I want to make it possible for the registered chiropractor to have the authority to refer his patient to a radiological clinic for X-rays to be taken.

The Hon. G. C. MacKinnon: Don't you want to add that the clinic must accept such a patient?

The Hon. J. M. THOMSON: No. I want a chiropractor to be given the right to send his patient to a radiological clinic if he so desires instead of having to refer his patient to his doctor, who may not agree with the chiropractor.

The Hon. J. G. HISLOP: I want to ask the honourable Mr. Jack Thomson what he means. Does he desire that the radiologist must report on the film which comes to him not from medical channels; or is the clinic to take the film and hand it to the patient and let the chiropractor make his own diagnosis?

The Hon. A. F. Griffith: That is what the clause means.

The Hon. J. G. HISLOP: I think the only way to solve this problem is for agreement to be reached whereby the radiologist can report on the film of a patient referred to him by a chiropractor.

The DEPUTY CHAIRMAN (The Hon. A. R. Jones): Has the honourable Mr. Jack Thomson the leave of the Committee to amend his new clause by deleting the word "direct" and inserting in lieu the word "refer"? As there is a dissentient voice, leave will not be granted.

Leave refused.

New clause put and negatived.

Title put and passed.

Bill reported with amendments.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. A. F. GRIFFITH (Suburban —Minister for Mines): [10.57 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 6th October.

Question put and passed.

House adjourned at 10.58 p.m.