Legislative Assembly.

Tuesday, 21th November, 1942.

The SPEAKER took the Chair at 2.15 p.m., and read prayers.

QUESTIONS (4).

BETTING.

As to Closing of S.P. Premises.

Mrs. CARDELL-OLIVER asked the Minister representing the Minister for Police: 1, Is the Government satisfied that the Criminal Code as at present drawn gives sufficient power to the police to suppress starting-price betting shops? 2, If so, whose fault is it that they still remain open? 3, If the law is not sufficiently comprehensive, would he advise what amendments are necessary and will legislation be brought down for the necessary amendments?

The MINISTER FOR THE NORTH-WEST replied: The Government is satisfied that the only way to abolish starting-price betting on horse-racing is to abolish horse-racing throughout Australia. This opinion is borne out by the experience gained on the first Saturday on each month when no horse-racing takes place and consequently no betting.

EDUCATION DEPARTMENT.

Teachers Enlisted, Trainees, etc.

Mr. TONKIN asked the Minister representing the Minister for Education: 1, How many teachers—(a) males, (b) females—(i) have joined the Naval, Military or Air Forces of the Commonwealth since the commencement of the war? (ii) have been discharged from the Forces and have resumed teaching with the Education Department? (iii) are at present employed "On Supply" by the Education Department? (iv) have completed their training since the commencement of the war? 2, How many students—(a) male, (b) female, are at present undergoing training?

The MINISTER FOR THE NORTH-WEST replied: 1, (i) (a) Males 534; (b) females 1. (ii) 19. (iii) Males 28; females 338. (iv) (1939) 40 males, 110 females; (1940) 42 males, 108 females; (1941) 25 males, 108 females. 2, (a) males 2, (b) females 86.

RAILWAYS.

(A) *Freights and Fares.*

Hon. N. KEENAN (without notice) asked the Minister for Railways: 1, Is the statement correct, which was made by Mr. P. C. Raynor, the Deputy Secretary of the W.A.G. Railways on the 6th November last before the Commonwealth Grants Commission, namely, that an all-round increase of 12½ per cent. in railway charges was proposed? 2, If so, is he aware that such increase would seriously affect the people living on the Eastern Goldfields, who are paying and always have paid rates for all services rendered by the railways of an amount highly payable to the railways? 3, Is he aware that, in addition to the increased charge which would be made by the Railway Department, sales tax is imposed on such increased cost? 4, Will he undertake that, if such increased charges for services to be rendered by the Railway Department and particularly for the carriage of goods are intended to be made, he will have the same gazetted sufficiently long before the close of the present session of Parliament to allow of the matter being brought before the House? 5, Alternatively, will he undertake not to gazette any increase of charges for services to be rendered by the Railway Department whilst Parliament is in recess?

The MINISTER replied: This question should have been put on the notice paper.

Hon. N. Keenan: I sent you a copy of the question yesterday.

The MINISTER FOR RAILWAYS: I am prepared to answer it now. Nos. 1 to 5, The Government has not given consideration to the increased charge referred to.

Therefore no statement will be made and no assurance given until after the proposal has received the fullest investigation and consideration.

Hon. N. Keenan: Is that an answer?

(B) *East-West Express and Westland Speeds.*

Mr. NORTH (without notice) asked the Minister for Railways: Has he any objection to the information given in answer to my question last week regarding the East-West and Westland trains being published?

The MINISTER replied: No.

BILLS (4)—FIRST READING.

1, Industries Assistance Act Continuance.
2, Financial Emergency Act Amendment.
3, Death Duties (Taxing) Act Amendment.
4, Income and Entertainments Tax (War Time Suspension).

Introduced by the Minister for Lands.

BILL—HEALTH ACT AMENDMENT (No. 2).

Second Reading.

THE MINISTER FOR HEALTH [2.24] in moving the second reading said: This Bill sets out to amend the Health Act in relation to sections dealing with venereal disease and with the treatment in hospital of ordinary infectious diseases. I do not propose to enter into all the ramifications, historic or otherwise, of venereal disease. I simply desire to place before the House a few facts which the Health Department and the Commissioner of Public Health find themselves up against owing to the inadequacy of our Act in these abnormal times. The incidence of venereal disease has risen sharply in recent months. Of course, in this period of war it is only to be expected that the unfortunate disease would affect the members of the Armed Forces to a large extent. With regard to notification of the disease, in 1939, 703 new cases were reported; in 1940, 630; in 1941, 443, but for the 10 months of the present year, 1942, the new cases reported numbered 815.

Members will recall that, largely owing to the increase of the disease, a special squad of police was recently detailed to make inquiries as to the origin of the cases and their associated problems. It very soon became evident that our present Health Act was unable to cope adequately with the position. I invite the attention of members to Part 10 of the Act, which provides, generally, that persons suffering from venereal disease must not only place themselves under the jurisdiction of the Commissioner of Public Health, but must remain under treatment until cured. Penalties are provided for non-compliance with this provision. Section 279 is the section of the Act upon which the Commissioner of Public Health relies at present. The Health Act was amended in 1915, during the 1914-18 war period, by a Bill introduced by Mr. Underwood. The whole administration of the Act at that time was vested in the Commissioner of Public Health, and that is still the case. If members will read Section 279 carefully they will appreciate the difficulties the Commissioner is up against in this abnormal period. For instance, the section provides—

> Whenever the Commissioner has received a signed statement in which shall be set forth the full name and address of the informant, which gives the Commissioner reason to believe that any person is suffering from venereal disease . . .

In the first case, members will observe that the Commissioner must be furnished with a signed statement, giving the name and address of the informant, to the effect that some person is suffering from venereal disease. Having obtained this statement, the Commissioner may then give notice in writing to such person requiring him to consult a medical practitioner; and to produce to the satisfaction of the Commissioner, within a time to be specified in the notice, a certificate of such medical practitioner that such person is or is not suffering from the disease. Therefore, having received the signed statement and having satisfied himself that the person alleged to be suffering from the disease is so suffering, the Commissioner may order him to attend a medical practitioner. It will be noticed that the section does not specify the time within which the person must produce the certificate of a medical practitioner.

From the very inception, the Commissioner can do absolutely nothing until he gets a signed statement to the effect that some person is suffering from venereal disease. He then has to write to the person who is allegedly suffering from the disease and order him to produce a certificate from some medical practitioner, or

from a medical officer of health as to whether or not he is suffering from the disease. If the Commissioner is not satisfied with the certificate, or if the person fails to attend a doctor, then the Commissioner may compulsorily bring him in and have him examined by a health officer or two medical practitioners. I ask members to consider for a moment how long that procedure would take. It would probably take three weeks or a month. Consequently, the person suffering from the disease could, during that period, if he is a man, infect quite a number of women, or if the person is a woman she could infect quite a number of men. In my opinion, it is absurd to expect the Commissioner of Public Health to administer the Act, as it stands, in these abnormal times and do his work satisfactorily.

Subsection 3 of Section 279 seems to me to be even more absurd. It provides that, having secured the person who is suffering from venereal disease and placed him under medical care or in a hospital, the Commissioner can only retain such person for 14 days. If at the end of that period the Commissioner is satisfied that the person is still suffering from the disease, he must obtain an order from the Governor-in-Council to secure the retention of the sufferer for another 14 days, and, should the person continue to suffer for six months, the Commissioner must go through that procedure every 14 days during that period in order to retain the person under medical care. That is the law today, and I think it will be generally agreed that it is impossible to carry it out at present, especially in view of the fact that in the first 10 months of this year 815 new cases have been reported. Our Commissioner of Public Health is now attending a Federal Health Council, where this matter is being thoroughly discussed. Representatives of the other States are also attending the council meetings. The Commonwealth Government was so seized of the importance of this matter that it promulgated a regulation under the National Security Act giving the Commissioners of Public Health of the various States the powers we are asking the House to agree to give today. It may be asked, why the necessity for this legislation if there is in existence a National Security Regulation dealing with the matter? The Government, however, in view of the recent discussions in this Chamber, is justified in bringing down this Bill, particularly in view of the resolution that was recently carried to the effect that we should initiate our own legislation, rather than depend on the National Security Regulations. I am informed that, provided Parliament agrees to pass this measure—which, in effect, is really the National Security Regulation in question—no difficulty will be experienced in having the regulation withdrawn so far as this State is concerned.

In this Bill we propose to give the Commissioner power, when he has reason to believe that persons are affected with venereal disease, to say to such persons, "I have reason to believe that you are suffering from venereal disease. You must either produce your own doctor's medical certificate or be examined by one of our doctors in order to satisfy me that you are not infected as you are alleged to be." People will say that we are giving the Commissioner very wide powers. Somebody, however, must in these times have those powers otherwise not only the Services, but the future generations of this country will suffer. We also provide that instead of the Commissioner having to ask the Governor-in-Council every 14 days for permission to retain in hospital an infected person, he should himself have power to keep that person in hospital. If he is satisfied from the reports he receives, or from his own inspections that the patient is still suffering from venereal disease, then this measure gives him the right to retain that person until either he is cured or is no longer a menace to the community. This matter forms the subject of an appeal to a judge of the Supreme Court. If any patient considers he is being wrongly held, or being held for treatment for an unnecessarily long time, provision is made for a judge of the Supreme Court to deal with the matter. There is one other small amendment in regard to venereal disease, and that deals with the machinery clauses in regard to the production of evidence.

The remaining question deals with the treatment in hospital of infectious cases. I do not know whether members are aware of the fact that the treatment of those cases is the responsibility of the respective local government authority. For the sake of convenience in the metropolitan area the local government bodies have an agreement with

the Perth Hospital Board under which that board caters for their patients, from whichever part of the metropolitan area they might come. The local government bodies, with the aid of a subsidy from the Government, built a fine hospital at West Subiaco for infectious diseases cases, so that under the Act as it stands the local authorities are responsible. But for a number of years the Perth Hospital Board has conducted that hospital by agreement with the local government bodies. The Perth Hospital has lost money on the transaction, but for various reasons there is no necessity to enter into a debate on that aspect. For a considerable period there has been discussion between the Perth Hospital Board and the Local Government Association on this question. After a patient has been treated the local government body is billed with the amount of the hospital fees. It is the job of that authority either to collect from the patient or write the amount off. Whatever amount is collected the Government is paid 50 per cent., and a refund of 50 per cent. of the amount is made to the local authority concerned. At one time it was two-thirds but for some five or six years now it has been 50 per cent.

There has always been a good deal of discontent and discussion about some of the cases that go to the Infectious Diseases Hospital. Only those which are notifiable under the Health Act are the responsibility of the local authorities. Measles and whooping-cough are not notifiable diseases, but where complications arise they are generally sent to the Infectious Diseases Hospital. No matter what the complications might be, if they arise from the primary causes of either measles or whooping-cough the Perth Hospital gets nothing from the patient. On the other hand, typhoid or tuberculosis, although notifiable diseases, are never sent to the Infectious Diseases Hospital. We have a separate place for such cases and the Health Department accepts all responsibility for them.

We have now reached a compromise. The local bodies have agreed to accept responsibility for such cases as measles and whooping-cough, and other non-notifiable diseases which are sent to the Infectious Diseases Hospital as a result of complications, and to revert to a rebate of two-thirds instead of 50 per cent. In effect they say to the Hospital Board, "Providing you are prepared to revert to a rebate of two-thirds instead of 50 per cent. we will agree to accept responsibility of non-notifiable infectious cases sent to the West Subiaco Hospital." We do not have a great many of such cases. For every youngster who has measles or whooping-cough with complications there would be 100 or 150 without. This agreement is a simple one and will make for the better working between the Perth Hospital Board and the Local Government Association. That Association instead of receiving 50 per cent. of the amount collected will receive two-thirds, but it will undertake to treat non-notifiable cases where complications arise.

I am not going into all the ramifications of venereal disease and infectious diseases. I have outlined the simple facts. We find that this Act, whatever it might have been in normal times, is useless in the abnormal times through which we are now passing. A National Security Regulation has been promulgated in the Eastern States to deal with these matters, but it will only exist for the period of the war. This House already has, on more than one occasion, decided that we in this State should have our own Acts of Parliament and not go to the other side for legislation, and for that reason this measure has been brought down.

Hon. N. Keenan: I presume you approve of that?

The MINISTER FOR HEALTH: I would not otherwise have brought this Bill down.

Hon. N. Keenan: You approve of the principle of having our own legislation?

The MINISTER FOR HEALTH: Yes. The majority of the people of this State have decided that, and I also approve of it. I have all my life abided by majority decisions. I now leave this Bill to the House to do with it what it believes to be right. I move—

That the Bill be now read a second time.

On motion by Mr. Shearn, debate adjourned.

BILL—FIRE BRIGADES.

Second Reading.

THE MINISTER FOR THE NORTH-WEST [2.44] in moving the second reading said: While it is proposed to amend in several ways the present Fire Brigades Act, this Bill has been brought down in a consolidated form because it is many years

since the Act has been amended. In fact, without referring to the very recent slight amendment, it has not been altered since 1916. The various amendments included in the Bill have been found necessary, and their provision has been urged by the members of the Western Australian Fire Brigades Board who have the responsibility of administering the Act. They point to the fact that the South Australian Fire Brigades Act was consolidated in 1936, the Victorian Act in 1929, the New South Wales measure in 1936, and the Queensland Act in 1931. That will indicate to members that our Fire Brigades Act is much less up to date than is the legislation operating in the Eastern States. That provides the best reason for the introduction of a consolidation measure at this stage. While the Bill might appear substantial and comprehensive, it contains much that is included in the original Act and amending measures, and the new amendments that are included will be easily understandable by the House. Essentially the Bill is one that lends itself to consideration in Committee, where the clauses can be dealt with separately and adequately explained.

At the outset I shall indicate some of the more important amendments that have been included. One provides for the establishment of one fire district in the metropolitan area. The members of the Fire Brigades Board, in the light of their experience, consider that that alteration will prove of great advantage to those who pay for protection from fire, and will be a great improvement from the administrative point of view. The effect will be that the whole of the metropolitan area will be created one fire district. At present within that area there are ten fire districts. Nevertheless, in practice one-fire-district conditions have applied in the past. For instance, if a fire occurred in a suburb, fire-fighting appliances from the central station would be sent out to assist in subduing it. Similarly, should a big fire break out in the city, the suburban fire brigades are called in to assist in putting it out. Thus the board seeks the amendment of the Act to provide for what, in effect, actually obtains at the present time. That is one of the most important amendments included in the Bill. Another will provide for a different allocation in the proportions payable by various districts.

Local authorities have various bases upon which contributions are paid to the Fire Brigades Board. Some pay on a population basis; some pay on a mutual arrangement basis; some pay on the basis of annual values. At present, should any disagreement arise in connection with fire brigade matters in relation to local authorities, the Act provides for an appeal to the Minister. In practice it has been found very unsatisfactory for the Minister to shoulder the responsibility of deciding what proportion one board should pay as against the amount to be levied upon another board. The Bill provides for an allocation of payments on the basis of the water supply rating throughout the metropolitan area. This is considered the most equitable method upon which the allocation of contributions could be made. It is felt that there is a definite relationship between water supplies and fire-fighting, which go hand in hand. The basis I have indicated is also regarded as the most economical for fire protection. Another proposal in the Bill seeks to empower the Fire Brigades Board to levy charges for attending grass or rubbish fires.

Throughout the year, the fire brigades have had to attend upwards of 400 fires of that description, particularly during the summer months. In the past that has been done without charge and people have tended to become careless. The board suggests that if people are required to pay for the attendance of the brigade at grass or rubbish fires, it will make them more careful, and they will take necessary precautions against the spread of such fires. One strong point in favour of that procedure is that it is very dangerous for brigades to be occupied in affording protection against minor fires when it would be quite possible for an outbreak to occur in one or other of the large, valuable buildings in the city block. If greater care were taken in the suburbs regarding grass and rubbish fires, the attendance of brigades would not be in such demand, and it would make for better control of the city area and the task of fire extinction much more expeditious when the necessity arose. Another important amendment in the Bill will have the effect of increasing the number of members on the Fire Brigades Board. At present the board consists of nine members and, if the Bill be agreed to, that number will be increased to ten.

Mr. Cross: Why not give the unions the additional member and not the employers?

The MINISTER FOR THE NORTH-WEST: I am prepared to discuss that point when we deal with the appropriate clause in Committee. If the member for Canning had not interjected, he would have heard me give the reason why the Bill proposes to provide an additional representative for the insurance companies. Last year we passed legislation that imposed a greater financial burden upon the companies. I do not think it will be argued that to give these companies three representatives on the board in lieu of two as at present would be unfair in view of the greater proportion of the cost of fire-fighting services to be borne by those insurance companies. The Bill also provides for a different method of conducting the election of members of the board. At present, when an election is due, the whole of the members of the board have to submit themselves for re-election. In the opinion of the members of the board it would make for better administration and better continuity of policy if some of the members were retained and only part of the board went up for election at one time.

The Bill provides that where two members are elected to represent a particular section of the community, the member returned with the largest majority shall be elected for three years and the other member shall hold his seat for two years. That means that in the course of time there will be only a proportion of the board membership due for election at a given time. This will make for greater continuity of membership, policy and experience. It will allow new members to gain experience and so enable them to be better fitted to participate in the work of fire brigade administration. I certainly hope members will agree to that proposal. Another amendment seeks to increase the allowances granted to members of the board. At present, the allowance is fixed at £250 per annum for the nine members of the board for the purpose of covering out-of-pocket expenses. The provision in the Bill will increase that allowance to £550.

Mr. Cross: And even then the board will be the most cheaply run in the country.

The MINISTER FOR THE NORTH-WEST: I agree with the hon. member that the administration of the Fire Brigades Board here will still be the cheapest of any such board in Australia. This means that if the nine members attend the full number of meetings—approximately 11 per annum—the allowance will run out at less than 10s. per week per member. We should not require men to be out of pocket when they have to travel from country centres in order to attend to the business of the State as it affects fire brigade administration. I am sure no member will take exception to that small increase in the allowance, which will now be more in keeping with the provision made in other States. Another amendment provides for accident insurance in favour of board members while on duty.

Further powers are also sought for the Chief Officer of Fire Brigades respecting potential dangers to life or property. Under the existing legislation that officer's powers are limited to the making of a complaint to some authority. Should that authority take no action the danger will continue. The Bill provides that the Chief Officer shall have power to make an order for the abatement of any such potential danger, such as an aggregation of inflammable material where the risk of fire would be great, and, if no action was taken, to launch a prosecution against the individual concerned, who however will have the right of appeal against the Chief Officer's order. The Bill provides that the person so asked to take action should have the right within seven days of notification by the Chief Officer to appeal to a stipendiary magistrate. Members will agree that there is no hardship entailed on anyone, in view of the existence of that right of appeal. It is only right and proper, in my opinion, to place this power in the Chief Officer's hands. The Bill also empowers the Chief Officer to insist upon certain apparatus being provided for the safety of life and property. This, however, applies only to major buildings; it excludes dwelling-houses. The provision will not be applied to every home in the metropolitan area.

As regards the insurance companies' contribution, under the Bill this will be apportioned on the basis of each company's premium income from fire insurance of property situated within fire districts. Hitherto this has been based on the premium income from fire insurance on property for the whole of the State south of Carnarvon, irrespective of fire brigade protection. I believe this provision was also recommended by the representatives of various companies

who felt that, while their companies were paying a substantial amount towards fire-fighting appliances, they were not receiving a substantial return for their money. Fire insurance companies will now be asked to pay in respect of premium income for fire insurance on property situated within a fire district. The Bill also provides that any person having an insurable interest in property situated within a fire district, which property is not insured against fire with a contributing insurance company, shall himself be deemed to be an insurance company for the purposes of this measure. The clause mainly concerns oversea owners of local property insured with oversea insurance firms, and is inserted in order that they will not avoid their responsibility for local fire protection. Further, the Bill provides power to the Fire Brigades Board to order local authorities to instal fire hydrants where necessary. This has been a bone of contention between local authorities and the Fire Brigades Board for many years.

Naturally, local authorities always contend that a fire hydrant ought not to be in a particular place, and that the cost of installing hydrants would be so great that they preferred not to make the installation. No-one, I believe, will argue other than that the Chief Officer of the Fire Brigades Board is the most competent person to decide where hydrants should be installed. The Bill gives local authorities a right of appeal to a stipendiary magistrate against any such order by the Chief Officer. The measure proposes a number of alterations in the wording of our Act adopted from the Acts of other States, which have operated successfully for many years. The Fire Brigades Board feels that these alterations are desirable, as tending towards the better working of this State's statute. As I mentioned previously, the Bill will be much easier to explain in Committee. Meantime, I move—

That the Bill be now read a second time.

On motion by Mr. Cross, debate adjourned.

BILL—WEST AUSTRALIAN MEAT EXPORT WORKS.

Second Reading.

Debate resumed from the 10th November.

MR. SEWARD (Pingelly) [3.7]: As the Minister for Agriculture dealt fully with this subject in his second reading speech there will be no necessity for me to delve into it. Let me say that while I shall support the measure, I do not think that any Bill coming before the House during the term of my membership has been supported by me more grudgingly than this one. If the company has not been able to carry on successfully up to the present day under its skilled management, I cannot view its future prospects with any high degree of confidence. In my opinion, no Government committee or board or body is as experienced and capable as a private body. One reason for this view is that the individual members of a Government body will have no capital invested in the company. I always look upon such investment as a stronger incentive to any committee or board or body to use its best efforts than can exist where the management consists entirely of civil servants—on whose ability in their own particular calling I do not cast any reflection. I am indeed pleased with one aspect of this measure, namely that those who came forward 23 years ago and established this company are at all events to receive back the share capital they invested.

When moving the second reading the Minister stated that the directors—he referred to Messrs. Monger and Lee Steere particularly—had grown old in the service of the company. I go further and say, particularly as regards Mr. Monger, that they have grown old in the service of the primary producers of Western Australia. Any public man can look back with much satisfaction and pride over years of endeavour on behalf of fellow producers in Western Australia if his activities have been such as those of Mr. Monger during the past two decades. This company is an excellent example of that period of endeavour. During the time Mr. Monger has been chairman of directors—which means, I believe, the whole existence of the company—about all he has ever got out of the company is much worry, a lot of pondering how to carry on and make a success of the undertaking, and many headaches. Those things represent the only dividend he and his co-directors have received. Therefore I am pleased to know at all events that they shall have their share capital returned to them. If proof be needed of my statements, it can easily be obtained from the reports and

balance sheets of the company over the years. The 1935 report states—

With the exception of last year (1934), when we made a small profit of £887, all previous years had shown losses, resulting in an accumulated loss up to the end of June, 1934, of £32,079.

Continuing, the report says—

Your board is pleased to be able to advise shareholders that for the first time since the inception of the company the full year's interest to the Government to the 30th June last, amounting to £6,432, has been paid.

Up to that period they had worked under the solo system, and at that time they installed the chain system, which had been adopted in other States and which the directors, after exhaustive inquiries, deemed to be a much improved method. It was the means of increasing the killing capacity of the company from something like 3,500 up to 7,500 per day. In the report for 1936 I find the following:—

During the year under review we have carried out improvements and additions to the works costing £6,084. Before these additions and extensions could be started, we had to obtain the Government's consent. We have also been advised that its consent must be obtained in future before further additions are effected. These instructions are considered by your board to be of an arbitrary nature—quite uncalled-for—and not in keeping with the confidence and latitude expressed to us by previous Governments. We have tried to obtain the goodwill and confidence of the Governments of this State, and have always done our utmost to protect their large interest in the company.

In the next year, 1937, we find in the company's report the following:—

Now that we have practically reached the quarter of a million mark and must look forward to yearly increases, we find ourselves forced to increase our works generally. This position we would face at once, and be ready to meet all future demands, but unfortunately we are confronted with probable opposition which, if forthcoming, will affect our operations.

Now, in proof of the statement which I made that as the result of that year's endeavour the directors had been able to bring this company out of troubled waters and into a more favourable stream of future prospects, I take from the report for the year 1938 the following:—

It gives me pleasure to be able to confirm observations made in recent years that the company had definitely left behind those unproductive years which marked its early existence and had entered the profit-making stage, with every assurance of a continuance of successful operations in the future.

That statement by the chairman of directors of the company does not indicate any keen desire or anticipation on the part of the board to dispose of the works. As pointed out by the board, the company has weathered the storms of the 14 years and has now entered the period of profit-making with every prospect of continued success and of being able to wipe out those previous losses. The report extends to the shareholders some hope that in the not too distant future there will be a prospect of their receiving some return from the money they have invested in the company. The report continues—

It is pleasing to note that for the first time since the inception of the company a credit balance appears on the profit and loss account. At the 30th June, 1933, the accumulated losses of the company reached a peak figure of £32,996. Since that date profits have been made. The balance standing to the credit of the company's profit and loss account at present is £11,531.

That is not a bad showing. It might accurately be stated to be a very good showing, and I shall be pleased if the new directorate is able to carry on and show a record even approaching, not to say equalling that. I notice also in the 1938 report that the directors state that the position was made possible by wise management and by the policy of adopting up-to-date methods, methods which, if they could have had their way, certain members of the Government would have prevented. That refers to the introduction of the chain system of killing which was strongly opposed when it was introduced. The record of this company, as revealed by the balance sheets, particularly since 1935, is such that one cannot avoid the conclusion that the Government had very good security for the public funds it had invested. It was receiving interest in full amounting to £6,400 odd a year, and was receiving taxation in full from the first year in which a profit was made, despite the fact that accumulated losses then totalled £32,000 odd.

That is a significant fact, taken from these balance sheets: that although the company had been operating for 14 years and had accumulated losses reaching almost £33,000, the very first year in which a profit was made—and that was only £800—the company was called upon to pay State income tax of £109. In 1934-35, £902 was paid; in 1935-36, £117; in 1936-37, £3,500.

Even at that time the company had accumulated losses of over £35,000. Under the Federal scheme, for the first five years, during the period of loss, the company was free of taxation, and that reduced the total amount that otherwise would have had to be paid. In 1940 the taxation paid was £4,885, and in 1941, £2,870. In the short space of five years this company, in addition to paying taxation and interest in full, had wiped off accumulated losses of £33,000, and had a credit balance of £11,000 odd in the profit and loss account. The Minister said—

> Not many years ago the Government could have taken over these works without apology because of the apparently hopeless condition they were in prior to the development of the fat lamb industry.

The Government wisely continued to allow the company to carry on and the company amply justified the confidence shown in it. There is another aspect of the business to which I would refer because it makes this transaction of the Government possibly the most extraordinary one of which I have ever heard. I have shown from the various annual reports of the company how, in its early years, up to 1934, the company had made losses totalling £33,000. This matter was causing the directors very much concern. Realising that if they were to reduce overhead expenses as well as place the company in a position to deal with the growing demands of an expanding industry, they decided that the most up-to-date methods must be adopted. In this, as I have already indicated, they encountered the opposition of members of the Government and the fiercest opposition from employees. However, the directors' policy was amply vindicated. I make no excuse for drawing attention to the figures supplied by the Minister when introducing the Bill, showing the way in which the profits increased as the number of lambs treated increased. Those figures are as follows:—

Date	Lambs treated	Profit £
1934	40,000	887
1935	142,000	9,075
1936	171,000	10,265
1937	116,000	6,661
1938	246,000	20,064
1939	338,000	19,749
1940	225,000	10,436
1941	186,000	7,875

That table clearly shows that the greater the number of lambs the company was able to handle the more successful it became, and as the directors' report stated—

> The company had definitely left behind those unproductive years which marked its early existence and had entered the profit-making stage with every assurance of a continuance of successful operations in the future.

That position should, I think, have engendered in the Government the utmost confidence in this company, but the report stated that if the company was to meet demands and carry on successfully, it must expand its works. So application was made for additional capital, as was indicated by the Minister. Here we had a company in which the Government had invested £170,000 of public funds. Under skilled management the company had been transformed from a losing proposition into a profitable concern with every prospect of a more successful future. When the war came, the company found that it was up against a further difficulty insofar that, owing to the infrequency of ships, additional freezing space was required. Application was made to the Government for capital, which the company was not able to raise, to provide that additional freezing space. I should think that would have been an excellent opportunity for the Government further to safeguard the capital it had already invested in the company. Instead of doing what was asked, the Government, for some reason I have never been able to fathom, granted a license to an opposition company, and by that stroke reduced the value of this company by about 50 per cent. Having reduced the value of the asset, it stepped in to buy up the company.

I would like to learn something more about that aspect of the company's proceedings. In their report, the directors stated that the levying of taxation came, as it were, as the last straw to make them give up the unequal struggle, but I venture to say that the Government's action in not providing the company with the means for a reasonable expansion, which would have given it an opportunity to pay off its liabilities, was really the last straw which induced the directors to decide to get rid of the concern. Another matter to which I wish to draw attention is that it is proposed to transfer the company to the State trading concerns and place it under the management of a committee. That, as the Minister told us, is to consist of the Under Secretary for Agriculture, Mr.

Baron-Hay; the Controller of Abattoirs, Mr. Dunbar; the manager of the Wyndham Meatworks, Mr. J. J. Farrell; and Mr. Byfield, representing the Treasury. These are well-known and quite competent gentlemen in their respective spheres, but I think there is one very glaring omission from that committee. There is no representative of the producers. That is a very serious omission, as there are many sides to the industry, particularly the fat lamb industry, and the owners' side is very important. Consequently I think the Minister might well appoint to that committee two men, one to represent the pastoral industry and the other the agricultural industry. Those men would have a very intimate knowledge concerning the prospects of a season from the fat lamb point of view, and many other qualifications that the proposed committee members do not possess. The manager of the meatworks is a very competent man who has had a lot of experience, but he has not had the experience of the grower, the man who has money invested in the industry and who is fully alive to the requirements.

To illustrate that, I would refer to a position that has arisen and which is, as far as I know, still in existence. If a grower has lambs to market, he is very often not able to book space for them. He has raised them and they are ready for market. The longer he keeps them, the greater is the risk of grass seeds, with resultant loss in the value of the lambs. When he writes to the meat export works he finds he is not able to secure space because it has been booked by exporters. He cannot keep the lambs on the farm; so he sends them to the Midland Junction market, where they are bought by the exporters, put into the paddocks at Midland, and are available for despatch to the meat works as soon as space is secured. The exporters have to get their share of the profits, with the result that the grower receives about 4s. per head less than he would have obtained if they had been sent straight to the works. In addition, railway trucks must be provided to take them from the Midland Junction markets, instead of the grower being able to send the animals direct to the works.

That is a matter in which the growers are intimately concerned. For that reason, I urge the Minister to promise that he will make provision for two producers' representatives on this committee. We have a precedent. The Commonwealth Government recognizes the right of the producers to have representation—in many instances, majority representation, as in the case of the Australian Wheat Board. The Commonwealth Government is providing all the money and yet provision is made for the producers to be represented. I think it is only reasonable to request that as this committee will be dealing with a producers' product, provision should be made for representation of the producers on the committee. I hope the Minister will give us that assurance. I support the second reading of the Bill.

HON. N. KEENAN (Nedlands): This Bill is brought down to ratify an agreement made between the Crown and a certain company known as the West Australian Meat Export Co. Ltd. As regards the merits of the arrangement between the Crown and the company, in my view the Crown is acting generously. It is a well-known fact that shares could have been purchased for considerably under £1, and were in fact purchased by someone or other, who knew what was going to happen, at considerably under £1. No question could be raised and no suggestion could be made that the deal is not a very generous one. I do not think any member of the company would venture to make such a suggestion. The agreement is set out in the schedule. It reads that the company is desirous of selling, and in consequence of that desire entered into the agreement. No doubt that is so, although it is possibly true that that desire was considerably the product of the particular times that we are now experiencing, namely wartime, which make it very difficult for a company dealing with export commodities to carry on business. Then there is the point referred to by the member for Pingelly, of a rival having come on the scene which would necessitate some expansion that the company would find it necessary to indulge in if it wished to carry on its business successfully. So far as I know of the matter the deal is a generous one.

There is, however, another point to which I would draw attention. Before I do so I hope that the plea made by the member for Pingelly, that there should be representation on the part of producers on the committee, will be given full consideration. It is essential that the committee which is to govern the policy of these works should have the

benefit of the advice of producers, and that the producers themselves should have the benefit of representatives upon it to protect their legitimate interests. I hope the Minister will give the House some assurance that he is tied down definitely to the parties he has named as being in his opinion, at present, the parties who will constitute the committee. There is a much larger and wider issue brought before the House by a Bill of this character, namely, that it is not a Bill to ratify an agreement at all. The agreement had been signed, sealed and delivered. If the House threw out the Bill the Government could be sued and the measure of damages would be precisely the total loss that the company had suffered by reason of the agreement not being carried out. In the first place the company could claim specific performance. Assuming that the plea might be made on behalf of the Crown that it was deprived of the possibility of specific performance by the Act of Parliament, then an action would lie for a breach of warranty. The Government purported to deal with the company as though it were authorised to charge the revenue of the State with a sum of, I think, £74,000.

Mr. Patrick: The agreement was not made the subject of ratification.

Hon. N. KEENAN: It is not a ratification at all. We had an instance the other night of this sort of thing in regard to the alunite deposits. The proper course to have taken would have been that which the member for Boulder invariably took when he was head of the administration, namely, to enter into a definite contract but to have a clause inserted in that contract which required the assent of Parliament. The contract between the parties was definite in all its terms, but they agreed that they would stand by and accept the decision of Parliament when the matter was submitted to the Legislature. There is no such clause in the agreement under discussion. There is nothing in it reserving the right of Parliament to disagree with or object to any portion of the agreement. That is a very undesirable and improper course to take. If Parliament is merely here to be told what has happened and asked formally to ratify it then we have no power to upset that which has been done. That remains a regrettable fact in this present transaction. Apart from that point I see no reason why any criticism or opposition should be offered to the Bill. This is a transaction in which the Crown is bound in some very large amount of money, and this House is merely being asked to confirm what has already been done. I hope this sort of thing will not occur again.

THE MINISTER FOR AGRICULTURE (in reply): I will deal first with the point raised by the member for Nedlands. I think it can be taken as an accepted fact that many tens of thousands of pounds, advanced by the Government of which he was a member, to this company did not receive any ratification by Parliament prior to the loaning of sums necessary to enable the company to carry on.

Hon. N. Keenan: The Government had authority to make the loans.

The MINISTER FOR AGRICULTURE: At those times money was urgently needed by the company and the Government would not have had the opportunity to get the necessary authority. Eventually the position was arrived at when it appeared that the company was under an overwhelming debt to the Crown. For many years the directors found themselves in such a hopeless position that they requested different Governments to take over the works. The Government, however, thought that with the development of the fat lamb industry, quite apart from the many other sidelines in which the company was engaged, there might be a prospect of the original shareholders, with the aid of the original directors, pulling the company out of its difficulties and making a success of the future. All the approaches made by the original directors were carefully considered, but they were asked to make the endeavour to carry on.

The member for Pingelly referred to the improved prospects of the company in 1938-1939 when an additional license was granted to another company. The hon. member has no idea of the facts in connection with the proposals made to the Government even by the organisation, the Primary Producers' Association, of which he is a member, the livestock salesmen, and many other people, that it should give consideration to the very serious prospects that were facing the producers of the State unless there was a complete review of the position and a prospect of handling up to 600,000 lambs during that particular season. Every approach made by the company to the Government to meet the storage position was favourably entertained

provided it could be shown that the concern was in need, and that the proposal would tide it over a difficulty. Even when it was asking for Government assistance we induced the company to spend much of its own money rather than that it should set it aside for other purposes. The Government has always given the undertaking that consideration. In connection with the other license which was issued, it would have been impossible to cope with the export situation unless that license, which was subject, I think, to an Act passed in this House in 1938, had been agreed to. It in no way prejudicially affected the prospects of the company. The license was one for export only, and for a prescribed term of five years. In connection with the desire of the member for Pingelly to have two producers on the committee, it is pertinent to remark that during the whole of the life of the company, until recently, it had a board of producers. Those producers asked the Government to take over the works.

The most important point at this stage is that although the major operation at the moment is as a lamb-treatment works that is only a part of the activities of the concern. The undertaking is a big storer of all kinds of produce and merchandise. During the summer season it will in future be a big storer of butter, although it has not played an important part in that connection in the past. We hope very shortly to have 2,000 tons of potatoes stored there, and also that the butter section will continue to operate and expand. With regard to the question of the Government getting its interest in past years, I think the original agreement was made when Mr. Maley was Minister for Agriculture. To enable the company to pay some part of the interest it was agreed that £7,000 a year should be paid to it by the Government with the privilege of using a small part of it on other enterprises that would enable it to pay the interest. In more recent years the amount outstanding has been reduced.

The Government has given this concern every consideration. As members will know, and as explained to the House, when the matter came to the Government, firstly it asked that the majority of shareholders should support the directors in their request, and that a valuation should be made. With the assistance the Government has given to the undertaking the company has been enabled as time has gone on to get the works into proper order. The directors have spent over £40,000 in renovations and in writings down out of profits. The valuation that has been made now shows that the shareholders can be paid what amounts to the original share capital. The member for Pingelly referred to the committee which has been set up for the time being to control the concern. That committee is made up of men of no small ability, of men who are well versed in the activities of the company. There is nothing permanent about it. Time alone can show in what manner it is able, in these troublous periods and with the shortage of labour, successfully to carry on activities. If that committee had not been appointed I can imagine the Government being severely castigated for having taken over these works at a time when it was almost impossible to cope with the labour situation. I am sure members opposite will be generous enough to admit that tremendous efforts were put forward to see that the works operated successfully this year. It has not been an easy task; the conditions and circumstances have been very difficult.

It may be said that the directors could foresee the difficult times that lay ahead, the serious shipping position, the manpower difficulties, and that they got out and left the Government to carry the concern. Fortunately we have been able to watch the position very closely. That has been done by the committee to which reference has been made. The fate of this and other similar concerns is a matter for the future. I can conceive that all export works of this nature, including the Wyndham Freezing Works, might well be subject to one control, and every consideration being given at that time to those who supply such works. That day has not yet been reached. I am sure that when normality is with us all these aspects will receive consideration. At the moment we have two or three storage rooms cleaned out of apples and other seasonal storage commodities, to make available storage for the pressing needs of the Army and the services. We hope, in spite of difficulties facing us in regard to potatoes, to have ample storage for the crop that is storable and is likely to be dug from March onwards. All those things are being attended to and, when normal conditions do return, I think the works will be

able to operate in a way satisfactory to the State and to producers, will be a credit to those who stuck to the enterprise in very difficult times, and will prove a very useful State instrumentality.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Marshall in the Chair; the Minister for Agriculture in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—West Australian Meat Export Works established:

Mr. SEWARD: The clause stipulates that the works shall be carried on as a State trading concern. If it were possible, I would move an amendment to test the feeling of the Committee on the question of producer representation on the board. I am not able to do that; consequently I have no alternative but to divide the Committee as an expression of opinion whether we should have producers on the board. The Minister did not go so far as to say he would give us representation and, in the absence of an assurance to that effect, I shall call for a division. This is a cardinal plank of the Country Party's platform, and it is important that the producers should have representation on the board.

The CHAIRMAN: There is nothing about the Country Party platform in the clause.

Mr. SEWARD: But the works are to be governed by the State Trading Concerns Act, under which the board will be appointed, and on that board I want producer representation.

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

Ayes	16
Noes	12
Majority for	4

AYES.

Mr. Collier	Mr. Millington
Mr. Coverley	Mr. Needham
Mr. Cross	Mr. Nulsen
Mr. Fox	Mr. Panton
Mr. Hawke	Mr. Triat
Mr. J. Hegney	Mr. Wise
Mr. W. Hegney	Mr. Withers
Mr. Leahy	Mr. Wilson

(*Teller.*)

NOES.

Mr. Berry	Mr. Patrick
Mr. Boyle	Mr. Seward
Mrs. Cardell-Oliver	Mr. Thorn
Mr. Keenan	Mr. Warner
Mr. Kelly	Mr. Willmott
Mr. North	Mr. Doney

(*Teller.*)

Clause thus passed.

Clause 4, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and transmitted to the Council.

BILL—LOCAL AUTHORITIES (RESERVE FUNDS).

Returned from the Council with amendments.

BILL—ADMINISTRATION ACT AMENDMENT.

Council's Amendment.

Amendment made by the Council now considered.

In Committee.

Mr. Marshall in the Chair; the Minister for Justice in charge of the Bill.

The CHAIRMAN: The Council's amendment is as follows:—

Clause 4: Add a paragraph to stand as paragraph (b), as follows:—

(b) By adding a subsection to stand as Subsection (2), as follows:—

(2) Where any such executor or administrator is a member of His Majesty's naval, military, or air force (including a member of any medical corps nursing service attached to any of the forces aforesaid) and is a prisoner of war or posted as missing or otherwise is unable or able only with great difficulty to appoint an attorney, the Court may on the application of a co-executor or a beneficiary or a creditor or any next of kin appoint such co-executor or some other person resident in the State to have and exercise all or such of the powers, duties and discretions of such first-mentioned executor or administrator and for such period or periods as the Court shall deem proper.

The MINISTER FOR JUSTICE: An amendment to this effect was suggested by the member for West Perth. It makes provision for an executor or administrator who may be a prisoner of war or may be missing, and is thus unable to carry out the duties.

The amendment provides that the attorney shall have exactly the same powers and discretions as the executor or administrator had. The measure is only for the duration of the war. The member for West Perth has given the Committee specific instances of estates that could not be administered, because the executor or administrator was a member of the Forces and consequently unable to discharge his duties. I move—

That the amendment be agreed to.

Hon. N. KEENAN: The amendment is a proper one, but I would like the Committee and the Minister to read and consider the original section in the Administration Act. The amendment made by the Chamber and this subsequent amendment will, I venture to say, produce a most extraordinary tangle. I cannot find any words in the measure limiting it to the duration of the war, except by inference from the amendment now before the Committee. I refer members to Section 138 of the Administration Act, dealing with the appointment of attorneys. It will be noted from that section that an attorney of an executor or an administrator can be appointed only in the event of the executor or administrator residing outside Western Australia; but provision was sought to enable an executor or an administrator who did reside in the State, but who was a member of the Forces, to appoint an attorney in his stead. Now it is proposed to appoint an attorney in the case of the absence from the State of an executor or an administrator. If it is desired that a member of the Forces, who is an executor or an administrator, should be able to appoint an attorney while residing in the State, then the measure should definitely be limited to the period of the war only. It should not apply in peace-time. Inferentially, the amendment now being considered by the Committee does limit the measure to the period of the war, because one cannot have prisoners of war in peace-time. I should like some definite statement to be inserted in the Bill limiting its operation to the duration of the war. I agree entirely with the amendment, but I wish the Committee to understand that we are passing legislation of a chaotic character. We shall have problems after the war which will be almost impossible of solution.

The MINISTER FOR JUSTICE: I agree with what the member for Nedlands has said, but I contend that the measure is for the duration of the war only.

Question put and passed; the Council's amendment agreed to.

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

BILL—MEDICAL ACT AMENDMENT.

In Committee.

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

Clauses 1 to 3—agreed to.

Clause 4—Amendment of Section 8:

Mr. SAMPSON: This clause sets out, in effect, that the board shall not be responsible for anything it shall do. We have great respect for the board, but the Minister is evidently of the opinion that if it makes an error it shall not be responsible. It should be responsible, because otherwise there is a direct inducement for it to be careless. I propose to vote against this clause. I made reference to this matter when speaking on the second reading of the Bill. This is an innovation.

The MINISTER FOR HEALTH: It might be an innovation in the measure, but it is not so generally. This protection is extended to every board. The original Medical Act was passed in 1894. Practically every board since that time has been created subject to a similar provision to this. The board has to act within the law it is administering.

Clause put and passed.

Clause 5—Amendment of Section 9:

Mr. SAMPSON: I submit that if consideration to an inquiry is to be given in camera, it should only be given after the Minister has approved of it. I move an amendment—

That before the initial word "The" of proposed new Subsection (3) the words "Subject to the approval of the Minister" be inserted.

The MINISTER FOR HEALTH: I will accept that amendment.

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

Clause 6—Amendment of Section 11:

The MINISTER FOR HEALTH: I move an amendment—

That in line 4 of subparagraph (ii) of paragraph (c) of proposed new Section 11, after the word "Adelaide," the words "or of Brisbane" be inserted.

There is a Chair of Medicine at the Brisbane University.

Mr. NEEDHAM: Before the Minister's amendment is dealt with I would like some information on paragraph (b). Do I understand that any man holding a medical certificate from the University of Dublin would be eligible to practise in this State?

The MINISTER FOR HEALTH: Providing there is reciprocity between Great Britain and Australia he would be allowed to practise. That point is dealt with in another clause. We have made provision for reciprocity between Great Britain and any other country.

Mr. Thorn: That has always been so.

The MINISTER FOR HEALTH: Yes.

Mr. J. Hegney: Why is it, Great Britain and Northern Ireland?

The MINISTER FOR HEALTH: That has always been so.

The CHAIRMAN: Will the Minister kindly address the Chair?

The MINISTER FOR HEALTH: I assume that the member for Perth is wondering whether the people of Eire can practise here. That country stands in relation to us the same as the U.S.A. does. Eire is not part of Great Britain. As far as I know there has been reciprocity between every English-speaking country and Great Britain and Northern Ireland. The only other country with which there were reciprocal relations, apart from the English-speaking races, was Italy. That reciprocity does not exist now.

Mr. Sampson: There is no prospect of reciprocity between this State and any other country.

The MINISTER FOR HEALTH: I am not speaking about this State, but Great Britain.

Amendment put and passed.

Mr. SAMPSON: I would like advice in regard to the proviso to Clause 6.

The MINISTER FOR HEALTH: There is another amendment before that. I move an amendment—

That in line 4 of the proviso to paragraph (c) of proposed new Section 11 the word "to" be struck out.

What does the member for Swan want to know?

Mr. Sampson: That was one of my questions.

Amendment put and passed.

Mr. SAMPSON: The proviso is not very clear, although it is clearer now than it was. We are in duty bound to protect our medical practitioners, and not allow all and sundry from foreign countries to displace or enter into serious competition with our own men. I take it this relates to a medical practitioner from another country; that if he is qualified to practise in the Commonwealth, then ipso facto he is qualified to practise in this State. It seems that we are acknowledging the superiority of another authority and that our Medical Board will not have full power in Western Australia.

The MINISTER FOR HEALTH: I move an amendment—

That in line 49 of proposed new Section 11 the words "A fee of two pounds two shillings" be struck out and the words "The annual fee of three guineas" inserted in lieu.

Amendment put and passed.

The MINISTER FOR HEALTH: I move an amendment—

That at the end of proposed new Section 11 the following words be added, "such fee shall be refunded in the event of refusal of the application for registration."

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

Clause 7—Amendment of Section 12:

Hon. N. KEENAN: I am not entirely in accord with the use of the word "improper." That is the vaguest possible term and I am sure the Minister has in mind something much more definite. Quite a minor matter may be improper whereas I think the Minister refers to something that would be infamous from a professional standpoint.

The Minister for Health: That is the trouble. People do not seem to know quite what is "unprofessional conduct" and "improper conduct."

Hon. N. KEENAN: Anything that is not strictly in order would be improper.

Mr. Patrick: And the word "infamous" is still in the section—for what it is worth.

Hon. N. KEENAN: Yes, and the addition of the word "improper" would give the board tremendous discretionary powers. Possibly no medical practitioner could avoid doing something that could be construed as improper.

The Minister for Health: We have tried to get a better word.

Hon. N. KEENAN: Who tried?

The Minister for Health: The Medical Board and others.

Hon. N. KEENAN: Why did not the Minister seek the assistance of a schoolmaster who knows English? I would like to know how the word "improper" came to be used in the Bill; it must have been inserted in a careless moment.

The Minister for Health: No. We gave a lot of thought to the matter. If the hon. member likes we can postpone the consideration of the clause so that the matter can be looked into further.

Hon. N. KEENAN: I have not an amendment to move at the moment.

On motion by the Minister for Health, further consideration of the clause postponed.

Clause 8—agreed to.

Clause 9—Annual fees:

The MINISTER FOR HEALTH: I move an amendment—

That at the end of proposed new Section 15B the following words be added:—"Provided that at the discretion of the board this shall not apply to medical practitioners who are on full-time active service with the Forces or to medical practitioners absent from this State for a period of not less than one year."

When the Bill was being drafted, the fact was overlooked that medical practitioners who were away on active service would be rendered liable for the payment of arrears of subscriptions, and that would also apply to doctors who went to Europe for post-graduate courses.

Hon. N. KEENAN: I am not opposed to the amendment, but I think the proviso should apply definitely to medical practitioners on active service, and that the discretionary power of the board should refer to the position of those absent from the State on post-graduate work.

The Minister for Health: I will accept an amendment along those lines.

Hon. N. KEENAN: I move—

That the amendment be amended by striking out the words "at the discretion of the board."

Amendment on amendment put and passed.

Hon. N. KEENAN: I move—

That the amendment be further amended by inserting after the word "or" in line 4 the words "at the discretion of the Board."

Amendment on amendment put and passed; the amendment, as further amended, agreed to.

Clause, as amended, put and passed.

Clause 10—Amendment of Section 23:

The MINISTER FOR HEALTH: I move an amendment—

That at the end of paragraph (a) the following words be added:—"Provided that this shall not apply to a dietitian who gives advice to a person requiring dietetic advice, if such advice has no relation to specific disease."

This deals with the point raised by the member for Claremont regarding dieticians. The amendment is designed to allow dietitians full play within their proper functions, so long as they do not attempt to treat organic diseases.

Mr. North: The object is to keep patients well, like the Chinese do.

The MINISTER FOR HEALTH: Some curious instances are on record. A dietitian treated a woman for nine months although she was obviously suffering from cancer in the nose. Another similarly treated a woman who was suffering from a diseased liver and, in the third case, the patient was suffering from kidney affected by tuberculosis.

Mr. Sampson: Correct diet might assist.

The MINISTER FOR HEALTH: But it would be of no use in effecting a cure of such organic diseases. We do not desire dietitians to do work apart from dietics. The object is to protect the public against those who have no qualifications whatever as dietitians.

Hon. N. KEENAN: I regret that I am unable to accept the Minister's amendment. It seems to me we must recognise that there is now a healing professional, who is known as a dietitian, or a person who has made a careful and accurate study of the effect of food on the bodily health. It is wrong to say that the profession is not recognised simply because it happens not to be recognised to any large extent in this part of the world. In the United States of America it is absolutely recognised. The statute-books of various States of the American Union have Acts relating to dietitians. These Acts provided for the establishment of colleges for the express purpose of qualifying dietitians and chiropractors, the latter being another important development outside the medical world—and of tremendous importance to humanity, having added very much to human happiness. Certain papers have been handed to me by the member for West Perth, who unfortunately is not present to make the case clear in regard to dietitians and chiropractors. The provisions of American laws are almost

entirely unknown to the people of Australia, and probably unknown to the people of the Old Country. Amongst the literature handed to me is a pamphlet written by one of the chief chiropractors, dated the 17th December, 1935, in which he relates how he was called in for the purpose of treating the Duke of Kent—who unfortunately became the victim of an aeroplane accident—and also treated the King himself, George V. That is one reason. Another view is this: Under the Minister's amendment, any man or woman calling himself or herself a dietitian can come in.

The Minister for Health: That is the position now.

Hon. N. KEENAN: I do not want that. I want any person having a proper license from some person or body to practise this particular profession, but only such a person to come in. The Minister's amendment would allow anyone to come in. As regards giving advice, the practitioner would be entitled to prescribe only for specific diseases. I desire to provide for those who are practising as dietitians or chiropractors and hold a diploma or certificate from a bona fide body or school which issues licenses or diplomas in respect of those particular callings; and I propose that a school or body be considered bona fide when it is recognised by any part of the British Empire or any State of the American Union. Such a body would be entitled to have respect shown to its diplomas or licenses. It would not be a bogus body. The United States is leading the medical profession now, and has been leading it for the last 20 years. Every single step we take forward in medicine is because of something that has been discovered and practised in the United States; and this results from the enormous endowments there for research work.

I hold in my hand a copy, which purports to be a certified copy, of the license to practise as a chiropractor issued by the State of California. It states among other things that chiropraxis means a knowledge of the muscular system. A chiropractor does not perform operations. The American State of Wyoming has also passed a law instituting a school of chiropraxis. It would be absurd to refuse to allow those who hold licenses or diplomas from bodies of this character, and are able to satisfy our Medical Board that they are the holders of such licenses or diplomas, to offer their services in Western Australia. Medical practitioners, for instance, will give advice as to what one should eat although they have given no study to dietetics.

The MINISTER FOR HEALTH: There is a great deal in what the member for Nedlands has said; but if my amendment is defeated and his contemplated amendment agreed to, then large numbers of men practising today as dieticians without holding any diploma—

Hon. N. Keenan: Do you want that?

The MINISTER FOR HEALTH: I am not going to be forced into the position of saying, "We will shut out everyone who has not a diploma from America." Dietitians may have obtained diplomas in Great Britain.

Hon. N. Keenan: New Zealand, I am told.

The MINISTER FOR HEALTH: I do not know about New Zealand. To disallow the amendment I have proposed, which is an endeavour to tighten up the position, and to accept the amendment suggested by the member for Nedlands would probably have the effect of shutting out a great many people who today are practising and are probably good dietitians. The Perth Hospital has engaged a lady who is a dietitian. I do not know whether she has a diploma from America, but she was appointed at the urgent request of the medical fraternity to look after the patients' diet. I am informed by my colleague that there is a dietitian at St. John of God Hospital. My amendment has the approval of the medical fraternity. The hon. member's amendment is too vague and wide and will do a lot of harm to people who have the necessary qualifications, though they may not have those suggested by him.

Mr. NORTH: I suggest that the Minister should compromise with the member for Nedlands so that both their desires may be met. There is another way out of the difficulty. I want to draw the Minister's attention to the fact that in 1928 the House passed the following motion:—

That this House is of opinion—(1) That the social and economic burdens arising from faulty nutrition merit the serious attention of the Government. (2) That the State system of education should embrace a curriculum in which physical well-being would assume even greater importance than even reading, writing or arithmetic.

By teaching the children these essential points, a good deal of the need for this discussion would be obviated. There is still time for the Government to use the teachers in a big way to bring these questions before the children. The Minister was prepared to postpone the consideration of a previous clause, and he might well postpone consideration of this one with a view to conferring with the member for Nedlands. A means might thus be devised of providing that those not qualified could still teach people who are well but who need advice as to how to get thin or how to get fat, etc.; while those with qualifications could deal with the sick.

Hon. N. KEENAN: I move—

That the amendment be amended by inserting after the word "dietitian" the words "or to a chiropractor."

Amendment on amendment put and passed.

Hon. N. KEENAN: I move—

That the amendment be further amended by inserting after the word "dietetic" the words "or chiropractic."

Amendment on amendment put and passed.

Hon. N. KEENAN: I move—

That the amendment be further amended by striking out the word "specific" and inserting the word "organic" in lieu.

The MINISTER FOR HEALTH: I oppose the amendment. Surely there are diseases which can be specific without being organic. The word "organic" narrows the position too much.

Mr. J. HEGNEY: There are many dietitians who can and do successfully treat complaints. Many professional men attend chiropractors and dietitians for treatment. Remarkable cures have been effected of people who were given up by doctors. At the age of six, my son had his tonsils removed by one of the best specialists in Perth. At the age of nine he suffered from a succession of colds and when a doctor was eventually summoned he diagnosed tonsilitis. My wife told him that the boy's tonsils had been removed but the doctor replied, "I do not care what you say. He has tonsils." We were naturally concerned at the prospect of the boy's having his tonsils removed every three years. His mother heard of a certain dietitian who had a tonsil clinic, and subsequently she consulted the dietitian with the result that the lad was put on a diet which included plenty of greens, and he was cured. The tonsils did not recur, and he has not had a cold this winter. Doctors are not experts in dietetics. Very few of them specialise in that direction, and many people have more faith in dietitians and chiropractors than they have in doctors. Members should express an opinion with a view to arriving at a fair compromise.

Mr. SAMPSON: In 43 of the States of America there are duly qualified chiropractors and in the other five States they practise unhindered. These men also practise in Canada. If the wretched word "specific" is retained, we shall be doing something to retard the progress of medical science, and I am surprised at the Minister's raising any objection.

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

Ayes	12
Noes	15
Majority against	3

AYES.

Mr. Boyle	Mr. Sampson
Mr. Fox	Mr. Seward
Mr. J. Hegney	Mr. Shearn
Mr. Hill	Mr. J. H. Smith
Mr. Keenan	Mr. Willmott
Mr. North	Mr. Doney
	(Teller.)

NOES.

Mr. Coverley	Mr. Panton
Mr. Hawke	Mr. Patrick
Mr. W. Hegney	Mr. Triat
Mr. Kelly	Mr. Warner
Mr. Leahy	Mr. Wise
Mr. Millington	Mr. Withers
Mr. Needham	Mr. Cross
Mr. Nulsen	*(Teller.)*

Amendment on amendment thus negatived.

Mr. NORTH: I move—

That the amendment be further amended by inserting after the word "specific" the word "organic."

The MINISTER FOR HEALTH: The contention has been that we are making the provision too narrow. The amendment will narrow it still further. I cannot agree to that.

Amendment on amendment put and negatived.

Mr. NORTH: I move—

That the amendment be amended by adding after the word "disease" in the last line the words "the treatment of which is successfully undertaken by the medical profession."

This would mean that the medical profession would be protected against the work of the dietitian or chiropractor except insofar as the medical profession is unable to

treat disease. Possibly those people might have a remedy and, if so, they should be allowed to prescribe.

Amendment on amendment put and negatived.

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

Clause 11—agreed to.

Clause 12—New sections:

The MINISTER FOR HEALTH: I move an amendment—

That in line 3 of proposed new Section 25A after the words "for the" the words "examination or diagnosis or" be inserted.

Without the amendment the clause would be useless. Our aim is to protect the public against unqualified persons using radium or x-rays.

Hon. N. KEENAN: Why not prohibit the use of radium and x-rays by any person except a radiologist, who is very different from a medical practitioner? The proposal means that the whole use of x-rays will be prohibited except by a medical practitioner. What is left if the medical practitioner is the only person entitled to use radium or x-rays?

The Minister for Lands: It is the interpretation of x-rays that matters.

Hon. N. KEENAN: Suppose a child swallowed a pin and its mother desired to know whether it had done so or not, could she not take it to some person who has an x-ray plant and who could find out in a moment whether or not the pin had been swallowed?

The Minister for Health: Then what would happen?

Hon. N. KEENAN: Of course, an operation would have to be performed by a doctor. Under this measure, however, the person with the x-ray plant would be prevented from discovering the pin.

Mr. TRIAT: I agree with the member for Nedlands. My experience in the back country has taught me that nurses often use an x-ray plant for the purpose of discovering a fracture of a bone or a foreign element in the body. If this provision were to pass the nurses would be unable to make such an examination. My wife recently went to hospital and was examined by a woman radiologist, who took two x-rays within a few minutes. Doctors today are scarce, and I am afraid danger will result if the use of radium and x-ray plants is limited to doctors.

Mr. HILL: I also support the member for Nedlands. I had a personal experience a few days ago. My wife thought our baby had swallowed a pin and took her to hospital, where I understand the matron made an x-ray examination without any trouble at all.

Amendment put and negatived.

The MINISTER FOR HEALTH: I move an amendment:—

That at the end of proposed new Section 25A the following proviso be added:—"Provided that this section shall not apply to a registered dentist who uses x-rays as an aid to diagnosis in the practice of dentistry."

Amendment put and passed.

Mr. SAMPSON: I move an amendment—

That in line 2 of proposed new Section 25B after the word "relative" the words "or friend" be inserted.

Frequently a relative is not at hand when a person is passing through sickness or about to have a serious operation. On consideration, I hope the Minister will agree to the addition of the words proposed to be inserted.

The MINISTER FOR HEALTH: I cannot agree to the amendment. It may mean that a friend would be called upon to decide whether another doctor should be called in for consultation. Someone would have to pay the other doctor's fee. Such cases have been brought to my notice.

Mr. SAMPSON: There is no justification at all for the clause, but I thought that if we were to give a near relative the right proposed, the same right should be given to a friend. There is an old saying, "God gives us our relations, but we choose our friends." I hope the Minister will agree to the amendment. On many occasions a relative is not handy, and is not accessible by telegraph.

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

Ayes	5
Noes	22
Majority against	17

AYES.

Mr. Boyle	Mr. Seward
Mr. Hill	Mr. Doney
Mr. Sampson	*(Teller.)*

NOES.

Mr. Coverley	Mr. Nulsen
Mr. Fox	Mr. Panton
Mr. Hawke	Mr. Patrick
Mr. J. Hegney	Mr. Shearn
Mr. W. Hegney	Mr. J. H. Smith
Mr. Keenan	Mr. Triat
Mr. Kelly	Mr. Warner
Mr. Leahy	Mr. Willmott
Mr. Millington	Mr. Wise
Mr. Needham	Mr. Withers
Mr. North	Mr. Cross
	(Teller.)

Amendment thus negatived.

Hon. N. KEENAN: On behalf of the member for Murray-Wellington, I move an amendment—

That in line 8 of proposed new Section 25B after the word "circumstances," the words "A medical practitioner who, on any such request, arranges a consultation, shall not thereby become liable for the charges of such other medical practitioner," be inserted.

Amendment put and passed.

Mr. SAMPSON: I move an amendment—

That in line 3 of proposed new Section 25E the words "Auditor General" be struck out and the words "by the qualified accountant" inserted in lieu.

I am satisfied the Minister had nothing to do with placing on the shoulders of the Auditor General the auditing of the accounts of the board.

Amendment put and negatived.

Clause, as previously amended, put and passed.

Progress reported.

BILL—ROAD CLOSURE.

Second Reading.

Debate resumed from the 17th November.

MR. DONEY (Williams-Narrogin) [5.48]: In common with several members I have investigated, to the extent possible, the proposals set out in the Bill, which is essentially a Committee Bill. So far as I understand it, I find nothing whatever to which to object. It may quite easily be that certain members, such as the members representing Kanowna, East Perth, Fremantle, Perth, Katanning and North-East Fremantle, having more knowledge than I, may not be entirely satisfied with the proposal, or will seek further information regarding it. There is no reason for me to do other than support the Bill, which is what I do, subject to a word or two on a couple of the clauses in Committee.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Marshall in the Chair; the Minister for Lands in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Closure of portion of Farr-avenue, Perth:

Mr. DONEY: I would like to know whether it is necessary to have such an awkward shape in this instance. This thoroughfare is shaped somewhat like a D. It might as well have been oblong.

The MINISTER FOR LANDS: It used to be known as Bent-street. The plan shows that it is very tortuous. The Town Planning Commissioner in consultation with the local authority, decided that it should be dealt with in the way shown, and although it appears to be an awkward shape it really gives more room at that particular bend.

Clause put and passed.

Clause 6 and 7—agreed to.

First and Second Schedules, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and transmitted to the Council.

BILL—RESERVES.

Second Reading.

Debate resumed from the 17th November.

MR. DONEY (Williams-Narrogin) [5.52]: This, like the Bill just dealt with, would be best discussed in Committee. I cannot say that I thoroughly agree with all the proposals for the reason that I have not the necessary local knowledge to enable me to do so. I suggest that there may be certain members who will wish to contribute some remarks in Committee. There is the matter of the transfer of Crown land at Balingup. Three persons are trustees of the Agricultural Society, and certain land was granted to them as such trustees. It is now proposed to transfer the responsibility of that trusteeship to the road board. Perhaps the member for the district which includes Balingup may care to interest himself in the matter. Personally, I see nothing wrong with it. The same may be said of the wish of the Education Department to acquire land at Hollywood. It is no great distance, according to the litho, from the local State school. Here again the member for the district may consider that the land involved should be put to some better use. So far as I am concerned the present suggested use is quite desirable and proper, but it happens to be a big lump of land, particularly for the metropolitan area, and the member for that district may wish to say something about it.

The Bill contains a proposal to amend the size of the National Park at Nannup as shown on Plan A7692. Here again some local knowledge might well be shed on the subject. We might then quite easily come to some understanding. The acreages involved are pretty considerable. The park as it stands at present is some 3,360 acres in extent. If the changes envisaged in the Bill take place the new National Park would comprise an area no less than 4,107 acres. As I see it, the reason for the change looks sound enough, because there is saleable timber on the present park reserve, whereas the land alongside of it, which it is now proposed to exchange, is apparently devoid of commercial timber. But there may be other factors worth noting. Subject to these reservations, I have no objection to the Bill; but particularly with regard to the Nannup National Park, I hope that members who know something of the country may feel impelled to say a word or two.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Marshall in the Chair; the Minister for Lands in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Swan Location 3181:

Hon. N. KEENAN: I did not take part in the second reading debate because, on making inquiries, I found that the Nedlands Road Board and the Department of Education had dealt with the matter.

Clause put and passed.

Clause 4—agreed to.

Schedule, Title—agreed to.

Bill reported without amendment and the report adopted.

Third Reading.

Bill read a third time and transmitted to the Council.

BILL—GOLDFIELDS WATER SUPPLY ACT AMENDMENT.

Council's Amendment.

Amendment made by the Council now considered.

In Committee.

Mr. Marshall in the Chair; the Minister for Works in charge of the Bill.

The CHAIRMAN: The Council's amendment is as follows:—

Clause 5.—Insert a paragraph to stand as paragraph (a) after the word "amended" in the second line, as follows:—

(a) by substituting the words "three years" for the words "twelve months" in the fifth line; and

(b)

The MINISTER FOR WORKS: The amendment is to the schedule of the Act, which requires payment after 12 months. At the request of the member for Williams-Narrogin, we adopted a period of three years throughout the Bill.

Mr. Doney: Is this consequential on the amendments I moved?

The MINISTER FOR WORKS: Yes. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

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

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Council's Amendment.

Amendment made by the Council now considered.

In Committee.

Mr. Marshall in the Chair; the Minister for Works in charge of the Bill.

The CHAIRMAN: The Council's amendment is as follows—

Clause 3.—Delete paragraph (b).

The MINISTER FOR WORKS: The paragraph requires the consent of the Minister before any town clerk, engineer or building surveyor may be removed from office. This proposal was not introduced to meet any departmental requirement. The municipalities have asked for it and a similar provision is contained in the Road Districts Act. A conference of the Country Municipal Councils' Association passed a motion asking for the same measure of protection as is provided in the Road Districts Act, and this was endorsed by the Local Government Officers' Association when it requested that provision be made for security of tenure for these employees by way of establishing an appeal board. The Country Municipal Councils' Association, which comprises 13 out of the 21 municipalities in the State, pointed out that similar protection is enjoyed by

road board secretaries and health inspectors, and that like provision has been made in other States. Another place suggested that this was an innovation, and that we should go backwards and permit road boards to dispense with the services of officials without the consent of the Minister. We propose to go forwards and give municipal officers similar protection to that enjoyed by road board officers. In Victoria recently a similar provision was enacted and it includes protection also for valuers and rate-collectors. In South Australia an appeal board has been provided. In New South Wales the Act provides for an inquiry to be conducted by a person appointed by the Governor whenever one of these officials is dismissed. The municipalities themselves are anxious that their officers should be protected. I move—

That the amendment be not agreed to.

Mr. DONEY: I do not think any objection was raised to the provision here. The most potent—if that be the proper word—reason for the objection was given by an hon. member who said he could not for a moment think that a servant of a municipality would be dismissed except for proper reasons. We know that sometimes puerile disputes arise between a member of a municipal council and a servant of the council, and that frequently the member, having considerable influence locally, does manage to get the servant of the municipality dismissed without proper reason. I am disposed to adhere to the Minister's view on this matter, especially as the Municipal Councils' Association seems to be of the same opinion.

Question put and passed; the Council's amendment not agreed to.

Resolution reported and the report adopted.

A committee consisting of Mr. Doney, Mr. Withers, and the Minister for Works drew up reasons for not agreeing to the Council's amendment.

Reasons adopted and a message accordingly returned to the Council.

House adjourned at 6.17 p.m.

Legislative Council.

Wednesday, 25th November, 1942.

The PRESIDENT took the Chair at 2.15 p.m., and read prayers.

BILL—LOTTERIES (CONTROL) ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. SIR HAL COLEBATCH (Metropolitan) [2.20]: I shall oppose the second reading of this Bill and I shall be pleased, if there is sufficient support, to divide the House. It was pointed out during the discussion of a similar Bill last session that an increase of one-half-penny—a very modest increase—in the hospital tax would have yielded a larger revenue than is obtained for hospitals and other purposes from the lotteries. I suppose that now the chance of imposing such a tax has passed. Taxation has been handed over to the Federal authorities; but had there been sufficient foresight to impose that tax a year or two ago, then it would have had to be taken into consideration by the Federal authorities in assessing the amount to be paid to this State. We should have got that without any extra expense to ourselves.

However, what I want to find out is the purpose this House had in mind in refusing to make the Act a permanent piece of legislation and insisting that the operation of the measure should be confined to a single year at a time. The only purpose I can mention is that the House thought and hoped that the time might come when a stop might be put to these lotteries. What would be the circumstances that would justify the House in reversing the previous decision that the Lotteries (Control) Act should continue from year to year? I have