the court. The third amendment is a slight one and seeks to substitute the word "production" in lieu of the word "proclamation." That is merely a typographical error in the Evidence Act. It has been there since the Act was passed. I move—

That the Bill be now read a second time.

On motion by Mr. Willmott, debate adjourned.

House adjourned at 5.43 p.m.

Legislative Council.

Tuesday, 8th December, 1942.

The PRESIDENT took the Chair at 11 a.m., and read prayers.

QUESTION—EGGS.

As to Price.

Hon. C. F. BAXTER asked the Chief Secretary: In view of the fact that the egg producers of this State are not allowed the same price for eggs on the local market as producers of other States, for example, New South Wales, what steps has the responsible Minister taken to place this State's egg producers on a same value basis?

The CHIEF SECRETARY replied: A policy of requesting the same price for agricultural produce as in the Eastern States may be a dangerous one. The Deputy Price Fixing Commissioner has received the advice of an organisation representing the poultry industry. Steps have been taken by the Department of Agriculture to submit a case to the Price Fixing Commissioner and also to ensure that poultrymen receive the maximum net returns from the sale of their produce.

BILL—LOTTERIES (CONTROL) ACT AMENDMENT.

Returned from the Assembly without amendment.

BILLS (3)—FIRST READING.

1, Fire Brigades.

2, National Emergency (Stocks of Goods).

3, Business Names.

Received from the Assembly.

BILL—CONSTITUTION ACTS AMENDMENT.

Third Reading.

THE CHIEF SECRETARY [11.13]: I move—

That the Bill be now read a third time.

The PRESIDENT: I have been reminded that this Bill calls for an absolute majority. There must be a division on the Bill.

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

Ayes	19
Noes	0
Majority for	19

AYES.

Hon. C. F. Baxter	Hon. J. G. Hislop
Hon. L. B. Bolton	Hon. W. H. Kitson
Hon. Sir Hal Colebatch	Hon. W. J. Mann
Hon. J. Cornell	Hon. G. W. Miles
Hon. J. M. Drew	Hon. H. Seddon
Hon. F. E. Gibson	Hon. A. Thomson
Hon. E. H. Gray	Hon. F. R. Welsh
Hon. E. H. H. Hall	Hon. C. B. Williams
Hon. W. R. Hall	Hon. C. R. Cornish (*Teller.*)
Hon. V. Hamersley	

NOES—*Nil.*

The PRESIDENT: The question passes in the affirmative by an absolute majority.

Bill read a third time and *passed.*

BILL—STATE (WESTERN AUSTRALIAN) ALUNITE INDUSTRY PARTNERSHIP.

Bill read a third time and *passed.*

BILL—INCOME AND ENTERTAINMENTS TAX (WAR TIME SUSPENSION).

Report of Committee adopted.

BILL—INCREASE OF RENT (WAR RESTRICTIONS) ACT AMENDMENT.

Second Reading.

Debate resumed from the 2nd December.

HON. A. THOMSON (South-East) [11.22]: I find it rather difficult to support this measure which seems to me to be one-sided, penalising those who have invested their money in property with the idea of getting some return and possibly making provision for their old age; though I suppose I should not talk like that, because it is regarded as not quite right for people today to invest money for profit. When the Act was passed, it pegged rents at those prevailing in 1939. No increases are permissible unless certain alterations are made, in which event an owner is permitted to charge six per cent. on the cost of the additions that have been erected. The Act is one-sided and some consideration should be given to those who have invested money for the purpose I have mentioned. I have no time for the go-getter who is out to rob the public, but I am afraid there is a lot of that going on. Quite a number of people have secured flats of which they sub-let portions, thereby deriving sufficient rent from one or two rooms to pay the rent of the whole flat. I do not know whether it is the Government's intention to tighten up that position in any way. Subsection (1) of proposed new Section 11A sets out—

> A person shall not refuse or procure any person to refuse to let a dwelling-house to any person on the ground that it is intended that a child shall live in the dwelling-house.

The public generally is quite prepared to extend extraordinary powers to Governments while we are in a state of war. But how the passing of this additional restrictive legislation is going to help anyone who is seeking a home in the metropolitan area to obtain one under any conditions, I do not know. I have spoken to many land and estate agents and they say they could let one hundred houses in a very short space of time if it were possible.

Hon. H. Seddon: If the houses were available.

Hon. A. THOMSON: Yes, and they could sell quite a number of houses if they were available. Under the National Security Regulations there is a restriction on the erection of dwellings, making it difficult for people to obtain homes. It is being made impossible for the man of small means to get a home at all. Only those who are in a position to buy expensive houses in the metropolitan area are able to secure them. The unfortunate person with only about £150 or £200 is definitely debarred by the National Security Regulations from purchasing a home.

The imposition of these additional restrictions will make the position very difficult indeed. To evade the provision relating to children, it is only necessary for an agent or owner to ask how many people are likely to occupy the house, and then to say that the number proposed would be too many. Children need not be mentioned. I have no objection to the provision providing for the keeping of a record. I hope Mr. Cornell's amendment will be agreed to because it will afford some relief to people who, under present conditions, suffer severe hardship. The whole position is decidedly unfair. The cost of living has risen and consequently the basic wage has increased. Everyone is receiving the benefit except those unfortunate enough to have invested their money in property.

Hon. C. B. Williams: That would not be your letter in today's issue of "The West Australian"?

Hon. A. THOMSON: No, I have not seen it, but if it is on the same lines as my speech it shows that other people are thinking that way

Hon. C. B. Williams: It is almost word for word.

Hon. A. THOMSON: If, as a result of his self-denial in years gone by, the hon. member had invested in houses with the idea of providing for his old age, I do not think he would feel happy to know that while business people and other sections of the community are able to pass on added costs, his position was governed by an Act of 1939 which pegged rents and did not give him an opportunity to obtain what might be termed the natural increase, without doing injustice to anyone. Proposed new Section 11A will not be effective because I do not think any agent will be foolish enough to risk incurring a penalty of £20. I cannot imagine him asking how many children an applicant has. He will merely ask how many people are likely to occupy the house, and will be able to evade the law in that way. I naturally want to protect the public, but I feel that

in this instance, in protecting one section, we are likely to penalise another very deserving portion of the community.

HON. G. B. WOOD (East): There is very little in this Bill that commends itself to me. It is really one of the most one-sided measures that has been before this Parliament for a long time. I do not desire to see people exploited when they want to rent a house; they require all the protection we can give them. It is generally accepted that there is a shortage of houses both in the metropolitan area and in country towns. The Bill will make that position even worse. We all want to see children properly and comfortably housed; no one could complain against that. Suppose, however, a person had over a period of 30 or 40 years accumulated in his house a lot of valuable furniture, but by force of circumstances was compelled to let the house!

Is it right that a tenant should come in with a mob of children and perhaps tear the place to pieces? Is it not the owner's right to decline to let his house to a family of that description? If this Bill is passed, anyone with numerous children can go into a house and cannot be prevented from doing so. Mr. Thomson made reference to flats. If a man has a flat to let, I cannot see why he should not be permitted to refuse to let it to a family in which there are children. I should like the Minister to inform members what is meant by "dwelling house." There are places which are not fit for the accommodation of children, notwithstanding which some people may desire to take their children there. I see no objection to the keeping of records. Indeed, that is the only part of the Bill that commends itself to me.

On motion by Hon. H. Seddon, debate adjourned.

BILL—MEDICAL ACT AMENDMENT.

Second Reading.

Debate resumed from the 2nd December.

HON. E. H. H. HALL (Central) [11.33]: The Government is to be congratulated upon bringing down this Bill, and I have no thought of opposing it. Dr. Hislop is to be commended for the very fine speech he made the other day on this subject. It was not altogether what he said but the reasonable manner in which the doctor spoke that appealed so much to me. I have no doubt he is a member of the British Medical Association, though I understand some doctors are not members of it. There are times when the attitude adopted by that body has not been as liberal as it might be. I therefore commend the doctor for the reasonable manner in which he addressed himself to the subject. It did not seem to be his intention to endeavour to prevent anyone from trying to effect cures or prescribing for patients, so long as the person concerned was endeavouring to bring about that relief which the money paid by the individual entitled him to expect. The original Act does not allow for the appointment of any lay members to the Medical Board, whereas the Bill does provide for the appointment of one lay member.

Hon. A. Thomson: Very generous; one out of seven!

Hon. E. H. H. HALL: Most of us, I think, have every confidence in the medical fraternity, and have reason for that attitude. I have been associated with hospital management for many years, and that may have given me more insight into the many generous and noble acts performed by doctors than would be possible for many other people. There is no doubt that some of the medical men do a very noble work. We should hold them, as I think we do, in the highest esteem. Of what use one layman would be on a board of this nature, I cannot yet understand. The Minister for Health has had a lot of experience in hospital work, and he is evidently satisfied that this innovation is desirable, and that a board composed as suggested will protect the interests of the general public. I do not use the word "protect" in any offensive way. It strikes me as peculiar, however, that arrangements have been made for only one lay member to be appointed to the board. We must hope for the best. I am not adopting a yes-no attitude in this matter, as will be seen from the fact that I have already eulogised the great majority of medical men.

We know that from time to time the British Medical Association has adopted a rather illogical attitude. I have previously made reference to a book that is found in the Parliamentary Library, entitled "Beloved Physician." I have pleasure in mentioning that book again. Members who have read it will understand what is in my mind when I say that the B.M.A.

has taken up an unreasonable attitude towards members of the profession with regard to diagnosis and practice generally. When people are subjected to uninformed criticism they can afford to treat it lightly, but when one is criticised by a body that is expected by the general public to know something about the subject, then it is necessary for the person criticised to take notice of it. So it was with McKenzie in his "Beloved Physician." He was assailed and attacked by his professional brethren. He is not the only man who has suffered at the hands of his professional brethren.

Hon. A. Thomson: What about the infantile paralysis treatment?

Hon. E. H. H. HALL: Yes. We can recall what happened in that case. When I was going through the Bill, I wished that Dr. Hislop might have the right of reply. He might then have been able to put up something which would account, to me, for the unreasonable attitude adopted on many occasions by the association to which he belongs. Human beings are subject to many cruel ailments. We can see evidence of that almost every day. If there is one truly cruel and wicked thing that assails human beings, it is infantile paralysis. One of our Australian citizens, after having been coolly received by the profession in Australia, has been able to obtain considerable success concerning her methods of treatment, and these have commended themselves to the profession in America, if not in Great Britain.

In this city we have people who are not certificated medical practitioners but who, nevertheless, are doing quite a lot of good in the interests of sufferers. That is not a mere idle statement. I am not referring to those who fill the newspapers with costly advertisements, or take up our time over the air through B class stations. In the city there are two or three people who never advertise, and who never make appointments. One has to go to them the same as one does to a hairdressing saloon and wait one's turn. They have been effecting cures for a number of years. I have reason to be concerned in this matter because my dear sister, who is a returned sister from the last war, is unfortunately afflicted with that very cruel disease or physical disability known as rheumatoid arthritis. She has been to many local medical men. She even had to return to London, where she was put in a hospital especially set aside for the treatment of that disability. I know there are persons who set themselves up as able to cure anything and everything, and whose activities should be controlled. On the other hand, there are people who, though not qualified to practise medicine, are doing quite a lot of good in the community. I hope no action will be taken by the board it is proposed to appoint against those persons who have, as has been proved, been successful in relieving suffering humanity from many of the ailments to which it is subject.

I have a paper dated July 1941, in which the statement is made that forbidden drugs are a menace to Australia, and it is urged against some members of the profession that they are too ready to prescribe drugs instead of giving consideration to diet, which I think Dr. Hislop said was a subject that had not received sufficient attention. To me as a layman it seems that as the blood stream must be affected by the food consumed, the statement is well founded and that the profession has not given sufficient attention to the diet of our people. This does not occur in other parts of the world, and I think it is the duty of the British Medical Association to remedy that defect.

HON. A. THOMSON (South-East): I listened with great interest to the Minister when he moved the second reading of the Bill. He pointed out that, with the exception of an amendment made in 1940, it contained the first alterations proposed since the passing of the Act in 1894. I cannot see how Section 4 of the Act can be connected with the Medical Board. If a board dealing with the whole of the Medical Act and composed of six medical men, is to be permitted to hold any examination or inquiry in camera, I do not know how the public will view it. In saying this I am not casting any reflection on the medical fraternity. The principle, however, seems to be quite unfair. If the Government introduced a measure dealing with labour matters and proposed the establishment of a board consisting exclusively of union representatives, this House would take very strong exception to it. I am not raising any objection to the medical services. I agree with all that has been said by Mr. E. H. H. Hall that the medical men have rendered, and are

rendering excellent medical service in an honorary capacity, but I point out that they also render other services for which they receive excellent payment.

Some years ago when I was a member of another place a friend informed me that his wife had had to undergo an operation and that the charge for it seemed to be excessive. He wrote to me to this effect, "My wife is worth to me all the money I have, but seeing that she was in a Government hospital and that I had to pay the hospital charges, I think the amount charged for the operation was a little excessive." I replied to this effect, "I am afraid you have no redress. If you write to me I will forward your letter to the Principal Medical Officer who in turn will send it to the doctor concerned, but he will say that in his opinion the operation was worth the money, and I cannot see the P.M.O. disagreeing with his decision." That was precisely what happened. In due course I received a letter from the P.M.O. stating that he had written to the doctor and that in his opinion the charge was not excessive. If it is fair and reasonable that a board which is going to control the health of the community should be composed entirely of six doctors, who will appoint a chairman, why not apply the same principle to other boards? We have been asking for greater producer representation on the Wheat Board, and the same applies to the wool section and to sections dealing with all primary products. There we do not find that those most intimately interested in the business exercise the control.

Hon. F. E. Gibson: You would like to have one man on the board.

Hon. A. THOMSON: I think there should be more equal representation of interests on all boards. I hope I am not misquoting Dr. Hislop in attributing to him the statement that he had discussed this Bill with the Minister for Health and that most of the measure constituted what he had asked for. I take no exception to that.

The Chief Secretary: He was speaking on behalf of the medical profession.

Hon. A. THOMSON: I admit that. Now that we are amending the Act, we should make the constitution of the board a little broader. I hope members will support a proposal that the board shall consist of not more than seven members appointed by the Governor, three of whom shall be medical practitioners appointed by the profession and one, the chairman, shall be the Principal Medical Officer of the State. If he is not competent to sit as chairman, he should not be the P.M.O. The board should also include a Government officer, selected from the doctors in the permanent employment of the Government. That would really give the profession five members on the board. Then the Government should appoint two men, who might be retired professional men, to represent the public. This Act is of vital importance to the health of the community and it is reasonable to ask that the suffering public shall be represented on the board. The Bill provides that the president shall be elected by members of the board. As the board will exercise wide powers, I suggest that my proposal should commend itself to members including, I hope, Dr. Hislop.

The Bill provides that, subject to the approval of the Minister, the board may hold any examination or inquiry under the Act in camera. Why is it necessary to include such a provision? The Chief Secretary might be able to give a reason, but I point out the matter of the inquiry might be one of vital importance to the public. We should provide that, subject to the approval of the Minister, the board may hold any examination or inquiry under the Act. Then it would be within the province of the board to say whether the inquiry should be held in public. To provide in the Act that inquiries shall be held in camera is wrong. Dr. Hislop caused me to reread very carefully another provision in the Bill, which begins—

> Any person other than a medical practitioner who uses or implies that he uses radium or x-rays for the treatment of any human ailment or physical defect otherwise than under the immediate personal supervision of a medical practitioner . . . .

On other occasions Dr. Hislop has condemned the x-ray plants being used at country hospitals. It was argued that the medical men were not competent to operate them.

Hon. G. W. Miles: That is, some of them.

Hon. A. THOMSON: Yes.

Hon. F. E. Gibson: For certain purposes.

Hon. A. THOMSON: Yes. I hope that some day the doctor's hopes will be realised and that the State will be sufficiently finan-

cial to provide first-class x-ray equipment in the larger hospitals, at any rate, throughout the country districts. I do not hold a brief for those who are seeking to impose on or rob the public, but we are dealing with a matter of vital importance to the people. I gave the matter study over the week-end, and I hope the House will agree to my suggestion that the board should be constituted on lines different from those which the measure proposes. I shall place one or two amendments on the notice paper in due course. I have approached the matter with a certain amount of diffidence, because I am a layman and am not in a position to deal with medical matters. When it comes to the administration of the Bill, however, I feel that that is a matter which should be in our hands; and, if members feel as I do, I am sure we will materially improve the measure if my amendments are accepted. I am not opposing the second reading of the Bill.

HON. F. E. GIBSON (Metropolitan-Suburban): The Government is to be commended for having brought down this Bill to amend the Medical Act. Anything designed to improve the health of the community calls for the support of every member of this Chamber. For the past 40 years I have been engaged in a calling which may be regarded as the handmaid of medicine, and therefore I suppose my experience in this matter is greater than that of most other members of this House, because I know the damage that has been caused by charlatans claiming to be fitted to treat human ailments. It is rather strange that in a community which makes it imperative for a man, before he is permitted to put a tap on a waterpipe or attend to anything in the shape of an electrical fitting, to undergo an examination ensuring his competence, we yet permit that wonderful machine—the human body—to be treated for disease by persons without any medical qualifications whatever. I recall one or two instances. I know of a firm that started here some years ago selling motorcars and tyres. The business was not prosperous, and then the proprietor, knowing how lucrative quackery is, decided to start in that business in Perth. He got on very well indeed.

Hon. J. A. Dimmitt: I do not think there was any question of financial difficulty.

Hon. F. E. GIBSON: Perhaps there was not. The business improved to such an extent that the proprietor took in someone to assist him, and that person, finding the business so lucrative, decided to open a business on his own account. He did so; he calls himself the "Human x-ray." What right has that man to claim that he can treat diseases, simply by a peculiar set of circumstances that he states are inborn in him, and without any previous medical knowledge? I am prepared to state that that man would not be able to say how many teeth a man had and that his knowledge of physiology would be practically nil.

Some little time ago, a medical friend of mine in Fremantle brought a man to me who was suffering from gonorrhœa. He had been treated by a so-called herbalist in Perth and had been charged about £15 for a guaranteed cure. He was so incensed about the matter that he consulted a doctor, who brought him to me. He made a declaration before me setting out the facts of the case. Some two or three days afterwards, however, his resentment died down and he was not particularly anxious to have the matter made public. Consequently, he did not proceed further. I shall quote another case. A friend of mine had a child who was suffering from some infection of the knee. He took her to a masseur, who, through his ignorance, manipulated the knee in such a way as to spread the infection all over the child's body, with the result that it died in four days. Would any member suggest that the human body, which is the most complex machine on the earth's surface, should be the subject of treatment by people who have had no medical training or experience? Even in my calling, a lad is required to obtain the leaving certificate before he can be apprenticed; he spends four or five years in training before he is permitted to dispense a doctor's prescription.

Years ago the treatment of gonorrhœa was carried out in chemists' shops. Some time ago the Government introduced legislation making that practice an offence. I am sure that all honourable chemists obey that particular legislation, but not so the person who styles himself a herbalist, whether he be black, brown or brindle. The blacker he is, the more customers he seems to get. Any amendment to the Act which will prevent the treatment of dis-

eases by untrained persons should meet with the approval of all members of this Chamber. I shall give one other instance, regarding a dietitian. These people are not permitted to receive payment for giving advice, but they can charge for what they sell a person. A friend of mine who is rather inquisitive went to a dietitian who talked to him about what he should and should not eat. After a conversation, he tried to sell my friend goods to the value of 25s., but my friend would not purchase them, as he was satisfied that the man was a charlatan. There are many other similar instances of that kind, but I have no desire to weary members by recounting them.

Hon. A. Thomson: Do you favour my suggestion regarding the board?

Hon. F. E. GIBSON: I understand Mr. Thomson thought a layman on the board might be superfluous.

Hon. A. Thomson: If I gave that impression, then I did not make myself clearly understood. I suggested the opposite.

Hon. F. E. GIBSON: I think lay advice might be particularly good. A lay member could keep the public informed of what was being done. Mr. E. H. H. Hall referred to the question of obtaining drugs. There is no such thing happening. I hope members will support the second reading.

HON. C. F. BAXTER (East): I am afraid I cannot read into this Bill what apparently some other members find possible. We are dealing with a measure that proposes to amend the Medical Act, which was passed in 1894 and which controls the medical profession. Most of the speeches have dealt with matters appertaining to the Health Act. The medical profession has been urging these and other amendments, and I commend the Government for bringing the measure forward. I cannot approve of a layman acting on a board that is to deal with professional men. How could a layman deal with matters affecting a professional man's conduct?

Hon. A. Thomson: Why not?

Hon. C. F. BAXTER: It requires a professional man to deal with such matters, particularly with improper practices and misdemeanours. What does a layman know about professional matters? The board has power to inflict fines up to £10, but has no protection from individuals who may institute libel actions. As I said, the principal Act is one controlling the medical profession. What have V.D. and chiropractors to do with this Bill? Those are matters which can be dealt with under the proposed amendment to the Health Act. I cannot agree with Mr. Thomson's suggestion that a layman should be appointed to a board that is to deal with professional matters.

Hon. A. Thomson: The Government wants one layman on the board. I suggest there should be two.

Hon. C. F. BAXTER: There should be no layman on the board at all, because it will deal only with professional matters.

HON. J. CORNELL (South): I do not profess to know much about the Bill.

Hon. C. B. Williams: Then why bother about it?

Hon. J. CORNELL: I desire, however, to make a few remarks on one or two points. The proposed board is to be comprised of medical practitioners and one layman. Is the layman to be Mr. Huelin or his successor? Is he to be the Principal Medical Officer or is he to be the person charged with the administration of the Act? The Government can appoint whom it likes. If I were asked what lay person should be appointed to the board, I would suggest a highly-trained and proved nursing sister.

Hon. A. Thomson: That is an excellent suggestion.

Hon. J. CORNELL: She would be an acquisition and I do not think the medical men would object to her appointment. A highly-trained and qualified chemist might be appointed. I suggest that as an alternative. What can a layman, with no medical qualifications, do on a board comprised of medical men?

Hon. A. Thomson: He might have a chance of protecting the public.

Hon. J. CORNELL: What chance would he have?

Hon. A. Thomson: He could report to the Government.

Hon. J. CORNELL: What does the Government know about it? Surely to goodness, we can trust our medical men, whose probity in 99 cases out of 100 is not in question. Surely we can trust our medical men to do the right thing. I certainly consider that the personnel of the board should consist of medical men, a highly-trained nurse, or a highly-qualified chemist. We ought to know how far we are going in

this matter. The other point is: The Bill says that the members, including the president, shall hold office for three years and shall be eligible for re-appointment. I do not agree with that. The board should be a continuous one and members, after their first election, should be subject to retirement in rotation, in the same way as is this House. The continuity of policy should be safeguarded. If the complete board goes out there is always a chance of something happening to upset such continuity. Road boards, municipalities, and this House together with numerous other organisations in this State, have provision to safeguard their continuity and that of their policies. Those are the only remarks I desire to make, speaking as a layman. I am prepared otherwise to leave the whole affair to the good sense of the medical men who comprise this board.

I have not much time for the so-called cranks and healers, but I have yet to learn that we will prevent them, by Act of Parliament, from practising. They will probably find a new religion and operate through it. Men are led to these cranks by the same stupidity that leads them to the S.P. bookmaker. While we have stupid persons prepared to go to such people, we will always have these cranks. I support the second reading.

HON. L. B. BOLTON (Metropolitan): The Government is to be commended for overhauling the Medical Act at this stage. Generally I agree with the proposed board. As purely medical matters will be dealt with it should be comprised of 90 per cent. medical men, as is proposed. I do put this suggestion forward, that the layman to be appointed be neither a civil servant nor a Government representative of any sort. He should act purely from the public angle. It may happen that a private member would desire to have some matter brought before the board for consideration. The medical members, with all due respect to Dr. Hislop, might not feel disposed to discuss that matter. I listened with great interest to the remarks of Mr. Gibson. Whilst I am not associated with the medical profession, my experience over a number of years, as chairman of the Fremantle Hospital Board, has brought me closely in touch with the profession and many practising chemists like the hon. member. From my own experience I know that at times things are done by many so-called quacks which are entirely wrong, and, of course, detrimental to the health of the community.

Hon. J. Cornell: The faith-healers are the worst offenders.

Hon. L. B. BOLTON: We are all entitled to our own ideas, and good luck to the faith-healer if he is successful. If a person has sufficient faith to be brought back to good health without the assistance of a medical man, it is nobody's business but his own. This board will probably deal with many men practising as herbalists and chiropractors. I suppose other members, like myself, have received a circular letter from one of these gentlemen who is practising in the city. I understand that these men are practising without any Australian or New Zealand qualification.

Hon. F. E. Gibson: Or any other.

Hon. L. B. BOLTON: I ask that in all fairness these men who have been practising for a number of years and are not all quacks, should be given an opportunity to prove their fitness or otherwise, and so secure some qualification if they are worthy of it.

Hon. A. Thomson: What appeal is there if it is otherwise?

Hon. L. B. BOLTON: I do not know that there should be any appeal. If we are going to place control in the hands of six or seven medical representatives, surely we can look to them to give a fair deal to those who apply for these qualifications.

Hon. A. Thomson: It is an appeal from Caesar to Caesar!

Hon. L. B. BOLTON: I would be sorry to think that the medical representatives appointed would not be fair. The men to whom I have referred are entitled to some consideration.

Hon. J. Cornell: You would be playing with dynamite!

Hon. G. W. Miles: Is there any legislation to stop them from practising?

Hon. L. B. BOLTON: I understand not. Not even the medical profession could deny that they have achieved some remarkable cures. I know of one of my own knowledge.

Hon. F. E. Gibson: I could give a thousand testimonials.

Hon. L. B. BOLTON: I do not hold a brief for these people other than to say that they are entitled to consideration and the opportunity to prove their fitness or otherwise. I support the second reading of the Bill.

HON. SIR HAL COLEBATCH (Metropolitan): I wish to seek a little information on only one point. A constituent of mine in the exercise of his proper rights is practising as a chiropractor. This gentleman, some years ago, came to see me in London. He struck me as being a man of good character. He said he wished to go to America for the purpose of studying this particular science. As it happened I was much interested at the time in the matter because a friend of mine—a medical man of high standing—had told me that it was his intention to give up all other branches of medicine in order to study and achieve complete mastery of this because he considered there was great scope for it, and that too few qualified medical practitioners in London practised this branch of the profession. It seemed to me a laudable thing for anyone to seek instruction. There were difficulties owing to the American immigration laws, but I was able to overcome them and this man went to America. He studied there for a period and obtained certain diplomas. He has now returned to this State where he is practising.

I am inclined to think that there are certain matters in connection with the medical and dental professions in which the United States of America are more advanced than are we in Australia. Their facilities for studying are greater, and I am not sure that there is not a great deal we can learn from them. In making those remarks I include London as well as Western Australia. I have heard competent opinions expressed that men who have had the opportunity to study dentistry for a lengthy period in the United States have obtained knowledge unobtainable elsewhere. I notice that this Bill permits a dentist to use x-rays. Speaking from personal experience I should be inclined to say that, in many cases, a dentist should not be allowed to operate without using x-rays. The Bill includes this provision when dealing with the use of certain appliances—

> Provided that this shall not apply to a dietitian or to a chiropractor who gives advice to a person requiring dietetic or chiropractic advice, if such advice has no relation to specific disease.

That seems to be all right so long as there is a definition of a dietitian or a chiropractor. What I particularly want to know is this: Does the Medical Act contain a definition of "chiropractor?" Has there been, in the past, anything to prevent a person describing himself as a chiropractor? If that is the case then this particular proviso is likely to be dangerous. Again, is there any method by which a man could qualify in this State to be a chiropractor?

Hon. A. Thomson: None whatever.

Hon. Sir HAL COLEBATCH: Frankly, my knowledge of these matters is hazy, but if that is the case I am satisfied from what I was told by eminent physicians in London that there is some value in this particular science. It is useful in the case of many forms of complaint. If there is no method by which a person could qualify here, and no recognition of qualifications obtained elsewhere, and we say that the qualifications must be obtained in some part of the British Empire, then we are rather narrowing down things. There are other parts of the world just as forward, if not more so, in these matters as we are. Since it is intended to give some privilege to the chiropractor, would it not be possible to define some sort of qualification and say that a diploma from any recognised body in the United States, or other approved country, would be adequate?

To strike out the present proviso would be to do an injustice to those men who have spent some years in qualifying and obtaining their qualifications apparently from the only place possible. On the other hand to leave it in means that anyone can say, "I am a chiropractor," and that is a danger from the point of view of the public. I understand that in this State we have four men who qualified and obtained diplomas as doctors of chiropractics. This elector to whom I have referred states in his communication—

> The qualifications we hold satisfy more than 50 legislatures in various parts of the world.

Another thing I notice is that whilst they are allowed to practise, they are not allowed to use x-rays. That is reserved to the dentists.

Again it would be a proper provision if the dentist is qualified and if we want to prevent unqualified men from using x-rays. On the other hand if some proper qualification for men practising this branch of the profession could be introduced, then I see no reason why they should not be permitted to use x-rays the same as the dentists.

Hon. J. Cornell: They would use it in an entirely different way.

Hon. Sir HAL COLEBATCH: He states—

> With reference specifically to x-rays, chiropractors receive an extensive specialised training in taking and reading x-rays of the vertebral column.

A dentist would receive special training in regard to x-rays for the teeth. I am satisfied that there is virtue in this particular provision, but I am also satisfied that there are places outside the borders of the British Dominions where qualifications can be obtained just as well as they can in this or any other State of the Commonwealth or even in Great Britain itself.

HON. W. J. MANN (South-West): I do not quite understand why so much time has been devoted to Clause 2 of the Bill which provides for the appointment of a medical board. After reading the appropriate section in the parent Act it seems to me that the medical profession already has 100 per cent. representation on the board. The section reads—

> For the purposes of this Act, there shall be constituted a board, to be called a medical board, and such board shall consist of not less than three nor more than seven medical practitioners, one of whom shall be the president.

It seems to me that meets just what the medical profession is asking us to agree to in the Bill. The principal Act certainly says—

> The president of the board shall be nominated from time to time by the Governor-in-Council, and be ex officio chairman.

We are spending much time on a question of what the board shall comprise and who shall be its members, whereas at the moment the medical profession seems to have a 100 per cent. board—apart from the person who has to be nominated by the Governor-in-Council. If I have not the right angle on that phase, perhaps the Chief Secretary, during the course of his reply, will enlighten me. Clause 2 also provides for the deletion of the provision in the section which makes the chairman of the board the nominee of the Governor-in-Council. That proposal may be debatable. I would like to hear what has been the experience of the board under past conditions. Let us learn whether the chairman, being the nominee of the Governor-in-Council, has proved disadvantageous to the medical profession and the board.

I agree with much that Sir Hal Colebatch said regarding the necessity for some recognition of chiropractors, provided they are known to be thoroughly qualified persons. I have not much experience myself, but I know that when I was in Switzerland I met people who had gone to that country for the purpose of being treated by thoroughly qualified chiropractors who secured miraculous results, not only with those people, but with many others as well. I was given to understand that the science was largely practised throughout Europe and in the United States of America, where there are many institutions enabling chiropractors to secure qualifications. The Medical Board here might be asked if there are any means by which the qualifications of the chiropractors could be inquired into and if that were impracticable, perhaps the Government itself could undertake the task. There are very few of them in Western Australia. Personally I have no time whatever for the individual who professes to be an optician or herbalist or something else when in reality he has no qualifications whatever. Such people should be compelled by law to produce evidence of their qualifications before being allowed to accept fees or even before being permitted to notify the public that they can be consulted.

I think x-ray treatment is dangerous in the hands of the inexperienced. Sir Hal Colebatch referred to the position in regard to dentistry. In Melbourne they confine the course to x-ray as applied to the head and neck, whereas in America I am informed dental students are called upon to do the full anatomy course for x-ray work. One wonders why that should be deemed necessary and what advantage could be gained from it. I think dental students there had to undergo five additional courses. We should insist upon seeing that people who advertise treatment methods are fully qualified in that respect and they should not be permitted to trade upon the susceptibilities of people who, when ill, are rather easily gulled.

THE CHIEF SECRETARY (in reply): While I feel sure that the second reading of the Bill will be agreed to, I consider it necessary to reply to some of the statements made by members. In the course of his remarks, Mr. Thomson indicated that he was under some misapprehension. He seemed to think that the Medical Board

has some authority regarding the administration of the Medical Department or of the Health Act. I do not understand that the Bill will apply in that way at all. All that the board will be empowered to do under the measure is to control the medical profession. First of all, it will specify the qualifications that are necessary for a person to hold before he can be registered as a medical practitioner in this State. The Bill also provides other powers respecting inquiries by the board concerning various aspects that affect the medical profession particularly and the general public incidentally.

It is true that the board has consisted of seven medical practitioners and when I placed the Bill before the House I referred to the constitution of the board under the 1894 Act. Since then so many advances have been made in connection with the medical profession that it is only reasonable to suppose that radical alterations to the Act are essential. In the negotiations that have taken place between the Medical Board and the Minister for Health, as the representative of the Government, the amendments embodied in the Bill were agreed to by both parties, and, as I understand them, those amendments are desirable. In my opinion the appointment to the board of a layman—that is a person who is not a medical practitioner—will be valuable to the medical profession itself. It is true that the board members will be appointed by the Governor, but the Bill will give the board power to elect its own chairman. I have no fault to find with that provision; the medical practitioners on the board can be entrusted to do what is proper.

The board is to be given powers which, as pointed out by Mr. Thomson, may be abused unless a proper safeguard is included in the Bill. For instance, there is the question of holding inquiries in camera. The Bill does not say that all inquiries shall be held in camera, but simply that in instances where it is desirable, they may be held in camera if the Minister approves of that course. I cannot imagine many occasions when the adoption of that procedure would be necessary, but, of course, there will be exceptions.

Hon. A. Thomson: Will the report and findings of the board in such cases be submitted to the Minister?

The CHIEF SECRETARY: It may be essential in some instances for the board's findings to be submitted, but I do not think that will apply in all cases. This is merely a matter of the control of the medical profession in Western Australia. Once a medical practitioner is registered, naturally he must be subject to what I might term the rules and by-laws laid down by the board for the control of the profession. There has been much talk regarding the application of the provision in the Bill respecting the use of x-ray treatment. The Bill provides that no person shall be allowed to use x-rays for the purpose of treatment except under the supervision of a medical practitioner. I think that is as far as the Bill should go.

I know quite a number of gentlemen who follow their profession as chiropractors both here and in other parts of the Commonwealth. I have personal knowledge of some most remarkable successes some of them have recorded and I also know, speaking in a general sense, that the medical profession has no time whatever for chiropractors. That applies here more than in some of the other States. In fact, some medical practitioners would place the chiropractors in the category mentioned by Mr. Gibson when he referred to charlatans. I do not agree with that attitude at all. In America chiropractors are recognised as such in forty odd States. I am also aware that in some chiropractic institutions medical men work under the direction of chiropractors or in association with them. I know that in America there are chiropractors who receive salaries higher than those obtained by professional men including the medical men who work in association with them.

There is hardly a sporting body in America that has not a chiropractor attached to the club or organisation, and those officials are paid high salaries. The fire brigades and the police forces in that country recognise the value of chiropractors and they pay high salaries to men qualified as such. I understand the basis of the treatment by chiropractors is the reading of the x-ray photograph which is taken of the skull, spine, and so on. Gentlemen with whom I have been associated are men who are just as much professional men as physicians and surgeons, and have spent years and years in gaining the qualifications which secured to them the

diplomas of the institutions which they attended in the United States of America.

Hon. F. E. Gibson: Two years' is sufficient training for these men.

The CHIEF SECRETARY: The Bill provides that no person shall use an x-ray plant without medical supervision.

Hon. G. W. Miles: Could American chiropractors with diplomas not carry out the treatment?

The CHIEF SECRETARY: Yes. Under the Bill as it stands, there is no disability at all. But chiropractors do not use the x-ray plant for treatment. They use it only to guide them as to the treatment to be given. There are not many x-ray plants in this State that could be used for the purpose of treatment. Subject to correction, I understand there are only three or four. Again, I do not consider it right, at all events at this stage, to give to the medical profession an absolute monopoly of the x-ray.

Hon. A. Thomson: I fear you do that by the Bill.

The CHIEF SECRETARY: I know many medical men who from time to time use an x-ray plant not for the purpose of treatment but for the same purpose as the chiropractor uses it. But I know also many persons who are not medical men who are far more efficient and far more reliable in the use of the x-ray plant than are medical men. I do not think the medical profession can claim that all its members are x-ray operators. Certainly very few of them can claim to be radiologists. I feel that while the Bill is an excellent measure and should receive the support of every member of the Chamber, the time is rapidly coming when it may be necessary for the Parliament of this State or of the Commonwealth to take into consideration something further than the Bill provides for—to make provision for the so-called specialist in the medical profession.

I am prepared to argue that the fact of a medical man having had remarkable success in a particular district of this State constitutes no reason why he should set himself up in St. George's-terrace as a specialist, a man superior to other medical practitioners, although he has only the same qualifications so far as the Medical Board is concerned. There are matters of that kind which before long will have to receive serious consideration. The question of the fees to be charged by medical men is, of course, a highly important matter to the poorer section of the community in particular. When it is a question of a serious or major operation, patients should understand the pecuniary position before undergoing the operation. We know there are big differences in regard to medical charges. Some medical men are very moderate indeed; some are not too insistent on payment in full; others there are who are insistent on having their pound of flesh no matter what may be the circumstances of the patient. However, that aspect is not covered by the Bill, which represents a great advance on the Act as it stands. While we may not be in entire agreement with all clauses of the measure, I do feel that in view of the fact that the Bill has been very thoroughly considered by the Government and also by the Medical Board, it is the first serious amendment since 1894. Undoubtedly there is necessity for every clause contained in the Bill, and I do not think this House should stand in the way of the amendments becoming law. I shall be glad to clear up any doubtful points in Committee, if further information is required. Perhaps Dr. Hislop may find opportunities to elucidate points raised by other members.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 4:

Hon. A. THOMSON: I ask that this clause be postponed.

The CHIEF SECRETARY: I move—

That consideration of the clause be postponed to the end of the Bill.

Motion put and passed.

Clause 3—agreed to.

Clause 4—Amendment of Section 8:

Hon. W. J. MANN: This provision does not appear in the original Act. To me it appears rather drastic. Under it the board apparently might do practically anything and there would be neither appeal nor redress, although the result might be ruin.

The CHIEF SECRETARY: I see nothing wrong with the clause. It is the kind of clause commonly found in legislation of this kind. Protection is given to the board

in the same way as it is given to members of boards called upon to perform certain duties for the community. The clause protects members of the Medical Board against vexatious actions.

Hon. J. G. HISLOP: I hope the clause will not be deleted. Its absence from the principal Act prevented the board from doing many things which would have been highly beneficial to the public. Six men chosen from the profession by reason of their eminence in it should receive protection in respect of all acts they do for the protection of the public.

Hon. A. THOMSON: In every court of law there is protection for the people.

The CHAIRMAN: Dozens of similar clauses have been passed since I have been Chairman of Committees.

Hon. A. THOMSON: I am aware of that, Sir.

Clause put and passed.

Sitting suspended from 1 to 2.15 p.m.

Clauses 5 to 10—agreed to.

Clause 11—Amendment of Section 23:

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

That the proviso to proposed new paragraph (3) be struck out.

This is a matter which should not be included in the Bill. The measure really controls the medical profession and yet by this means we are giving to people who have no set qualifications the right to carry on what they may specify as their particular branch of unqualified work. I have no objection to a person who is qualified to carry out something for the benefit of the health of the nation doing so, but this is not the proper measure in which to include any such provision. I suggest that there should be another measure altogether to deal with those people. I trust that the Government will introduce such a Bill so that we may establish qualifications for such persons as chiropractors or dietitians. As the clause stands, anybody at all who wants to engage in unqualified medical practice can set up as a dietitian and would be under no control whatever. Members of the medical profession have to undergo long years of training.

We spend enormous sums of money on universities and secure the best brains in the profession to teach the students. We pass an Act like this to register only such persons who have fulfilled the requirements and yet we are now proposing to include a proviso which will give a clear run to all unqualified persons who like to set themselves up as dietitians. I trust the House will agree to strike out the proviso and will make it clear that it is desirable that at some future date—the earlier the better—thought should be given to the qualifications of people who practise so-called dietetics in this State.

The CHIEF SECRETARY: If the proviso is struck out it will mean that certain people already practising in this State will no longer be able to advertise their particular calling, or, if they do, they will be committing an offence against the Medical Act. I do not think that is desirable. Whether or not one can place all of these people in the same category I do not know. But I do know that there are some estimable people practising in the State, not as medical practitioners but in other ways, and I do not consider it right to say to them, "You shall no longer practise." I am inclined to agree it is desirable that there should be some qualification before any person can set up in any particular practice but this is not the way to achieve that end.

To cover the position properly we could do the same as is done in America and parts of the British Empire where there are special Acts governing some of these methods of treatment such as that given by chiropractors. I have with me a publication which gives the Act governing the practice of chiropractors in British Columbia. I have another that shows that in a large number of States in America there are Chiropractic Acts just as we have a Medical Act here. If we remove this proviso, however, we shall be doing something we should not do at present. It will mean that no one other than a registered medical practitioner will be able to give any advice or assistance or have any association whatever with the treatment of a patient. The clause is very comprehensive. The proviso has been inserted to ensure that whilst these things shall apply to the medical profession, the dietitian and the chiropractor who give advice shall not be affected by the clause.

Hon. C. F. BAXTER: It would be dangerous to strike out the proviso. No doubt some of these practitioners are not up to the standard, but others have been able to

do a great deal of good in the community. If the proviso is struck out, the latter section will have to go out of business. It would then be too late to pass an Act making special provision for them. If there is anything wrong in the present stituation, we are to blame for not having provided the standards with which these practitioners should comply. Something, of course, should be done to control these persons and ensure that they are qualified for the work they do.

Hon. Sir HAL COLEBATCH: I am in accord with the remarks of the Chief Secretary. It is, of course, essential and urgent, as Dr. Hislop has indicated, that the qualifications of these people should be set out, and that unqualified people should not be allowed to impose upon the public. The neglect of Paraliament to specify the qualifications should not, however, be allowed to deprive those people who are presumed to be qualified from carrying on their activities. Because we have not done something that we should have attended to long ago, I am not prepared to deprive these practitioners of their livelihood.

Hon. J. G. HISLOP: These people are carrying on their business against the law. Why put into the Bill a proviso which gives the right to anyone to practise as a dietitian? A dietitian can be of tremendous benefit to the community and the profession, but there must be some standard of qualification. If the Government does not bring down a Bill to define the qualifications of dietitians, it will be impossible to prevent anyone from practising within the realm of medicine. During this week a person approached me in an official capacity and said he wished to practise amongst the profession, preferably in a hospital. He has been for over 20 years practising one or other form of the occult sciences in another country.

Hon. C. B. Williams: I wonder if he could fix me up?

Hon. J. G. HISLOP: Possibly the hon. member will think so when I have finished. This man said he was tired of opening hospitals on his own, and that he had already opened one hospital in this State. He told me that if any member of the profession was in difficulties, he would be able to assist. All he had to do was to hold a man's hand for five minutes, and that enabled him to state what disease the patient was suffering from. He is prepared to put the medical profession right when any doctor is in difficulties. Surely we have got beyond that stage.

We must protect the public against that kind of thing. Should it be difficult for the Government to define the qualifications of dietitians, then this Bill will be worth nothing because any person who wishes to practise unqualified medicine can call himself a dietitian. Why determine that a man must take a course of five years in medicine, register, and then do training in hospitals, when any person can come in and do medicine and look after the health of the public by any method he wishes to adopt? The proviso will create a more difficult position than already exists. I point out that it was not in the Bill when it first reached another place.

Hon. G. B. Wood: Perhaps that makes it all the better.

Hon. J. G. HISLOP: It was inserted simply to protect the dietitian. The right course to adopt is to introduce a Bill to protect the public against the dietitian.

The CHIEF SECRETARY: The proviso will not allow such people to practise medicine as suggested by Dr. Hislop. Unless he is prepared to say that the words in the proviso have no meaning, it gives all the protection required, in that it will prevent dietitians and chiropractors from giving advice in relation to specific disease. It is desirable to have some control of such people. If we wish to insist upon their holding certain qualifications before being permitted to practise, special legislation should be passed.

Hon. H. Seddon: What can we do meanwhile?

The CHIEF SECRETARY: The position is as you were.

Hon. H. Seddon: That is what we want to remedy.

The CHIEF SECRETARY: We should not refuse people who have been practising for years the right to practise any longer. Further, the penalty for offences is being increased under this measure.

Hon. L. CRAIG: To delete the proviso at this stage would be a mistake. There are charlatans in every profession. It would be extremely harsh to deprive dietitians and chiropractors of their living. A standard should be established for dietitians, chiropractors, herbalists, etc., and each man

should be registered, but that is a matter for future legislation.

Hon. J. G. HISLOP: The proviso makes amusing reading.

The CHAIRMAN: I have been waiting for somebody to show what the proviso means.

Hon. J. G. HISLOP: The concluding words of the proviso are, "if such advice has no relation to specific disease." Does any member know what is specific disease? It is a term widely accepted in medical nomenclature as applicable to syphilis. Therefore it means that a dietitian may not give advice to a person concerning syphilis. It should read "a specific disease." Having got that far, what does that mean? If the proviso is to be retained, I would prefer it to read somewhat as follows:—"Provided that this shall not apply to a dietitian or to a chiropractor who gives advice to a person regarding specific diseases." If I have made a study of diet as it applies to a specific disease and know beforehand what the physical condition of a person is, I might do that person a lot of good by controlling his diet. If a diabetic goes to a dietitian who cannot diagnose diabetes, and is not even capable of examining urine for sugar, and if the dietitian puts that person on a purging diet, then the patient will not derive much good.

By this proviso, a dietitian can advise, provided he does not give advice regarding specific diseases. I propose to give one or two examples. The medical profession has not 100 per cent. of successes, but it attempts to make its percentage of errors as small as possible by continued scientific study. Admittedly, there are members of my profession whose percentage of error is either more or less than the average; all do not have the same percentage of successes. But let us be reasonable. Let us take percentages. If a person goes to a medical man he expects to be cured or at least to be provided with relief. If he goes away feeling better, he has grown so accustomed to accepting that relief that he does not comment on it.

It has become a custom nowadays to speak of the failures of the medical profession. Surely, that is enough proof to show that our successes are fairly high. I went to a lecture given in London by a very eminent American surgeon, who was lecturing on a particular form of brain tumor, which he was studying in the hope of doing some real good to the sufferers. He showed case after case on the screen, all of which had been failures. Somebody in the front row laughed. He went to the front of the platform and said, "Gentlemen, please do not laugh. I always learn from my failures; my successes I speak not of." We realise in the profession that our failures are what we learn by. Now look at the other side and see what its percentage is. A person going to an unqualified practitioner has this in his mind "I have not had much success up to date with my treatment, or I have been given advice which I do not like. I am going to see whether I can get cured in an easier way or whether I can get advice that is more to my liking." If success is achieved, then the person speaks of the success of the unqualified practitioner. But suppose the person does not get relief in such a case, does he ever say he has consulted the unqualified person? Therefore, all the unqualified practitioners in this town, or in any other town, are spoken about because the members of the B.M.A., or the medical practitioners as a body—and I am not a member of the B.M.A. Council—do not advertise their successes. They have adopted the attitude that failures are the things they learn by. This proviso is extremely dangerous.

A person of the type I have spoken of will be allowed to give advice, provided the advice has no relationship to a specific disease. A dietician will say to a person consulting him, "I am not allowed to make a diagnosis in your case, but I can give you dietetic advice, provided I do not mention a specific disease." I shall not mention the person, but I know that in this town there is a person who practises as a dietitian. We, as professional men, hold up our hands in horror at the results. A few days ago I decided to telephone the members of my profession in order to obtain evidence against that person. I did not ring up more than six, but from these I got the same story.

Hon. L. Craig: But this proviso applies also to chiropractors.

Hon. J. G. HISLOP: We will leave them out for the moment.

Hon. L. B. Bolton: But they are included in the proviso.

Hon. J. G. HISLOP: I will deal with chiropractors separately and under another clause. A dietitian nearly always advises persons to take cabbage water and the patients in consequence always lose weight. A person who went for advice to a dietitian lost two stone in weight, and then she had no chance whatever of recovering from pulmonary tuberculosis. She was buried not long after. Only the other day I rang up a friend of mine and was told the following instance: A woman who had a tuberculous kidney—this had been ascertained by scientific medical examination—went to a dietitian. She was given advice and, having acted upon it, to operate on the tuberculous kidney was no longer possible. I admit the medical profession has its percentage of errors. I will give one more instance. When I was at the Children's Hospital we had an enormous epidemic of whooping-cough. Dr. Mayrhofer and I worked hard to get out what we thought would be a thesis on the treatment of whooping-cough by vaccine. While we were wondering whether we would publish this monumental work—it had taken us a long while to prepare—we read in a journal, whether it was British or not I cannot now say as this happened 20 years ago, that in another country some 25,000 cases had been examined and it had not been possible to come to a satisfactory conclusion on the point.

For 20 years we have been using vaccine in the treatment of whooping-cough and we are still in exactly the same position as we were then. We are still not certain whether vaccine is of any use in the treatment of that complaint. I ask members to realise what they will be doing if they pass this proviso. Members must realise that I have been essentially fair in my criticism. I have criticised my own side as well as the other side. All I want is a standard of qualification. I do not want the Committee to pass a proviso that will make it easier for dietitians to establish themselves in Western Australia.

The CHAIRMAN: I have been considering this proviso in relation to the parent Act, and it appears to me to be irrelevant to the subject matter of the Bill. However, it is in the Bill. The Standing Orders provide that if a clause in a Bill is foreign to the title, that is fatal to the Bill. The parent Act deals exclusively with medical practitioners and defines them. It prohibits any person from doing or attempting to do what a medical practitioner can do under the Act. Section 23 of the principal Act says that "from and after the passing of this Act no person other than a medical practitioner shall be entitled to do" the things outlined in Subsections (1), (2), and (3). Subsections (1) and (2) have been struck out and Subsection (3) has been repeated in this Bill almost word for word with the exception of this proviso, which imports into the Bill something not in the parent Act. The proviso says—

> Provided that this shall not apply to a dietitian or to a chiropractor.

It does not specify what they are. If that is not foreign to the subject matter of the Bill, I do not know what it is. However, I am in the hands of the Committee.

The CHIEF SECRETARY: The alteration in the clause is a little wider than you, Sir, suggest. It includes the words—

> or any service, attendance, operation or advice which is usually given or performed by a medical practitioner.

Those words do not appear in the original Act and make the clause now as wide as possible. They mean that only a medical practitioner shall be allowed to have any association at all with persons requiring treatment.

The CHAIRMAN: This does not appear in the original draft.

The CHIEF SECRETARY: But it appears in this amended Bill.

The CHAIRMAN: Had it been moved here I would not have accepted it.

The CHIEF SECRETARY: We have to accept it here.

The CHAIRMAN: I am in the hands of the Committee.

The CHIEF SECRETARY: The main alteration in this clause comprises the words I have set out. I take it the proviso has been agreed to in order to protect these people who are operating at the present time, dietitians and chiropractors. If that proviso were not there it would mean they could not carry on; they would be committing a breach of the Medical Act. If my interpretation is wrong I will be glad to be corrected.

The CHAIRMAN: The proviso is in the Bill, and I cannot rule on it; it has not been moved here.

Hon. A. Thomson: It must have been in accordance with the Standing Orders of another place.

Hon. G. W. MILES: I have listened with interest to the debate on this point. I agree with the Chairman of Committees that it is foreign to the Bill, and that had it been moved here he would have ruled it out.

Hon. C. B. Williams: You are agreeing with Dr. Hislop.

Hon. G. W. MILES: No. The Government's duty is to bring in a Bill to deal with these people. The Committee would be well advised to delete this proviso. I ask the Government to bring down a Bill at once.

Hon. L. Craig: What about those people who are making their living this way?

Hon. G. W. MILES: It does not wipe them out; they are operating against the law at the present time.

Hon. H. SEDDON: I support the view of Mr. Miles. This proviso is dangerous. Dr. Hislop said that in those cases where a dietitian or chiropractor knew what he was doing, the doctor gave him every assistance.

Hon. L. Craig: He cannot do that under this Bill.

Hon. H. SEDDON: The Chairman has said that this proviso is foreign to the Bill. I am satisfied it should not be included. These people are carrying on an occupation and should have some qualification to hold out to the public. They cannot produce any certificate or diploma to show that they are qualified. I support the deletion of the proviso. There is nothing to prevent the Government from bringing down special legislation in January to deal with dietitians and chiropractors.

Hon. C. F. BAXTER: I cannot understand the contention of the Chairman that the proviso is foreign to the Bill.

The CHAIRMAN: The parent Act deals exclusively with medical practitioners and disqualifies other persons from doing those things that a medical practitioner can do. This proviso goes on to say that it "shall not apply to a chiropractor or dietitian," without defining what one or the other is.

Hon. C. F. BAXTER: Under Section 23 of the Act these people are absolutely disqualified. Parliament should have dealt with the position before. The Committee would be wrong to take action detrimental to that class of person who has been allowed to practise for some time. I have grave doubts about the Government attempting to rectify the matter next January. Parliament will then be brought together for one purpose and this matter should be left to the usual session.

Hon. A. THOMSON: If the Committee is going to delete this proviso, then it should not pass the third reading of the Bill. That would make the measure inoperative until such time as the Government brought down a Bill to protect the people who have been earning their livelihood in these ways. In the interests of the people's health we are placing in the hands of the Medical Board the right to say what shall or shall not be done. After all, we have a certain duty to perform and that is to see that no legislation passed will be injurious to other sections. I do not approve of those who may be taking down the public but a move to wipe out chiropractors and also dietitians who assist people not seriously ill by advising them as to diet, etc., would be a mistake.

Hon. J. G. HISLOP: I appeal to members to realise what they will do if they pass this proviso. This clause does not in any way define the word "advise." I may advise a patient to do so and so. Under this proviso a dietitian may use such things as injections.

Hon. C. B. Williams: There was an instance where a dietitian treated a case of cancer in the nose.

Hon. J. G. HISLOP: That is so. I cannot recall the particulars of it but it was a most glaring example and the man was promptly and summarily dealt with. This proviso will broaden the scheme of things for every unqualified person. Dietitians may take over the control of the amount of insulin for a diabetic. Insulin is a dangerous drug.

Hon. C. B. Williams: Your board would not allow that.

Hon. J. G. HISLOP: This Bill says that they may give advice.

Hon. C. F. Baxter: The Health Act would not allow it.

Hon. J. G. HISLOP: I do not think there is anything in the Health Act dealing with the matter. We will be letting ourselves in for something dangerous. Why legislate for a few people; why not for the majority? This proviso will protect a few people carrying on an unqualified practice.

Hon. J. A. Dimmitt: I understand numbers of these people have excellent qualifications from universities and medical schools in America. Are they not qualifications?

Hon. J. G. HISLOP: The mere fact that a man possesses something from America is not a very good qualification. We should have some standard of our own. I would rather put a few out of business than wreck the health of the people.

Hon. E. H. H. HALL: Every member is anxious not do to injustice even to the minority. I pay heed to what Dr. Hislop says but the people he refers to have been carrying on throughout the Commonwealth for years and though they may have done some harm they have done a great deal of good. The action proposed in the Bill is on all fours with the course we adopted with regard to opticians.

Hon. J. A. Dimmitt: And with the dental people.

Hon. E. H. H. HALL: That is so. We are seeking to set up a board so that medical men can control the situation and it is not too much to expect that the Government, always interested in promoting the health of the people, will take heed of the advice of the medical profession and if necessary introduce legislation next session to deal with herbalists and healers of various descriptions. At one fell swoop to rob those people of their living is a proposition to which I will not accord my support.

Hon. Sir HAL COLEBATCH: We are apt to mislead ourselves when we take too much notice of the call to protect the people. Are we to protect them against others or is it that we should protect them against themselves? I do not know that we have taken action to protect the people against others who despoil them by charging 2s. 6d. for a bottle of patent medicine the ingredients of which may cost a few pence. I do not know that we protect them from the retailers of soporifics out of the manufacture of which millions are made and as a result of which thousands of lives have been detrimentally affected. Even in this instance of action to protect the public, to wipe those concerned out at once would be going too far. We must be careful when we protect the people to ensure that whilst protecting them against imposters we do not also do so against men who are fully qualified.

The CHIEF SECRETARY: Dr. Hislop spoke about unqualified men but if I remember rightly when he was asked to say what was a qualified dietitian, he could not tell us. Members will see that it is not so easy. There is room for something to be done but I do not say any such attempt should be made in connection with the Bill now under discussion, particularly in view of the wide powers that will be placed in the hands of the Medical Board. Dr. Hislop made a point of which I had not previously been aware. He said that the term "specific disease" had a definite meaning to the medical profession. If that is so I suggest an amendment should be moved to make the proviso clearer and more effective. If Dr. Hislop can make a suggestion in that direction I shall be pleased.

Hon. L. B. Bolton: Perhaps it could be altered to read "any specified disease."

The CHIEF SECRETARY: That might meet the position.

Hon. G. W. MILES: Is it urgently necessary that the Bill be passed at once? If the Government desires to extend protection to the individuals to whom the Chief Secretary has referred, the proclamation of the measure could be withheld until legislation was introduced to deal with those people.

Hon. A. Thomson: The Government could then bring in a Bill dealing with dietitians, and chiropractors.

Hon. G. W. MILES: I think that would be the better procedure. I suggest that the proviso be deleted and the Government could then take action later on.

Hon. G. B. Wood: That would be too risky.

Hon. G. W. MILES: It would not be risky at all.

The CHAIRMAN: If the Bill passes its remaining stages is Mr. Thomson ready to move his amendment to Clause 2?

Hon. A. THOMSON: In view of the opinions that have been expressed by members I do not think my suggestion would meet with much support, but I will think the matter over.

The CHAIRMAN: I suggest that Dr. Hislop withdraws his motion and the further consideration of the clause be postponed.

Hon. L. B. Bolton: Get on with the Bill!

Hon. C. B. WILLIAMS: I support the attitude indicated by Dr. Hislop. Members apparently forget the case recently in the police court in which a dietitian was fined heavily for doing exactly what Dr. Hislop suggested should not be permitted.

The dietitian was giving treatment to a person who was suffering from cancer of the nose. I do not forget what was done in Victoria in my earlier days by these unqualified people who helped to spread disease throughout the community. In those days people suffering from venereal diseases hung their heads in shame just as people do today. Instead of going to qualified medical men for treatment they went to these quacks. The result was that instead of being cured in a few weeks, men were kept under treatment for months and months. Why should we allow that sort of thing? We in this House are past the stage of the tricks of our youth and in the light of our experience should be able to guide the present generation. We should not allow these medical misfits to continue. When I was ill some time ago I sent for a doctor, and he has kept me alive. What would have happened had I gone to one of these misfits or charlatans? Some people have a sickness complex and keep going from one herbalist to another. There is a man named Taufik Raad. How does he treat his patients? I understand that he treats four-fifths of them on the basis that at some stage or other in their family record some of their forebears suffered from syphilis.

Hon. L. B. Bolton: I do not think you should make a statement like that?

Hon. C. B. WILLIAMS: Probably I should not, but why?

Hon. L. B. Bolton: Because it is not fair.

Hon. C. B. WILLIAMS: Why?

Hon. L. B. Bolton: It is all wrong.

Hon. C. B. WILLIAMS: I understand why the hon. member says it is all wrong, but that is no good. The fact is that someone says that in the past history of the family someone must have had this disease and instead of the individual affected going to a doctor he goes to one of these herbalists for treatment.

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

Ayes	6
Noes	19
Majority against	13

AYES.

Hon. F. E. Gibson	Hon. G. W. Miles
Hon. J. G. Hislop	Hon. H. Seddon
Hon. W. J. Mann	Hon. C. B. Williams (*Teller.*)

NOES.

Hon. C. F. Baxter	Hon. V. Hamersley
Hon. L. B. Bolton	Hon. W. H. Kitson
Hon. Sir Hal Colebatch	Hon. T. Moore
Hon. C. R. Cornish	Hon. H. V. Piesse
Hon. L. Craig	Hon. H. L. Roche
Hon. J. A. Dimmitt	Hon. A. Thomson
Hon. J. M. Drew	Hon. F. R. Welsh
Hon. G. Fraser	Hon. G. B. Wood
Hon. E. H. Gray	Hon. W. R. Hall (*Teller.*)
Hon. E. H. H. Hall	

Amendment thus negatived.

Clause put and passed.

Clause 12—agreed to.

Clause 13—New sections:

Hon. A. THOMSON: I believe that Dr. Hislop will agree with me that it would be well to insert in proposed new Section 25A after the words "under the immediate personal supervision of a medical practitioner" the words "who specialises in that practice" or words to that effect. The doctor has said that country x-ray practitioners are not highly efficient.

Hon. J. G. HISLOP: What Mr. Thomson desires to insert in the Bill would be highly desirable if practicable; but it is not practicable, and would not affect what Mr. Thomson desires. What has been deleted elsewhere is quite easy for me to see through. It is not intended that only a doctor may use an x-ray plant, but until we get a skilled type who can both use the apparatus and read the negative—such a type as is to be found in America—the proposed amendment would be useless. There is nothing objectionable in the practice of radiology. The difficulty as regards country practice is that we have not available a sufficient number of trained nurses. I move an amendment—

That in line 3 of proposed new Section 25A after the word "the" the words "diagnosis, examination and the" be inserted.

The CHIEF SECRETARY: I am not going to raise any strong objection to the amendment provided we do get the protection that the hon. member speaks of in the latter part of the new section. As it stands, it gives a monopoly to the medical profession of all types of x-ray work where treatment is concerned; in other words, where an x-ray plant is used for treatment and not for examination or diagnosis. As I pointed out earlier, there are only a few x-ray plants in this State that can be used for the purpose of treatment. There is one at the Perth Hospital and another at the Fremantle Hospital, and there are one or two radiologists who are specialists in their own line and possess valuable plants.

It is for that reason I said earlier I was opposed to giving the medical profession the monopoly of all x-ray work. But if the hon. member can give the protection I suggest is desirable, I will raise no objection to this amendment. The words "diagnosis and examination" cover the person who takes an x-ray photograph. I know numbers of matrons of hospitals who do all the x-ray work. They take x-ray photographs when the doctor may be many miles away. We all know of instances in the outback where small x-ray plants have been used on many occasions to diagnose or examine a limb to discover whether there is a fracture or not. The amendment provides that all that x-ray work shall be done only under the supervision of a medical man. I wonder whether the hon. member wants to go as far as that.

Hon. J. G. HISLOP: I would like to assure the Chief Secretary and the Committee that it would be a sorry day when the medical profession prevented a matron of a hospital from taking an x-ray photograph if there was no doctor available! I do not think that members need have any fear about that.

Hon. L. Craig: This Bill will do it.

Hon. J. G. HISLOP: It would never happen. I can assure members that the medical profession is not going to stop radiology in country towns for the benefit of the public. If members would like a proviso to the effect that in the absence of a medical man the matron shall, so far as her capabilities allow—

Hon. L. Craig: How is that to be defined?

The CHAIRMAN: As the clause stands the matron can do this work.

Hon. J. G. HISLOP: If the words I suggest are inserted there will be no danger.

Hon. E. H. H. HALL: I know of a hospital in Geraldton in which not the matron but a special sister is a trained radiologist, and it is necessary that we should allow her to continue her very fine work.

Hon. J. G. HISLOP: I should like Mr. E. H. H. Hall to realise that what is happening in Geraldton is known to the medical profession, but those plates are not interpreted by the sister. She does not use the plant for diagnosis but merely takes the photographs.

Hon. L. Craig: The amendment would stop her from doing that.

Hon. J. G. HISLOP: No.

The CHAIRMAN: Yes, it would.

Hon. J. G. HISLOP: The sister does not make the diagnosis. She hands the plate over to the medical man.

Hon. L. Craig: That is the examination, surely.

Hon. J. G. HISLOP: No, she is not examining the patient. There is no danger in this amendment.

Hon. J. A. DIMMITT: I should like to know whether the amendment would prevent a chiropractor from taking an x-ray photograph. Could the hon. member indicate the nature of his further amendment?

Amendment put and passed.

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

That in lines 4 and 5 of proposed new Section 25A the words "immediate personal" be struck out.

Amendment put and passed.

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

That in line 10 of proposed new Section 25A after the word "to" the words "a chiropractor or" be inserted.

Hon. F. E. GIBSON: Would not that defeat the purpose of the Act? Anybody could escape the provisions of the measure by calling himself a chiropractor.

Amendment put and passed.

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

That in line 11 of proposed new Section 25A after the word "of" the words "chiropractice or" be inserted.

Hon. F. E. GIBSON: I understand that this Bill is for the purpose of preventing people without qualifications from using x-rays. All that anyone would have to do would be to call himself a chiropractor. What is the use of the amendment and of what use will the provision be if it is amended?

Hon. T. MOORE: The dentist is in a different category from the chiropractor. I want to be assured that the chiropractor will do no more than diagnose and that he will not treat disease.

Members: That is right.

Amendment put and passed.

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

That in line 11 of proposed new Section 25A after the word "dentistry" the word "respectively" be added.

Amendment put and passed.

Hon. L. CRAIG: The proposed new Section 25C provides for restriction on the ad-

ministering of an anaesthetic by a doctor operating if another doctor "is resident or present within five miles of the place of operation." It is of no use providing for a second doctor being "resident" because he might not be there. I move an amendment—

That in line 3 of the proposed new Section 25C the words "resident or" be struck out.

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

Clauses 14, 15—agreed to.

Postponed Clause 2—Amendment of Section 4:

The CHAIRMAN: I point out that there is no need to postpone the clause further. It can be passed and recommitted at the report stage tomorrow.

Clause put and passed.

Title—agreed to.

Bill reported with amendments.

BILL—VERMIN ACT AMENDMENT.

Second Reading.

HON. H. V. PIESSE (South-East) [4.8] in moving the second reading said: This Bill proposes three amendments which I feel sure will assist in carrying out the provisions of the Act more satisfactorily and also facilitate the extermination of vermin. The first amendment deals with the permission, where a farmer has rabbit-proof fenced a portion of his property, to receive exemption from the vermin tax for the portion so fenced. When the Bill was presented in another place it was suggested that the portion fenced should be exempt from taxation. In many instances this would have been of benefit to property-owners. One estate for which I am trustee has a road running through two blocks, one of 8,000 acres and the other of 3,000 acres. Of that property 5,000 acres are rabbit-proof fenced, but, under the amendment made in another place, a rebate of this taxation cannot be made in respect of that property. It is not my intention to move to have the clause amended because I feel that what is provided in the Bill will be of considerable help. Anyone who has a single block may apply for exemption so long as the block is netted.

Cases arise from time to time in which an inspector has taken proceedings against a farmer and the magistrate has been compelled to impose a fine. An amendment in the Bill will protect the farmer to the extent of permitting the magistrate to defer judgment until such time as the farmer may be able to comply with the conditions imposed by the vermin board. The Bill also provides for cases to be heard before a magistrate instead of before justices. Instances have occurred of an inspector having proceeded against a justice for not complying with requirements. I am pleased that provision is made for the hearing of these cases by a magistrate.

The only other provision in the Bill is one to permit road boards to sell rabbit poison at a figure below cost price. During the week-end a board official rang me to say that his board was financial, but, he asked, why should those who pay their rates have to provide cheap poison for those who do not or cannot afford to pay their rates? The board, under this measure, will be empowered to exercise its discretion as to supplying rabbit poison at one-half or one-quarter of the cost or free of charge, according to the circumstances of the case. The amendments are simple and members will doubtless realise what an advantage they will be. The matter of having cases heard by a magistrate has been a bone of contention in country districts for a long time. I move—

That the Bill be now read a second time.

HON. G. B. WOOD (East): I commend the Bill to the House. It will remove a few anomalies that have been worrying vermin boards and ratepayers for a considerable time. As a member of a board, I have had experience of a person who netted almost the whole of his property, but because a small section was not included, he could not get exemption from the payment of vermin rates. It is highly desirable that a magistrate should be permitted to exercise the discretion provided for in the Bill. Mr. Read, at Northam, on one occasion pointed out that he was compelled to fine a farmer because he had rabbits on his property. If the law was strictly enforced 99½ per cent. of the farmers could be prosecuted for having rabbits on their properties.

Hon. T. Moore: You could cut out the other half per cent.

Hon. G. B. Wood: I daresay the hon. member is right. The matter of supplying rabbit poison at reduced rates is not so important because the cost of rabbit poison is not high, the main cost being the appli-

cation of the poison to the land. However, I commend the Bill and hope it will be passed.

THE HONORARY MINISTER: The amendments contained in this Bill are desirable and I offer no objection to the measure.

HON. L. CRAIG (South-West): I have some doubt with regard to one clause. In some cases a man may hold his land under one title, but in other cases a man may hold many titles covering the whole of his property. Must the latter fence the whole of his property, while the other man may fence the land comprised in only one of his titles?

Hon. L. B. Bolton: He could get exemption for the land in one title only.

Hon. L. CRAIG: The point is that a man who has several titles need only fence the land mentioned in one particular title, whereas the man who has a big property and only one title to it must fence the whole of his property before he can get exemption. That would be very bad luck for him. We might be able to overcome the difficulty in some way. It might be done by setting out the location number.

Hon. G. B. Wood: That would be more serious.

Hon. L. CRAIG: I suggest that some member move the adjournment so that we may give the point consideration. It certainly seems to be an anomaly to give preference to a man merely because he has several titles to his property, over a man who has 20 locations in one title. That is not the intention of the Bill, which is to ease the position for the farmer who can rabbit-net portion of his property.

On motion by Hon. L. B. Bolton, debate adjourned.

BILL—INDUSTRIES ASSISTANCE ACT CONTINUANCE.

Second Reading.

THE CHIEF SECRETARY [4.18] in moving the second reading said: This is a continuance Bill which is familiar to all members, its purpose being to continue the operation of the Industries Assistance Act for a further period of 12 months, so that financial assistance may be granted to farmers. The main reason for the passing of this measure is to continue the authority for the protection of advances previously made, and to authorise collections where possible. Financial assistance granted in the last two years was as follows:—

Year.	Number of Settlers.	Amount Advanced.	Amount Repaid.
1940-41	2,157	£385,964	£110,869
1941-42	1,079	£281,097	£398,583

These amounts include drought relief. It will be noted that the receipts for the 1941-1942 season were high, amounting to £398,583, but a review of the situation since the advances for drought relief commenced in 1935-36 shows that bad debts have been incurred to the extent of £245,728, of which amount £137,761 was written off during the financial year 1941-42. Accumulated losses since the Act was passed in 1915 amount to £2,852,411. Of that amount, £2,606,683 comprised losses in relation to advances made up to the time the present Commissioners of the Agricultural Bank took over control. This amount has been written off. Losses incurred under the control of the present Commissioners amount to £245,728.

With regard to superphosphate supplies to those farmers whose requirements could not be met by reason of the fact that their credit had deteriorated to the extent that agents would not grant supplies, it is pointed out that up to 42,000 tons of superphosphate have been supplied under the Act in one year. In the 1941-42 season, 12,877 tons were supplied through the Agricultural Bank, while this year's estimate is 7,983 tons. We all regret the need for the annual submission of this measure, and the circumstances which make it necessary. In the interests of the farmers themselves, however, the Bill must be passed, and I trust that Parliament will approve of it. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

Hon. C. F. Baxter called attention to the state of the House.

Bells rung and a quorum formed.

In Committee.

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

BILL—ROAD DISTRICTS ACT AMENDMENT (No. 2).

Second Reading.

THE HONORARY MINISTER [4.25] in moving the second reading said: By this small Bill it is proposed to ex-

tend the purposes for which bank overdrafts may be obtained by road boards pending the collection of rates. For years various boards have raised overdrafts for the temporary payment of urgent loan commitments, and the banks concerned have willingly co-operated in supplying the necessary accommodation. All such overdrafts have been within the knowledge of the department and also the departmental auditors who audit the accounts of the boards periodically.

Whilst it was known that the action of the boards in raising these overdrafts was not strictly in conformity with the provisions of the Act, the Public Works Department and the audit inspectors took no exception to moneys being raised by these means for the purposes mentioned. The matter has been recently considered, however, and certain road boards desire that action be taken to amend the Act so that there may be no doubt as to the legality of any future action which they may take in this connection. Section 286 of the Road Districts Act provides that a board, pending the collection of any rates or the receipt of any subsidies in aid of rates or grants payable by the Government, may, for the purpose of commencing, carrying on or completing works, obtain advances from any bank by overdraft of the current account, but no such overdraft shall at any time exceed one-third of the ordinary revenue of the board for the year then last preceding. Section 285 provides that if in any year the proceeds of a loan rate are insufficient for the purposes of meeting interest and proportion of principal falling due, the board shall make good any deficiency out of its ordinary revenue.

This facility is rendered inoperative, by reason of the restriction in Section 286, when there are insufficient funds in the general revenue account temporarily to assist the loan account. The department concerned and the various boards affected considered that the commonsense practice which has obtained for some considerable time should be made legal by amending Section 286, and this is what the Bill proposes to do. The amending legislation should be of advantage to those boards whose position will not enable them to create a reserve fund, as provided for in the Bill recently passed by this House, and I trust no objection will be raised to the measure. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

(Sitting suspended from 4.30 to 4.50 p.m.)

In Committee.

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

BILL—FINANCIAL EMERGENCY ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY [4.52] in moving the second reading said: This is another continuance Bill, concerning which very little comment should be necessary. It provides for the continuance of the Financial Emergency Act insofar as interest is concerned. On looking up the Title of the original Act, I find that it is described as "an Act to make necessary provision for carrying out a plan agreed on by the Commonwealth and States for meeting the grave financial emergency existing in Australia, re-establishing financial stability and restoring industrial and general prosperity."

That Act was passed in 1931, and under it provision was made for a 22½ per cent. reduction in salaries and also for the control of mortgage interest. The portion relating to salaries was repealed in 1935, but it still remained necessary to continue the provisions in relation to interest control in the then existing circumstances. Since that year Parliament has passed a continuance Bill each session. Interest rates affected apply to mortgages in existence prior to the 31st December, 1931, which rates are reduced by 22½ per cent. or to 5 per cent., whichever is the greater. Under the Act a mortgagee has the right to appear before a commissioner to apply for the original rate of interest to be paid, and the decision of the commissioner is given after he has made the necessary inquiries into all the circumstances of the case.

Whilst it may be unlikely that persons would impose a rate above 5 per cent., and that very little effect may be felt arising out of the continuance of this measure because of

the restrictions imposed under the National Security Regulations, it is understood that some cases would be detrimentally affected if the Act were not in force. Accordingly, Parliament is asked to approve of the continuance of the Act for a further period of 12 months. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—MORTGAGEES' RIGHTS RESTRICTION ACT AMENDMENT.

Second Reading.

HON. C. F. BAXTER (East) [4.57] in moving the second reading said: The necessity for the amending of the principal Act arises from war-imposed conditions. The principal Act was passed in 1931 during the financial crisis, and I can well remember that period because I was the Minister in this House at the time the legislation was passed. The Act applied satisfactorily, but like all such measures some unfortunate individuals were adversely affected. By far the large majority of those concerned have benefited as a result of the passing of the legislation. Whereas Section 8 covered the position until the outbreak of the war, it lacked the provision of power to deal with the situation such as that which has been created by present-day hostilities. The Bill seeks to remedy that defect.

Under Statutory Rule 65 (National Security Contract Adjustment Regulation) the responsibility of action rests entirely with the debtor. In that respect many thousands are affected, whereas the mortgagees are, comparatively speaking, very few. Thus it becomes necessary to amend the principal Act. If any difficulty arises that has to be taken into consideration under the National Security Regulations, many people will be placed in an unenviable position, whereas if we amend our Mortgagees' Rights Restriction Act those people will be protected inasmuch as they will be brought under the jurisdiction of a Judge in Chambers. Thus they will be protected by our own State legislation instead of the review of their position being delegated to the Federal sphere. It is the duty of the State Parliament to keep under State control what is possible in that direction. The amendment proposes to add a paragraph to Section 8 of the principal Act, reading—

(b) Whether the default of the mortgagor has been caused or contributed to by circumstances attributable to the war in which His Majesty is at present engaged or the operation of any regulation made under the Commonwealth Act No. 15 of 1939 or under that Act as subsequently amended.

That puts the power into the hands of the State Legislature. Statutory Rule 194 of 1941 gives power to deal with the position. Paragraph (b) provides that the procedure may take place irrespective of whether the inability has arisen by reason of circumstances occasioned by the war or by reason of the mortgagor's business affairs. That covers the situation from a national standpoint, but the trouble comes in when the mortgagee has to apply. Members will realise that people have neither the energy nor the cash to take the matter up. They are generally of the class of people to keep away as far as possible from this kind of thing. Therefore I think the House should agree to the measure. I move—

That the Bill be now read a second time.

HON. L. CRAIG (South-West): I have had much objection to the Act for some time. It is 11 years old, and originally was intended to restrict mortgagees from foreclosing on properties owing to the financial stringency obtaining at the time. That has gone on for 11 years, and today many estates are held up from distribution owing entirely to the operation of this Act. Trustees of estates are unable to distribute the property. I do not suggest that the Act should be repealed altogether. In Victoria some years ago the onus of proving inability to pay was transferred from the mortgagee to the mortgagor. That should go down here. At the present time the mortgagee appearing in court has a very hard time to get the court to give him a hearing at all. The mortgagee has to prove that the mortgagor is in a position to pay off the mortgage. That is a very difficult matter. Many properties have now fallen into a dilapidated condition. I hope the Government will introduce a Bill to throw the onus of proof on the mortgagor instead of on the mortgagee. At present the mortgagee has to show the court that the mortgagor can

pay off the mortgage. My suggestion is that the mortgagor should pay off the mortgagee unless he can show the court that he is unable to do so. Our Act evidently has a detrimental effect on trustees in particular.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—HEALTH ACT AMENDMENT (No. 2).

Second Reading.

Debate resumed from the 2nd December.

THE CHIEF SECRETARY (in reply) [5.10]: When I listened to Dr. Hislop, who criticised the Bill, I was under the impression that there must be something radically wrong with it; but upon examination of his criticism, and after referring his remarks to the department, I came to the conclusion that the Bill is quite all right, and that some of the suggestions put forward by the doctor really have very little to do with the Bill. In one or two cases he is perhaps under a misapprehension. For instance, he criticised Clause 2, which prohibits the sale by a pharmaceutical chemist of any derivative of sulphanilamide. I believe I am right in saying that the hon. member took it for granted that a chemist was prohibited only from selling these particular drugs if they were to be used for for the purpose of treating venereal disease. But that is not so. A chemist is prohibited from selling this type of drug in any circumstances except on a prescription from a medical practitioner. So there is nothing wrong with the clause in that respect.

Then I think the hon. member made out what appeared to be a good case with regard to the delay which he says takes place in reporting venereal disease cases by private practitioners to the Commissioner of Public Health in those instances where sufferers do not carry on with the treatment. It will be remembered that the hon. member made a considerable point of the fact that quite a number of days could elapse before it was possible for the Commissioner of Public Health to take action. The department's advice to me is as follows:—

> Section 273 requires the doctor to notify the Commissioner if the patient lapses for ten days, which means, for instance, that in the acute stage of gonorrhoea if a patient goes for 17 days, then his name and address, and the fact of his cessation must be notified to the Commissioner; thereupon action is taken by way of serving him with notices drawing his attention to the need for continued treatment, followed, if necessary, by prosecution.

The hon. member seems to contend that the periods named in these sections are too long. In the case of syphilis the period would be longer. But the point is that we are legislating for the whole State, and not for the metropolitan area only. In legislation of this kind, of course, we have to be careful that we are reasonable, and that it is possible for all people affected to comply with the legislation. There is, of course, a penalty in those cases where the sufferers refuse to comply with a request of the Commissioner of Public Health. Therefore the department considers that in the present circumstances the periods provided in the Act are satisfactory. I understand, too, that in some cases the medical practitioners themselves are to blame in that they occassionally are not as insistent as they should be with regard to the treatment of the patient being carried out, as suggested by Dr. Hislop himself.

The idea is to provide a reasonable period for persons suffering, no matter where they live if in a part of Western Australia. Dr. Hislop also objects to Clause 2, Subclause (4) which prohibits a private medical practitioner from treating a member of the Armed Forces. Such a provision is already included in a National Security Regulation. What we are trying to do by this Bill is to obtain the same powers under the State Act as the Commonwealth has under National Security Regulations. Dr. Hislop seems to think that a man in uniform suffering from the disease should be able to consult his own medical practitioner when on leave; but the fact is that any man known to be suffering from the disease is not allowed to take his leave, and therefore it is impossible for him to consult his private medical man in the ordinary way. I understand that if he does desire to consult a specialist, it is possible for him to do so through the proper service channels. So that there is really no difficulty on that score. Then again,

Dr. Hislop suggests that notification of venereal disease should be dealt with in a similar manner to that adopted for the notification of other infectious diseases.

I thought for a moment that the hon. member had made out a strong case indeed when he compared the sufferer from venereal disease with the sufferer from tuberculosis. In the first case the medical practitioner is not called upon to submit the name and address of the sufferer to the Commissioner of Public Health, but in the case of a person suffering from T.B. he is required to do so. The reason for the distinction is that it is considered that if the proposal desired by Dr. Hislop were agreed to it would defeat the object of this section of the Act in that there would be many cases where notification would not be made at all. Venereal disease does not require the same isolation and treatment as are required by other infectious diseases. In most cases of infectious disease it is necessary to isolate the patient as quickly as possible and to keep him isolated for an extended period. That is not absolutely essential in cases of venereal disease.

Hon. T. Moore: The Army segregates them altogether.

The CHIEF SECRETARY: Yes, but it is not the same as regards some of the other infectious diseases for which it is necessary to have a special hospital. Again I am told it is considered that in some cases there would be a tendency not to seek attention as early as it should be sought if the sufferer knew that his name and address would be disclosed. In addition I am told that there would be a very strong tendency on the part of some medical men not to report these cases. It seems to me remarkable that the department has had difficulty not only in regard to cases of venereal disease, but in regard to other infectious diseases where certain medical men have refrained from ratifying cases when they should have been reported.

I come to another point that Dr. Hislop criticised severely. I refer to the provision under which we take power in the case of a person suffering from venereal disease to detain him in a gaol hospital. The hon. member suggested that a gaol hospital is not a proper place to treat or confine persons suffering from this disease. There is no intention of confining all sufferers from this disease in the gaol hospital but there is necessity to have power to do so and there have been several outstanding cases in recent times, more particularly amongst women, in which this power has been necessary. This provision appears in the Bill only because our Crown law officers say that while the original Act states that they may be confined in any other place besides the ordinary hospital, there is a doubt whether the gaol comes within the definition of "any other place." It is for that reason that we have taken the power in this Bill. Only a few days ago the Principal Medical Officer returned from Canberra where he attended a meeting of the National Health Medical Research Council and this subject occupied a somewhat prominent place in the discussions of that body. He advises that every other State in the Commonwealth has been forced into the position of using gaol hospitals for the detention of certain venereal disease cases in both sexes.

Hon. J. Cornell: Where are they going to be detained if not in the gaol hospital?

The CHIEF SECRETARY: The point raised by Mr. Cornell is pertinent. If we are not going to use the gaol in certain cases, where are we going to hold them satisfactorily? I know Dr. Hislop will say that we can hold them in Perth Hospital in the ward where they have been treated, provided we are prepared to put a certain amount of netting in the proper place around the ward in the same way as netting is used at the detention hospital at Heathcote. That is not considered satisfactory by a long way.

Hon. T. Moore: Barbed wire could not hold them at Blackboy!

The CHIEF SECRETARY: Believing as I do what I have been told by the Principal Medical Officer of his experience quite recently, I do not consider that it is a fair thing that the medical and nursing staff at the Perth Hospital should be subjected to the conditions they have had to endure for some little time, arising out of the fact that certain people detained there are of the type they are. It is absolutely essential that we have this power. The idea is that it should be used only in those cases where it is proved to be necessary. I think we have had sufficient experience of certain individuals in recent months to realise that if at any time in the future they have to be detained

again for treatment of this kind, it would be futile to place them in the Perth Hospital.

In view of the fact that we have no special institution for this purpose, there is only one alternative and that is the goal hospital. Dr. Atkinson also tells me that, from inquiries he made, Brisbane is the only place where there is a hospital for venereal cases. Even there, when recalcitrant cases have escaped they have had to be detained in the goal hospital. It is only as a last resort that the gaol hospital will be used here for that purpose. Then we come to the question of rehabilitation. It was pleasing to hear what Dr. Hislop had to say in regard to that aspect of the treatment of this disease, but I submit that the question of the rehabilitation of these people is not one to be dealt with in the Health Act. It is more an administrative question.

As a matter of fact we do at the present time interest ourselves in most of these cases that are dealt with by the department. There is no doubt it is very desirable, but we certainly have not the organisation of the type suggested by the hon. member. Perhaps that is one of the things to which we should give consideration when we speak of the new order and the social services that should be provided by the State. But certainly at the present time the Health Department or the Medical Department is not in a position to put into effect the type of treatment or attention suggested by Dr. Hislop.

Hon. J. Cornell: The Repatriation Department treats it as a self-inflicted wound, and a man gets no compensation.

The CHIEF SECRETARY: I think I have pretty well covered the points which were made by the hon. member. The Bill is introduced in order that we may have the same power under our own Act as exists under the National Security Regulations and mainly because we believe that we should be able to take action under our Act rather than have to rely on the National Security Regulations under which we have not the right actually to take action even if we desire. We can take all the preliminary steps and then have to rely on the Commonwealth authorities taking the necessary action in the way of prosecutions and so on. Experience in that direction recently indicates that there is a tremendous delay in matters of that kind.

If the House agrees to the amendments in the Bill we will have power to act on our own authority, and there will be no need for delays such as I have mentioned. There will be no necessity to rely upon any Commonwealth regulation. I think I have covered the criticism offered against the Bill and I hope the House will be sympathetic towards our endeavour to obtain the powers sought in the Bill. If it is considered necessary that we should have additional power, there is no objection to that, but I think I have shown conclusively that the powers contained in the Bill will allow the department to deal with this scourge in a way which is absolutely necessary and which would not be possible at present were it not for the National Security Regulations.

Question put and passed.

Bill read a second time.

To refer to Select Committee.

HON. J. G. HISLOP (Metropolitan): I move—

That the Bill be referred to a Select Committee consisting of five members—four members and the mover; that the committee have power to call for persons, papers and records and to adjourn from place to place, that three members form a quorum and that the committee sit on days over which the Council stands adjourned; the committee to report on the 19th January, 1943.

THE CHIEF SECRETARY: The hon. member has taken me somewhat by surprise. All I can say is that I cannot see any necessity for a Select Committee on this Bill. There may be some phase of venereal disease on which Dr. Hislop might like to have a Select Committee to bring out some disability in connection with it that we do not know anything about, but I think that we know sufficient of the subject to recognise that it is necessary we should have the powers asked for by this Bill, and we know that the Commonwealth Government has already taken those powers. We are acting under Commonwealth regulations. It is merely a matter of granting additional powers, and those powers have been explained fully. I fail to see how an inquiry by a Select Committee can assist in the matter. I oppose the motion.

HON. C. F. BAXTER (East): But for the fact that the powers contained in this Bill are already being exercised under Commonwealth regulations, I would support the

motion for the appointment of a Select Committee, but I cannot see what good an inquiry could possibly do in existing circumstances. If the Select Committee did not approve of the various clauses of the Bill, the powers contained in them would be administered under National Security Regulations, and there would not be the sympathetic administration that would prevail under local control. The appointment of a Select Committee would not get us anywhere. It is advisable that we retain control of our affairs as far as possible. We cannot expect sympathetic consideration from the Commonwealth authorities. This is a very important matter. The Leader of the House has assured us that the amendments contained in the Bill are provided for under Commonwealth regulations, and therefore we should proceed with the Bill and retain control of our own affairs.

HON. J. CORNELL (South): To refer the Bill to a Select Committee at this stage of the session might involve our losing something in an endeavour to get more. We are in a quandary as to whether and when Parliament is going to prorogue and, if it is not prorogued, when it is going to re-assemble. A date is set down in the motion on which the Select Committee is to report. I do not know whether the House will re-assemble in the New Year before the 19th January, but I suppose a Select Committee could report later. There is an alternative, however, which Dr. Hislop would be wise to adopt. That is to accept what is contained in the Bill and then give notice of motion for tomorrow for the appointment of a Select Committee to inquire into the necessity for further amendments to the venereal disease sections of the Health Act, and report. If we proceed in that way, we shall be sure of gaining something and will lose nothing, and therefore would be in a far better position. The Select Committee could draft a Bill containing provision for further amendments and the measure could then be sent to another place for its opinion. To refuse what is offered to us by this Bill would be almost suicidal.

HON. E. H. H. HALL (Central): Dr. Hislop would be well advised to accept Mr. Cornell's suggestion. The Government is anxious to do something in this important matter, and if it is hung up for another month pending the receipt of a Select Committee's report, it would be too long a delay.

Hon. J. Cornell: And the same object could be achieved by adopting my suggestion.

Hon. E. H. H. HALL: Yes. This is an urgent matter. At the beginning of the session I quoted the Commonwealth Inspector General of Medical Services as saying there had been no increase in the incidence of venereal disease. Now we find that that statement was incorrect. The sooner we get to grips with this problem, the better it will be.

Question put and negatived.

In Committee.

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

House adjourned at 5.10 p.m.

Legislative Assembly.

Tuesday, 8th December, 1942.

The SPEAKER took the Chair at 11 a.m., and read prayers.

QUESTION—WOOLGROWERS AND BROKERS.

Mr. BERRY asked the Minister for Agriculture: 1, Is it compulsory for woolgrowers to confine their dealings in wool to their present broker? 2, If so, what is the position of a woolgrower dissatisfied with his present broker? 3, Are woolgrowers permitted to deal with more than one broker?

The MINISTER replied: 1, 2, and 3, The Department of War Organisation of Industry has made proposals for the rationalisation of the wool industry among which is one for confining growers' dealings to their present brokers. However, it is proposed to place the administration of the regulations