

Kingdom to ratify the Hague Convention. Britain signed the Convention on the 13th February, 1962.

As early as 1960, the Law Reform Committee of the Law Society of Western Australia reported on the inadequacy of our laws, and about that time the Victorian Chief Justice's Law Reform Committee was actively pursuing the subject of reform of laws dealing with the validity of wills. The Queensland Parliament enacted legislation in 1962. It was based on Ontario legislation and, at the meeting of Attorneys-General in Brisbane on the 7th September, 1962, the conference accepted in principle the recommendations of the fourth report of the British Private International Law Committee (the Wynn Parry Committee), supporting uniformity among nations, thus giving the green light to uniformity in legislation amongst the Commonwealth and States.

About that time also a new Wills Ordinance was in the advanced stage of preparation for the Australian Capital Territory and for the Northern Territory. The 1962 report of the Western Australian Law Reform Committee was available at the meeting of Attorneys-General in Melbourne in April, 1963. Victoria was then preparing draft legislation and, in the light of the particular submissions made by the Chief Justice of Western Australia, draft uniform legislation evolved.

This Bill conforms with the uniform legislation but remains as a separate Statute to be read as one with the 1837 Wills Act adopted from Imperial Statutes. The Bill will provide in effect as follows:—

- (a) That a will is to be treated in W.A. as properly executed if it is executed in accordance with the formal requirements of the internal law of the place of execution or of the testator's domicile, habitual residence, or nationality;
- (b) certain additional rules under which a will executed on board ship or in an aircraft or a will disposing of immovable property, revoking a previous will or exercising a power of appointment is to be treated as properly executed;
- (c) that a will exercising a power of appointment is not to be treated as improperly executed solely because its execution does not comply with the formalities required by the instrument creating the power;
- (d) that a requirement of any foreign law which testators of a particular description are to observe, special formalities or attesting witnesses to possess certain qualifications, is to be treated as a matter of form;
- (e) that the construction of a will is not to be affected by a subsequent change in the testator's domicile;

- (f) describing rules for selecting the appropriate system of law where there is more than one system of law in force in the country in question;
- (g) that it is the formal requirements in force at the time of execution of a will which are to be taken into account, subject to any subsequent change in the relevant law under which the will is retrospectively validated.

It was agreed at the meeting of the State Attorneys-General held at Canberra on the 17th April last that each State and Territory of the Commonwealth would introduce this Bill and then Australia would be in a position to accede to the convention.

The proposals written into this measure have been examined by the chief justices and judges of the various State supreme courts, and by law councils, and law societies, and have gained their approval. The Law Society of Western Australia is also in agreement. His Honour, the Chief Justice of Western Australia, agrees with the principles, and I commend the Bill to members.

Debate adjourned, on motion by The Hon. E. M. Heenan.

## ADJOURNMENT OF THE HOUSE: SPECIAL

**THE HON. A. F. GRIFFITH** (Suburban—Minister for Mines) [3.39 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 8th September.

Question put and passed.

*House adjourned at 3.40 p.m.*

# Legislative Assembly

Thursday, the 27th August, 1964

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The SPEAKER (Mr. Hearman) took the Chair at 2.15 p.m., and read prayers.

## QUESTIONS ON NOTICE

## SOUTH KENSINGTON SCHOOL

*Mentally Retarded and Slow Learning Pupils*

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

- (1) How many—
  - (a) mentally retarded;
  - (b) slow learning children attend the South Kensington School?
- (2) Are these two classes of children mixed together at the school?

Mr. LEWIS replied:

- (1) (a) 84.  
(b) Nil.
- (2) No.

## MARRIAGE ACT

*Effect on Provisions of W.A. Legitimation Act*

2. Mr. EVANS asked the Minister representing the Minister for Justice:

- (1) Since the coming into operation of the Commonwealth Marriage Act of 1961, has a judicial decision been given as to how far the registration provisions of the W.A. Legitimation Act of 1909 now apply?
- (2) If so, what was decided therein?

Mr. COURT replied:

- (1) Not so far as known or as disclosed by the records of the Supreme Court and of the Registrar-General.
- (2) Answered by No. (1).

## STATE HOUSING HOMES

*Maximum Earnings for Eligibility*

3. Mr. BRADY asked the Minister representing the Minister for Housing:

- (1) What is the maximum amount permitted to be earned per week before a person can be supplied with—
  - (a) a rental home;
  - (b) a purchase home?
- (2) When was this maximum amount fixed?
- (3) What was the basic wage at the same date?

Mr. ROSS HUTCHINSON replied:

- (1) (a) Rental:
 

Metropolitan—£23 17s. 10d. per week, plus 9s. 7d. for each child under 16 years.

Country—£28 16s. 8d. per week, plus 9s. 7d. for each child under 16 years.

North-West—£38 9s. 3d. per week, plus 9s. 7d. for each child under 16 years.

(b) Purchase:

Metropolitan—£23 17s. 10d. per week, plus 9s. 7d. for each child under 16 years.  
Country—£28 16s. 8d. per week, plus 9s. 7d. for each child under 16 years.  
North-West—£38 9s. 3d. per week, plus 9s. 7d. for each child under 16 years.

(2) The 27th April, 1964.

(3) Basic Wage—£15 4s. 2d.

**RAILWAY AT GUILDFORD**

*Flashing Lights for Market Street Crossing*

4. Mr. BRADY asked the Minister for Transport:

(1) What are the latest plans for placing flashing signals on the Market Street crossing near Guildford station?

*Provision of a Pedestrian Crossing*

(2) Has consideration been given to the provision of a pedestrian crossing for children going to and from the slow learners' school?

(3) What is the latest decision?

Mr. CRAIG replied:

(1) Preliminary inspection only has been made but the question will be considered by the Flashing Lights Committee.

(2) No. The children are transported from their homes to the school and return.

(3) Answered by No. (2).

**POLICE STATIONS AT BEVERLEY AND BROOKTON**

*Renovations*

5. Mr. GAYFER asked the Minister for Police:

When is it proposed to commence the renovations of—

(a) the Beverley Police Station and quarters;

(b) the Brookton Police Station and quarters?

Mr. CRAIG replied:

It is proposed to commence repairs and renovations to both buildings early in 1965.

**SOUTH BUNBURY PRIMARY SCHOOL**

*High School Annexe*

6. Mr. WILLIAMS asked the Minister for Education:

(1) In relation to the proposed high school annexe at South Bunbury Primary School—

(a) how many additional classrooms are to be built;

(b) is it intended that these will be ready to use at the beginning of the school year 1965;

(c) what extensions are proposed for the following essential services—

(i) toilets;

(ii) cloak rooms;

(iii) shelter sheds;

(iv) library;

(d) what consideration has been given to enlarging the present rather small and inadequate staff room and facilities in order to cope with the additional teachers;

(e) what consideration has been given to the possible disruption of primary school students by the high school students, in normal school life, particularly during recess periods;

(f) in view of the expected increase in enrolments, is it proposed to upgrade with fill those sections of the school grounds where extensive pooling of water occurs after rain?

(2) In view of the difficulties envisaged in the previous question, can he give me the reasons why the proposed use of this annexe is preferable to the immediate commencement of the proposed new high school?

Mr. LEWIS replied:

(1) (a) Four classrooms are to be added to the main building.

(b) Yes.

(c) No extensions to these services are proposed, as any increase in the enrolment of the school in 1965 will be only temporary. It is intended that the old timber classrooms at present on the site will be demolished early in 1966.

(d) No plans have been made to enlarge the staff room, which is of approximately standard size and should be adequate for the slightly increased staff at the school next year.

(e) No disruption should occur, as it is intended that the Bristol units at the far corner of the site will be used by the high-school students.

(f) This has been referred to the Public Works Department with a view to having the position rectified.

(2) The number of students available in 1965 will be insufficient for the establishment of a separate high

school. It is the intention of the department to build a new high school on a site in Minnimup Road in readiness for the 1966 school year, subject to available funds.

### MINERAL SANDS DEPOSITS

#### *Visit of Japanese to Cheyne Bay Area*

7. Mr. HALL asked the Minister representing the Minister for Mines:

Will he make endeavours to have Japanese mining personnel who are visiting this State to inspect mineral sand deposits in the south-west area make a visit to the Albany area for the purpose of inspecting mineral sand deposits in the Cheyne Bay area and adjacent areas?

Mr. BOVELL replied:

As far as is known there are no Japanese mining personnel visiting this State at present to inspect mineral sand deposits in the south-west area.

Endeavours to assist in the development and marketing of our deposits are and will always be made.

### KALGAN BRIDGE

#### *Commencement and Anticipated Cost*

8. Mr. HALL asked the Minister for Works:

In view of the answers given to questions asked on the 3rd September, 1963, pertaining to the construction of the new Kalgan bridge, Albany district, when will the work commence on the building of the new Kalgan bridge and what is the anticipated overall cost?

Mr. WILD replied:

A sum of £30,000 has been provided on the department's current programme of works for the construction of this bridge. The work will be put in hand towards the end of this financial year.

### SEWERAGE IN SPENCER PARK AREA

#### *Extensions*

9. Mr. HALL asked the Minister for Water Supplies:

- (1) Is it the intention of the Government to carry out extensions of the reticulated sewerage service in the Spencer Park area this financial year?
- (2) If so, what streets will be connected to the deep sewer?

- (3) What is the proposed expenditure for sewerage connections in the Spencer Park area, Albany, this financial year?

Mr. WILD replied:

- (1) Yes.
- (2) The area bounded by Collingwood Street, Nesbitt Road, Poole Street, and Burville Street.
- (3) Finance for sewerage house connections is the responsibility of the Albany Town Council in conjunction with householders. No Government finance is available for such work.

### STATE AID TO DENOMINATIONAL SCHOOLS

#### *Deputation to Premier: Personnel and Proposals*

10. Mr. HALL asked the Premier:

- (1) Can he advise the House as to the outcome of discussions held with him and the deputation which called on him to discuss aid to denominational schools?
- (2) What were the names of the persons comprising the deputation which met him on the 6th September, 1962, and what religious bodies were represented by clergy and laymen?
- (3) Were any of the following proposals submitted—
  - (a) payment to schools for each secondary school child of an amount equal to half the current cost to the Government of educating a child in State high schools;
  - (b) application of the living-away-from-home allowance to the parents of all secondary school children so that it was available to those who sent their children to boarding schools irrespective of whether there was a local high school in the district;
  - (c) assistance in capital development either as grants to cover interest payments on capital borrowed from commercial institutions or as capital loans free of interest or at low rate of interest repayment to be made over 25 years;
  - (d) certificated teachers to serve their bond at any efficient secondary school?
- (4) If the answer to No. (3) is "Yes," which proposals were accepted and what additional proposals, if any, were discussed?

Mr. BRAND replied:

- (1) These matters, and indeed all aspects of State aid to independent schools, are still receiving the close consideration of the Government.

Why the laughter over there? I should not have thought there was anything to laugh about.

Mr. Bovell: They are laughing to keep their courage up.

Mr. BRAND: Continuing the answer—

- (2) The Venerable Archdeacon T. B. Macdonald, Mr. P. M. Moyes, and Mr. R. B. Goode (representing the Anglican Church), and The Right Reverend Monsignor J. E. Bourke, Mr. W. A. Mahoney, and Mr. C. E. Pollett (representing the Roman Catholic Church).
- (3) Yes.
- (4) Answered by No. (1).

## HOSPITAL AT BENTLEY

### *Delays in Construction*

11. Mr. JAMIESON asked the Minister for Health:

- (1) Have there been any recent delays in the proposals for the construction of the Bentley Hospital?

### *Commencement and Completion*

- (2) When will the hospital now be—
  - (a) commenced;
  - (b) ready for occupation?

Mr. ROSS HUTCHINSON replied:

- (1) Yes.
- (2) (a) Tenders are expected to be called in November, closing December, 1964, and work should commence in January, 1965.
- (b) It will be a 21-month contract—therefore, completion date is expected to be September, 1966.

## SEWERAGE

### *Extension to Lathlain Park*

12. Mr. DAVIES asked the Minister for Water Supplies:

- (1) When is it anticipated the deep sewerage main will be extended to meet the needs of residents in the Lathlain Park area?
- (2) Can any estimate be given of the cost that would be involved in such work?

Mr. WILD replied:

- (1) Provision of deep sewerage will depend on development of the area and the availability of finance.
- (2) It is estimated about £125,000.

## TELEPHONE CHARGES

### *Subsidy for Invalids*

13. Mr. BRADY asked the Minister for Health:

As many invalids and aged people will not be able to pay increased telephone charges, will he confer with the Premier to try to arrange a subsidy in such cases to avoid invalids having to go into one or other of the metropolitan hospitals?

Mr. ROSS HUTCHINSON replied:

I am not entirely unsympathetic to the submission made by the honourable member, but point out that the subject of concessions in respect of telephone charges is one for the consideration of the appropriate Commonwealth authority, to whom he should make representations.

## LAND AT SOUTH YILGARN

### *Tabling of Committee's Report*

14. Mr. KELLY asked the Minister for Lands:

Will he lay on the Table of the House the report of the committee appointed to examine the unalienated lands of South Yilgarn?

Mr. BOVELL replied:

I ask your permission, Sir, to lay Lands & Surveys Department File No. 4154/22, Volume 3, on the Table of the House for one week only. The reports are at folios 357, 358, and 359, and I would draw the honourable member's attention to the relevant portions.

*The file was tabled.*

## MARKETING OF ONIONS ACT

### *Amendments and Referendum of Growers*

15. Mr. GRAHAM asked the Minister for Agriculture:

- (1) Is it intended to introduce legislation this session for the purpose of giving effect to any or all of the amendments to the Marketing of Onions Act which are sought by the Onion Marketing Board?
- (2) Does he approve the amendments sought?
- (3) Was a referendum of growers taken on the proposed amendments?
- (4) If so, when, by whom, and with what result?
- (5) Who initiated the referendum, and under what specific authority?
- (6) Has he knowledge of the circular of the board advocating 11 amendments to the Act?

- (7) Does this advocacy, setting out one viewpoint only, conform with the proper functions of the board?
- (8) Were growers' organisations informed of the intention to conduct a referendum and the matters to be covered in such referendum?
- (9) If so, what organisations, when, and in what manner?
- (10) Have any approaches been made from Kalgoorlie or Carnarvon growers for deletion of section 4 (4) of the Act?

Mr. NALDER replied:

- (1) No decision to introduce such legislation has yet been made.
- (2) Yes.
- (3) Yes.
- (4) A referendum was held, closing on the 20th August, by the State Electoral Department. The poll was in favour of proposed amendments as follows:—

Yes—92.

No—85.

Informal—7.

- (5) The Government requested that the Western Australian Onion Marketing Board ascertain by means of a referendum the views of growers on the suggested amendments to the Onion Marketing Act.
- (6) Yes.
- (7) No single viewpoint was expressed. The proposals showed the existing sections of the Act and the amendments suggested. The Western Australian Onion Marketing Board did not canvass the growers for a "Yes" vote. However, leaflets in two languages, of which the authorship is not known, were circulated urging a "No" vote.
- (8) There is no specific organisation representing onion growers.
- (9) Refer to No. (8).
- (10) No. Irrespective of section 4 (4), the board has powers to exempt any areas.

### HIGH SCHOOLS

#### *Capital Expenditure, Student Enrolments, and Facilities*

16. Mr. BURT asked the Minister for Education:

- (1) What expenditure of a capital nature was made during the 10 years to the 30th June, 1964, at—
  - (a) Governor Stirling High School;
  - (b) Kent Street High School;
  - (c) John Curtin High School;

(d) Eastern Goldfields High School?

- (2) What was the student enrolment at each school on the 30th June, 1964?
- (3) Which of the schools listed have—
  - (a) gymnasiums;
  - (b) assembly halls;
  - (c) sports fields;
  - (d) sporting amenities;
  - (e) recreational areas;
  - (f) hot water systems?

Mr. LEWIS replied:

- (1) (a) £627,065.  
(b) £79,899.  
(c) £628,911.  
(d) £180,051.
- (2) The latest available figures are—
  - (a) Governor Stirling, August, 1964—1,555.
  - (b) Kent Street, August, 1964—1,445.
  - (c) John Curtin, August, 1964—1,516.
  - (d) Eastern Goldfields, February, 1964—1,116.
- (3) (a) Governor Stirling—Combined gymnasium/assembly hall.  
(b) John Curtin—Separate gymnasium and youth hall.  
Eastern Goldfields—Gymnasium.  
(c) Kent Street—Football and hockey.  
John Curtin—Football and hockey.  
(d) Governor Stirling—Tennis and basketball.  
Kent Street—Tennis and basketball.  
John Curtin—Tennis and basketball.  
(e) See answers to (c) and (d).  
(f) Nil.

### ALMA STREET SCHOOL, FREMANTLE

#### *Establishment of Bore*

17A. Mr. FLETCHER asked the Minister for Education:

With reference to question No. 14 of the 25th August, 1964, and in view of the 1963-64 water account of £82 5s. 6d. and possible annual increase at Alma Street State School, Fremantle, will he, in view of the 15 to 20 feet depth to underground water, investigate the economics of establishing a bore to create a self-contained water supply for all purposes other than, if necessary, drinking?

Mr. LEWIS replied:

The Public Works Department advises that such a proposal would be economically unsound.

## WATER SUPPLIES FOR SCHOOLS

### *Establishment of Bores*

17B. Mr. FLETCHER asked the Minister for Education:

With a view to practising economy in the use of water at schools where natural water is at an economic depth, will he establish bores for a similar purpose to that referred to in question No. 17A?

Mr. LEWIS replied:

Where underground water is available bores are established for reticulation of high-school grounds. At primary schools the department subsidises parents and citizens' associations to the extent of half the cost of bringing water to the surface.

## EXPORT EARNINGS

### *Total Amount for 1963*

18. Mr. HART asked the Minister for Industrial Development:

- (1) What were the total export earnings for Western Australia in the year ended the 30th June, 1963?

### *Dissection of Earnings*

- (2) Of this amount, what were the export earnings of the following:—
  - (a) Primary production;
  - (b) mining gold ores and various minerals;
  - (c) secondary industry?

Mr. COURT replied:

	£
(1) Earnings from over-seas exports	127,363,231
Earnings from inter-state exports	45,818,231
Total export earnings	£173,181,462

- (2) The official dissection is as follows:—

- (a) £82,074,880
- (b) £11,988,838
- (c) £75,165,902.

To these should be added ships' stores which total £3,951,842.

The above dissection might not fall precisely in the categories that the honourable member is seeking because of the inclusion under the heading of "Secondary Industry" of a number of items which are primary products and

which, although processed in varying degrees, might not normally be considered as secondary industry.

I will make available to the honourable member details of some of the items that fall under this heading.

## FLOODS

### *Damage to Railways, Bridges, Culverts, and Abutments*

19. Mr. ROWBERRY asked the Minister for Railways:

- (1) Has a survey of the recent flood damage to railways, bridges, culverts, and abutments been completed?
- (2) If not, how soon will this be accomplished?
- (3) How many bridges, culverts, and abutments to same were damaged or destroyed by the floods?
- (4) What is the estimated cost of such damage?
- (5) Was it found that damage to culverts comprising concrete pipes was more extensive than damage to bridges comprising timber piles or piers under like circumstances?
- (6) Was there any opportunity during the floods to compare the relative performance of—
  - (a) bridges resting on concrete piers;
  - (b) bridges resting on timber piles;
  - (c) concrete culverts composed of Hume pipes;
 under the same circumstances?
- (7) If so, what was the result of these comparisons?
- (8) Did any of these types of bridges (or any other types) collapse during the floods? If so, what was the cause of the collapse?
- (9) Has a study of this factor been made? If not, will he take steps to see that this is done?
- (10) How many bridges collapsed at the span resting on the abutment?
- (11) How many bridge abutments were swept away?
- (12) Could this have been prevented by extending the bridge proper to the natural flood-water course of the river or creek bed?
- (13) Do abutments by their very nature tend to cause build-up of flood-water pressure?
- (14) Does this build-up cause—
  - (a) flooding of adjacent country;
  - (b) pressure which eventually leads to the abutments being swept away?

- (15) What was the reason for replacing part of the timber bridge over the Collie River at Roelands by an embankment?
- (16) How much of this embankment was swept away?
- (17) Did the embankment cause a build-up of flood-waters which could have been prevented by leaving the original timber pier bridge?
- (18) Is it sound engineering practice to substitute embankments for open bridges?
- (19) When will the railway lines affected by flood-waters in the State resume normal running?
- (20) How long were these lines out of commission?
- (21) What is the estimated cost to the railways because of damage to tracks, bridges, culverts and dislocation of passenger and freight traffic?

Mr. COURT replied:

- (1) to (21) Many of the matters covered by these questions are currently in the course of being examined in conjunction with an overall review of the flood damage. It should be possible to give some information next week.

20. This question was postponed.

#### PROSPECTORS' SUSTENANCE SCHEME

*Increases in Allowance, and Recipients of Benefits*

21. Mr. KELLY asked the Minister representing the Minister for Mines:

- (1) What year was assistance to prospectors first granted on a sustenance scheme basis?
- (2) What was the amount of this allowance?
- (3) What increases have taken place since the original scheme first began, and in what years did they become operative?
- (4) What number of prospectors have received scheme benefits in each of the years since the inception including 1964?

*Capital Advanced and Repaid*

- (5) What is the total capital advance to prospectors under all schemes during the period quoted?
- (6) What capital repayment has been made to date?

#### Resultant Finds

- (7) As a result of prospectors participating in aid schemes, what new finds have taken place, and have any of these finds resulted in producing company operated mines?

Mr. BOVELL replied:

- (1) 1933.
- (2) 15s. per week.
- (3) Increases have been as follows:—

Year	South of Tropic of Capricorn		North of Tropic of Capricorn	
	Increase per week	Rate per week	Increase per week	Rate per week
1938	5/-	20/-	5/-	20/-
1946	10/-	30/-	N/A	20/-
1947	N/A	30/-	20/-	40/-
1951	20/-	50/-	30/-	70/-
1953	40/-	90/-	40/-	110/-
1959	10/-	100/-	10/-	120/-

- (4) The number of prospectors receiving assistance as at the end of December of each year was—

1933—1,700	1944—16	1955—69
1934—900	1945—12	1956—88
1935—250	1946—120	1957—53
1936—180	1947—143	1958—68
1937—108	1948—30	1959—61
1938—725	1949—25	1960—52
1939—643	1950—12	1961—60
1940—330	1951—20	1962—46
1941—120	1952—30	1963—45
1942—45	1953—79	1964—43 (at present)
1943—79	1954—69	

(5) £198,774 16s. 2d.

(6) £35,480, 8s. 5d.

- (7) One major find was that made by A. C. Palmer near Yellowdine and this resulted in the establishment of a producing company operated mine in the district.

#### QUESTIONS WITHOUT NOTICE

##### IRON ORE PROJECTS IN NORTH-WEST

*Employment of Natives*

1. Mr. BICKERTON asked the Minister for the North-West:

Arising out of notification I received from him the day before yesterday that he was visiting the various iron ore projects in the north-west, leaving tomorrow, and the fact that he may not receive my letter in reply, will he inquire from the principals of the various iron ore projects whether they would consider employing a certain proportion of native labour on their projects, on both the investigation side and the construction side; and eventually in the production if that stage is reached? There is a great opening for native labour to be employed, and I wondered if the Minister would take the matter up with the companies.

Mr. COURT replied:

I think this would hardly be a matter appropriate for discussion on this occasion, because the visit is mainly in connection with technical engineering matters, which accounts for the composition of the party making the visit. In the main we will only be talking to the technical officers of the companies concerned. However, I will bear this matter in mind when we are discussing the general questions of the agreement with those concerned. I think they will, no doubt, avail themselves of any suitable labour as the projects proceed.

### **SOUTH KENSINGTON SCHOOL: MENTALLY RETARDED PUPILS**

#### *Number*

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

When he was answering my question on today's notice paper, did I hear the Minister aright when he said all children attending South Kensington School are mentally retarded?

Mr. LEWIS replied:

Yes.

#### *Certification*

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

Has each of the children attending that school been certified mentally retarded by a medical officer?

Mr. LEWIS replied:

I am not in a position to reply, not having had notice of the question in any form, and if the honourable member will place his question on the notice paper I will have inquiries made.

Mr. H. May: There will be more than that on the notice paper.

### **BILLS (3): INTRODUCTION AND FIRST READING**

1. Superannuation and Family Benefits Act Amendment Bill.

Bill introduced, on motion by Mr. Brand (Treasurer), and read a first time.

2. Clean Air Bill.

3. Cancer Council of Western Australia Act Amendment Bill.

Bills introduced, on motions by Mr. Ross Hutchinson (Minister for Health), and read a first time.

### **VERMIN ACT AMENDMENT BILL**

#### *Second Reading*

MR. NALDER (Katanning—Minister for Agriculture) [2.38 p.m.]: I move—

That the Bill be now read a second time.

One of the purposes of this Bill is to provide the Agriculture Protection Board with additional funds to carry out vermin control in pastoral areas, if necessary. At present the Vermin Act provides for a maximum permissible rate on the unimproved capital value of land in pastoral areas, not to exceed 3d. in the pound. The Pastoralists and Graziers' Association has asked that this rate on pastoral land be increased, not to exceed 6d. in the pound, and this amendment will meet its request.

The other purpose of this Bill concerns the problem that has arisen from domestic type animals running wild, being captured and then held or released in other places, particularly in those areas where the animals have not been declared vermin. This amendment to the Vermin Act will make it possible for any class of animal, bird, or insect, already declared to be vermin by reason of its being at large or in a certain part of the State, to remain declared vermin just so long as the particular declaration is in force. Should the class of vermin be taken, kept, or domesticated, or taken to some other part of the State it will still remain vermin and be subject to the Vermin Act as such.

One situation that has led to the need for this amendment is that wild goats were captured in a part of a district where they were running wild and were brought into a township. Eventually a number of goats escaped, and young ones were released, as they were not wanted for export. This has resulted in the outskirts of the town becoming rapidly infested with wild goats.

Another instance of a similar situation was that goats were captured in a district where they were declared vermin, and taken into another district where there was not such a declaration, and put on a property with an ordinary wire fence.

Although 240 were taken, within a short time all but 30 had escaped into the surrounding district, which up until then had been entirely free of wild goats.

Mr. Bickerton: There are a lot of vermin in the zoo.

Mr. NALDER: Should people actually want to domesticate the animals, there is already provision in the Act for permission to be given.

Debate adjourned, on motion by Mr. Kelly.

## FIRE BRIGADES ACT AMENDMENT BILL

### *Second Reading*

**MR. ROSS HUTCHINSON** (Cottesloe—Chief Secretary) [2.42 p.m.]: I move—

That the Bill be now read a second time.

This is a small Bill to correct a legal oversight in legislation that was introduced last year. During the last parliamentary session I introduced an amending Bill to the Fire Brigades Act, and the Bill passed through both Houses of Parliament and became law. The two main purposes of the legislation, if I might remind the House, were as follows: Firstly, the former method by which contributions were made to the financial structure of the Fire Brigades Board was to be altered from the 5/9th, 2/9th, 2/9th formula to bring it into average line with other Australian States; and, secondly, the State Government Insurance Office was in future to be liable to make contributions to the Fire Brigades Board as with other insurance companies. Those were the two prime purposes.

There was no legal fault with the first purpose of the legislation, but the second purpose did not carry out its function. To that extent I misled the House, and the present amending legislation has had to be introduced to rectify the situation.

**Mr. Tonkin:** This is refreshing.

**MR. ROSS HUTCHINSON:** I did inform the House last year that the State Government Insurance Office would be included in the legislation by virtue of the definition of insurance company, and because of the promulgation of regulations which would be subsequently affected. However, the earlier legislation did not legally carry this into effect, and that is the reason why the present Bill is now before the House. Clause 2 of the Bill rectifies the situation by stating that

Section four of the principal Act is amended by adding, at the end of the interpretation, "Insurance company", the passage, "and includes The State Government Insurance Office established under the State Government Insurance Office Act, 1938."

Debate adjourned, on motion by **Mr. Brady**.

## UNIVERSITY OF WESTERN AUSTRALIA ACT AMENDMENT BILL

### *Second Reading*

**MR. BRAND** (Greenough—Premier) [2.47 p.m.]: I move—

That the Bill be now read a second time.

This is a very small Bill. It represents only a minor amendment to the University Act, but nevertheless an important one from the point of view of the University and those people who might attend.

When our University was constructed there existed around the world certain universities which placed a prohibition on women attending those universities. It appears that when this legislation was drafted it was made quite clear that there was no restriction on any sex, either on the benefits deriving from any donations or on permission to attend such classes that might be arranged by the University.

However, since that time it has been the experience of the Senate that certain people are prepared to make donations and to assist along certain lines provided that conditions they have laid down are carried out. I think it has been the experience of the University that someone was prepared to make available the benefits from a farm, but only provided that the benefits applied to male students who were interested in agriculture.

As the law stands at the present time, that could not be done. This amendment simply amends the existing Act in order that the University can accept donations of this kind, even though certain limitations are placed upon them.

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

## AGRICULTURAL PRODUCTS ACT AMENDMENT BILL

### *Second Reading*

**MR. NALDER** (Katanning—Minister for Agriculture) [2.50 p.m.]: I move—

That the Bill be now read a second time.

This Bill will provide the means of preventing the sale of immature or substandard fruit and other agricultural products that do not comply with necessary standards.

At the present time, under the Agricultural Products Act and regulations made pursuant to it, agricultural products, such as fruit, if of extremely low quality may be downgraded to the lowest grade that has been set. Even so this grade may still be higher than the condition of the product warrants, and does not prevent the product being made available for sale.

Regulations under the Agricultural Products Act provide for the grading of products, which include fruit, but no power is conferred to prohibit the sale of any product when the quality is below that of the lowest grade prescribed.

The Viticulturists Union of Western Australia is in support of legislative action, so far as grapes are concerned, to prevent the sale of immature grapes and also to enable substandard fruit to be removed from the market.

The experience has been that the sale of immature grapes at the beginning of a marketing period, although quite profitable to the growers involved in this practice, has a depressing effect on subsequent sales

when grapes are fully palatable. Disappointed customers tend to develop buyer resistance to grapes, and considerable time may elapse before confidence in the product is restored. This situation would apply to almost all products of an agricultural nature, but particularly to fruit such as citrus fruit and grapes.

The amending Bill provides for samples of agricultural products to be taken in sufficient quantity to permit an examination to be made to establish whether they comply with the requirements of the Act.

Should it be necessary, authority is also contained in this Bill for making the particular understandard agricultural product comply with the Act at the expense of the owner or person in charge of it. If the agricultural product cannot be made to comply with the requirements of the Act, then there is authority provided for it to be destroyed or disposed of in the manner that will be prescribed by regulation. Notice of any order for repacking, destruction, or disposal of any produce, must be given to the owner as soon as possible.

Provision is also contained in this Bill for approval in writing by the Minister, or a person authorised by the Minister, to be first obtained, when destruction of an agricultural product is found to be necessary.

A further clause indemnifies authorised persons, who are carrying out their duties under this section of the Act, against any action for damages arising out of the exercise of their powers.

Finally, a clause in the Bill makes it an offence to fail to comply with any order made under the authority of this section of the Act. This is necessary to ensure that orders are complied with. The penalty of £20 which is proposed is consistent with penalties at present provided in the Act.

Debate adjourned, on motion by Mr. Kelly.

## FORESTS ACT AMENDMENT BILL

### *Second Reading*

MR. BOVELL (Vasse—Minister for Forests) [2.55 p.m.]: I move—

That the Bill be now read a second time.

The Bill includes three proposals to amend the Forests Act, 1918-1954. The first amendment relates to the term of appointment of the Conservator of Forests. Section 8 (2) (b) of the present Act states—

shall hold office for a term of seven years, and at the expiration of his term of office shall be eligible for re-appointment.

Crown Law has expressed the opinion that the term of reappointment must be for a period of seven years. Whilst ensuring that the first appointment is for

a term of seven years, it is considered that circumstances might arise which would require subsequent appointments for less than seven years.

The amendment conforms with the provision in the Rural and Industries Bank Act in relation to the appointment of its chairman, and other full-time commissioners. Section 10 (1) of the Rural and Industries Bank Act is as follows:—

(1) The Chairman and the other full-time Commissioners shall hold office for a period of seven years from the date of their appointment, and thereafter shall be eligible for reappointment for a period (not exceeding seven years) to be fixed at the time of such reappointment.

With reference to the deputy conservator, it is proposed that he be eligible for appointment as conservator for a first term, for a period not exceeding seven years. This is designed to enable a person occupying the position of deputy conservator, who may have given long and faithful service to the State, to be eligible for appointment as conservator because at the time of his appointment his age may be against a full initial term of seven years.

The second amendment would confirm the permanent appointment of the deputy conservator. It is proposed to repeal section 12 of the Act and re-enact it to provide for full-time appointment of the deputy conservator. The Act at present provides for appointment of the deputy conservator in the case of the illness, suspension, or absence of the conservator.

The final amendment provides for a copy of any Order-in-Executive-Council relating to the dedication of State forest to be laid on the Table of each House of Parliament within the first 10 sitting days of the House after the publication of the Order-in-Council in the *Government Gazette*.

If each House of Parliament passes a resolution of which notice has been given within the first 10 sitting days of the House after a copy of an Order-in-Council has been laid on the Table of each House, that the Order-in-Council be disallowed, it ceases to have effect.

However, such disallowance does not affect or invalidate anything done in good faith by the Minister, or any officer exercising any powers or performing any duties under the Forests Act relating to the land referred to in the Order-in-Council.

The Act at present provides for Parliament to approve of excisions from dedicated State forest. This amendment will give Parliament the opportunity of reviewing dedications.

Debate adjourned, on motion by Mr. Rowberry.

## ALSATIAN DOG ACT AMENDMENT BILL

### *Second Reading*

**MR. NALDER** (Katanning—Minister for Agriculture) [3 p.m.]: I move—

That the Bill be now read a second time.

This Bill contains four amendments to the Alsatian Dog Act, of which the first two are in accordance with undertakings I gave during the last session of Parliament. The first amendment will reduce the fee which is payable to the Agriculture Protection Board on the transfer of a permit to keep an Alsatian dog, from £5 to £2. Whilst the fee for the initial issue of a permit to keep an Alsatian dog is £5, and for renewal of the permit annually £2, it is considered that £5 is too high for the transfer of a permit which may take place more than once during the year.

The second amendment extends the period during which an owner may leave his Alsatian dog with another person, other than his servant, employee, or member of his household, or without transferring the permit, from 14 days to six weeks.

At present the Act provides for a transfer of ownership to be made if the owner of an Alsatian dog goes away, say, on holidays, for a period exceeding 14 days, and wants to leave his dog with a person other than a servant, employee, or member of his household.

With the introduction of three weeks' leave for industry and commerce generally throughout the State, some shift workers would be getting as much as five weeks in one period. I therefore propose this amendment to the Act to enable such owners to make provision for their Alsatian dogs without the expense of a transfer fee, whilst still complying with the other requirements of the Act.

The opportunity is taken at this time to include an amendment to subsection (1) of section 13 of the principal Act. This is consequential on the amendments made to the original Act, when it was in the Committee stage, and apparently overlooked.

Finally, this Bill makes provision for the repeal of subsection (2) of section 13 of the principal Act. This subsection authorises local authorities to take proceedings against any person for any offence under the Act. Apart from the fact that the local authorities do not wish this duty to be imposed upon them, there is some judicial authority for the proposition that the authorisation of a local authority to prosecute may be read as excluding the authority of the Agriculture Protection Board to prosecute. This was never intended. The repeal of the subsection will have the effect of invoking the provisions

of section 41 of the Interpretation Act, 1918, which deals with the rights of persons, generally, to bring proceedings.

Debate adjourned, on motion by Mr. Graham.

## ANZAC DAY ACT AMENDMENT BILL

### *Second Reading*

**MR. BRAND** (Greenough—Treasurer) [3.5 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to give effect to improvements considered desirable in the light of experience gained when the Act was proclaimed. Members may recall that the original Bill was introduced in 1960, following a referendum held by the R.S.L. for the alteration of the Anzac Day Act when a decision was given in favour of holding holiday activities on the afternoon of that day.

When I introduced the Bill I undertook to introduce any legislation which we felt was necessary following the experience of one or two years. As a result of that experience, at a later stage I especially undertook to review the legislation before 1964, because, in this year, Anzac Day would fall on a Saturday, and therefore, in 1965 would fall on a Sunday. At this stage I might add that the Government did give some consideration to introducing legislation last year; but upon discussion with those who had experience with the Act, and who were directly associated with the legislation, it was decided not to proceed with it.

Thus Anzac Day 1964 proceeded along the same lines as it had for the three preceding years under the Act. Consequently a number of sporting bodies, including the W.A. National Football League, which normally conducts its fixtures on Saturdays, was required to pay 60 per cent. of the net proceeds to the Anzac Day Trust Fund.

However, in view of the number of years intervening between Anzac Day falling on a Saturday it is considered this did not impose any great hardship. In fact, we have not heard of any complaints in this regard. Here I would pay a compliment to the leaders of those organisations, inasmuch as they accepted this burden without complaint. This has not been the position in other States.

Members will also observe that it is not now intended to amend the Act in regard to Anzac Day falling on a Sunday, as it does in 1965, and, I understand, on only five other occasions until the end of this century. The Act as it stands, prohibits the holding of racing and trotting meetings on such days, and also prohibits the granting of occasional licenses under the Licensing Act when Anzac Day is a Sunday. We consider those prohibitions should continue to apply.

However, the Act does not prohibit the holding of sporting activities—as defined by the Act—after 1 p.m. on a Sunday, which is an Anzac Day, and therefore where sporting activities are held on such a day, the organisers would be required to contribute 60 per cent. of the net proceeds to the trust.

Whatever views may be held by individual members regarding organised sport and the sale of liquor permitted by the Act on Anzac Day, I think it will be generally agreed that proceedings under the Act so far have been quite satisfactory. It may be of some interest to mention at this stage that over £37,000 was distributed to ex-service organisations during the first three years of operations under the Act, and that a further amount of £20,000 is to be distributed this year.

Whilst the greater part of these proceeds comprised refunds of betting taxes collected on meetings held each Anzac Day by the W.A. Turf Club and the W.A. Trotting Association, I would like to say that these were special meetings held by those bodies for the purpose of helping ex-service organisations.

I now turn to the proposed amendments to the Act which, in the light of experience, are considered necessary. The first item in the Bill relates to the definition of "sports". The existing definition covers only sports meetings where persons are admitted on payment of an admission fee, or after a donation has been sought; but in some cases no charge is made for admission, and the organisers depend on moneys collected during the progress of the sports; and it could well be that donations could be sought after the sports had concluded. For this reason the definition has been widened with a view to including within its scope cases such as those mentioned.

Another item is in connection with the proceeds payable by racing and trotting bodies. The existing provision requires the payment to the Anzac Day Trust, in all cases, of 100 per cent. of the net proceeds. It is felt that this requirement, in so far as country racing and trotting clubs are concerned, is somewhat harsh, and there is an amendment which suggests that the payment of only 60 per cent. of the net proceeds should be made to the trust in respect of meetings held outside the metropolitan area. The metropolitan area is defined in the Act.

Opportunity has also been taken to amend the Act to permit of donations, devises, and bequests to the trust being made to the Anzac Day Trust Fund. At the present time no provision exists in the Act to allow donations to be accepted by the trust.

Another item mentioned in the Bill is the basis of distribution of proceeds, in regard to homes for ex-servicemen and ex-servicewomen. As the Act provides for

expenditure on new buildings only, it has been thought necessary that the basis should be widened so as to assist in the maintenance of, and in additions to, existing establishments. Some difficulty, I understand, has been experienced by the trust in regard to the existing wording of "principal object"—this will be found in section 10 (3) of the Act—for the purpose of establishing an organisation's qualification to participate in the distribution of proceeds from the trust fund. The proposed amendment, by way of substituting for the words "principal object" the words "object or one of the objects" will overcome that difficulty.

There is one further amendment in the Bill, and that relates to the position obtaining where a sporting, racing, or trotting body fails to submit returns and proceeds to the trust. Under the Act the trust could prosecute an organisation for such a breach, but could not then take action to enforce payment of the proceeds due to the trust.

These are only minor amendments, and I feel that after three years of operation it has become quite clear that the Act must have been fundamentally sound and well conceived in the first place.

Debate adjourned, on motion by Mr. H. May.

## RADIOACTIVE SUBSTANCES ACT AMENDMENT BILL

### *Second Reading*

MR. ROSS HUTCHINSON (Cottesloe—Minister for Health) [3.15 p.m.]: I move—

That the Bill be now read a second time.

The Radioactive Substances Act was passed in 1954, and amended in 1960. I think it is generally understood that the purpose of this legislation was to endeavour to control radioactive substances, and to control the use of irradiating apparatus, such as X-ray equipment. That was necessary, because the uncontrolled use of radioactive substances or irradiating apparatus could lead to a form of disease and illness; and the legislation was introduced to try to avoid those things.

It has now been found that the Act requires further amendment and further strengthening. The first of the amendments contained in the Bill deals with the appointment of the chairman of the Radiological Advisory Council. This is a council which is set up under the provisions of the Act; and it contains a number of technical and professional men, who endeavour to control and administer the Act.

The chairman, in the past, has been the Commissioner of Public Health, or his deputy—the Deputy Commissioner of

Public Health; but since the retirement of Dr. Lindley Henzell, who was the former Commissioner of Public Health, there has been a reallocation of duties within the senior professional staff of the Public Health Department.

Radiation control has been developed under Dr. Letham, who is the occupational health division administrator. It is therefore logical that he should be the chairman of that council. However, as I pointed out, that is not permitted under the Act, as the Act specifies that the chairman shall be the commissioner or his deputy.

The first amendment in the Bill seeks to rectify the position. It will give a logical alternative to having the Deputy Commissioner of Public Health act as chairman of the Radiological Advisory Council. At this point of time it should be noted there is a practical advantage in having a chairman who is a full-time officer of the department.

Applications for licenses and registrations are received at the department, and these require reference to the chairman from time to time, when new situations or points of doubt arise. Again, technical staff have need to consult the chairman on matters arising from inspections of irradiating apparatus. Applicants also require facilities to approach the chairman readily for administrative decisions and interpretations relating to their obligations under the Act. These factors seem to suggest that the needs of the council and the public are best served if the chairman is available as a full-time officer.

A further aspect relates to the fact that the responsibility for the issue of licenses, and the final decision of policy, is vested directly in the Minister; and where the chairman is a full-time public servant on the staff of the department then there is, perhaps, more than a degree of guarantee that the Minister will be adequately informed of developments.

The next important amendment deals with the supervision of radiological apparatus owned by doctors and dentists. The Act, as originally passed, provided that the owner of such apparatus must hold a license, and power was given to insist on safeguards in the use of the equipment. However, at that time medical practitioners and dentists were exempted. At a later stage it was realised that this exemption was not completely justified, and in 1960 an amendment was passed under which medical practitioners and dentists were required to register their apparatus.

It was felt that that amendment would be sufficient to ensure that these machines would be maintained and operated with due regard for proper precautions. However, subsequent experience proved there was a need to further strengthen the Act in this regard, and so this Bill

is now presented. There are two or three amendments to be made to section 15A to provide that—

- (a) it is an offence to use an unregistered machine;
- (b) registration may be granted subject to such conditions as the Minister may impose on the recommendation of the Council; and
- (c) the Minister may cancel registration of the apparatus if he is advised by the council that its use may imperil the health of any person.

Debate adjourned, on motion by Mr. Norton.

## BRANDS ACT AMENDMENT BILL

### *Second Reading*

MR. NALDER (Katanning—Minister for Agriculture) [3.23 p.m.]: I move—

That the Bill be now read a second time.

This Bill will enable quite a small but nevertheless important amendment to be made to the Brands Act, which provides for a brands directory to be published every 10 years. After considerable effort, the many problems associated with the reorganisation of the brands registration system have been overcome to the satisfaction of all concerned, and the long-awaited brands directory was published this year.

Ordinarily, under the Act, which states the "decennial year" to be 1965, another directory would be required to be brought out next year. This, of course, would be an unwarranted expense and a waste of effort, as a provision already exists in the Act for a supplement of brands registered, transferred, and cancelled during each year, to be gazetted annually. It is therefore necessary to amend the Act to make 1964 the "decennial year" in lieu of 1965, and also the commencing year of publication of the brands directory.

Debate adjourned, on motion by Mr. Norton.

## CHIROPRACTORS BILL

### *Second Reading*

MR. ROSS HUTCHINSON (Cottesloe—Minister for Health) [3.26 p.m.]: I move—

That the Bill be now read a second time.

The Honorary Royal Commission into osteopaths, naturopaths, chiropractors, and, to coin a word, "naturopathy" generally, recommended, among other things, that legislation be introduced to provide for the registration of chiropractors. Towards the end of the last parliamentary session, either in reply to a question or in reply

to the debate on the Estimates, I said I felt the matter of legislating for chiropractors under the circumstances which existed was not an easy task to undertake. However, I promised to have a look at it and discuss it with my officers and others to see whether a suitable form of legislation could be compiled, to make a beginning in this field.

So it was that the Commissioner of Public Health and other officers wrote to many people and discussed the matter a great deal; and after examining the minor legislation of some other States of Australia and New Zealand, and taking into account the conditions in this State, this legislation is now proffered to the House for its consideration. It follows the New Zealand pattern, which was set up about four or five years ago to try to control the profession of chiropractic.

I suggest that this legislation before members will probably fall far short of perfection, but I ask them to appreciate that it tends to blaze the way, here in this State anyway; and to try to view it as a beginning. From this, perhaps, better things can arise as the legislation is implemented and the board works under it.

The Bill will come into operation, of course, on a date to be fixed by proclamation, and it should be noted that an important part of this Bill is that which defines what chiropractic is. This was not at all easy to do. If anyone makes any research into this matter he will find that there are quite a number of definitions of chiropractic. In this legislation is contained what I understand is the classic definition. This reads—

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

A board is to be set up under the Bill, and it is to consist of five members who shall be appointed by the Governor. One shall be a person who is a practitioner within the meaning of the Legal Practitioners Act, and nominated by the Minister for Justice. That provision is included because it is felt that the Minister for Justice is in a better position than I am, or any other Minister, to secure a suitable legal practitioner as chairman.

The other four members shall be persons who are engaged in the practice of chiropractic within the State and are registered or entitled to be registered as chiropractors under this Act, and they shall be nominated by the body known as the Western Australian Branch of the Australian Chiropractors' Association. The association is a very small one, it is true; but the profession is at the beginning of its real history in this State.

To qualify this method of nominating the four members of the board, apart from the chairman, a subsection has been included which provides—

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

This provision is to cater for eventualities which cannot possibly be fully foreseen at this time. It is conceivable that difficulties will arise with regard to the composition and constitution of the board. Provision is made in respect of the number of members who shall constitute a quorum, and also regarding the tenure of office. That provision may be read by members at their leisure. The board shall be a body corporate.

The legislation also states when meetings of the board shall take place; and the normal clauses are inserted regarding resignations or disqualification of members, and how vacancies shall be filled. The Bill also sets out that the members of the board shall be entitled to such remuneration and travelling expenses as may be prescribed in the regulations. I think that is fair enough.

The funds for the board will be derived from license fees taken from the profession and from Government sources where required. Of course, the Government funds would be on a minimum scale, but they would be provided to assist the board in its early operations. The functions of the board are described in the legislation, and they are—

- (a) to advise and make recommendations to the Minister in respect of any matter affecting or relating to the profession of chiropractic;
- (b) to exercise the powers conferred and carry out the duties imposed on the Board by this Act; and
- (c) generally, within the scope of the authority of the Board, to do whatever may be necessary in the opinion of the Board for the effective administration of this Act.

The rules of the board are then listed, and there are some important ones. The board may, with the approval of the Governor, make rules—

- (c) prescribing the course of study and training, including practical experience, to be undertaken, and

the examinations to be passed, by persons desiring to be registered as chiropractors under this Act, and determining the qualifications to be held by persons desirous of becoming students of chiropractic;

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

A register is to be kept, and rules are included to cover the keeping of the register and the payment of the registrar. Also the board may, with the Governor's approval, prescribe—

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

The board will also be able to prescribe the professional standards to be maintained by chiropractors and the fees to be charged. It may also make rules relating to the registration—including the initial registration—suspension, and deregistration of chiropractors. There is an important clause which states—

After the coming into operation of this Act a person shall not use the title of chiropractor unless he is registered as a chiropractor under this Act and holds a licence to practise chiropractic issued to him by the Board.

It will be interesting to see how some members view that provision in the light of discussions that have gone on in this Chamber from time to time about the general desirability of introducing controls in reference to this profession.

Another clause provides—

Registration under this Act shall not confer upon the person registered any right or authority—

- (a) to practise surgery or obstetrics, or to prescribe compound dispense or administer drugs, or to administer anaesthetics; or
- (b) to assume or use any name, title or designation implying that he is qualified to practise, or is by law recognised, as a medical practitioner or pharmaceutical chemist.

A penalty will apply to those who infringe the provisions of the Act.

I said at the outset of my introduction of the Bill that the legislation was a first attempt by a Government in this State

to provide a vehicle to carry the practice of chiropractic along the road to success. I do not for a moment—and I said so earlier—think the Bill will be found to be perfect; it will probably be far from it. Indeed, the measure does not endeavour to prevent people from practising some form of chiropractic, but it does reserve to the competent man the title, "chiropractor"; and it does give initial recognition to his calling, and it will enable the public to identify chiropractors as such. Finally the legislation will provide a ground on which chiropractors can improve their circumstances and develop their profession.

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

## INQUIRY AGENTS LICENSING ACT AMENDMENT BILL

### *Second Reading*

MR. CRAIG (Toodyay—Minister for Police) [3.40 p.m.]: I move—

That the Bill be now read a second time.

The Inquiry Agents Licensing Act of 1954 provides that any person engaged in securing evidence in return for a fee or reward for the purpose of proceedings under the Matrimonial Causes and Personal Status Code, 1958 or the Married Women's Protection Act, 1922 must be licensed to do so.

Agents so licensed, and who were more commonly referred to as private inquiry agents, concentrated mainly on securing evidence to be used in divorce proceedings under the State Matrimonial Causes and Personal Status Code. However, this Act has now been superseded by the Commonwealth Matrimonial Causes Act of 1959. The Married Women's Protection Act has been repealed; and, in consequence the inquiry agents Act may now be inoperative in its present form.

One particular inquiry agent who was engaged in collecting evidence for use in divorce courts was considered to be an unsuitable person, because of his behaviour in this connection; and, as a result, his license was cancelled in the Perth Police Court. It was learned subsequently that this particular person was still continuing this type of inquiry despite the fact that his license had been cancelled.

On inquiry from the Crown Law Department as to suitable and appropriate action that could be taken against the ex-agent, it was learned that the State Inquiry Agents Licensing Act did not prevent any person from engaging in the collection of evidence for use in proceedings under the Commonwealth Act. This Act, the Commonwealth Matrimonial Causes

Act, 1959, does not prescribe the manner in which evidence may be secured for use in proceedings under that Act.

In consequence of this, therefore, it will be apparent that any person, even though he be unsuitable to do so, can engage in securing evidence to be used in divorce proceedings, and any person who wishes to can engage in the business as an inquiry agent for the purpose of securing evidence to be used in any court, without requiring a license. The Commissioner of Police considers this to be most unsatisfactory as it would enable any convicted or other undesirable person to set himself up in business as an inquiry agent.

With the amendments submitted in this Bill it is proposed to amend the law to one of general application covering the whole field of private detection or investigation for reward, without any specific reference to any Act.

Certain exemptions are made to these provisions in that a member of the Police Force, a legal practitioner, and certain others will not require to be licensed.

Debate adjourned, on motion by Mr. Toms.

*House adjourned at 3.45 p.m.*

## Legislative Assembly

Tuesday, the 1st September, 1964

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