

Legislative Council.

38° VICTORIÆ, 1875.

A BILL

To consolidate and amend the Laws respecting the Qualifications of
Medical Practitioners.

[SIR ALFRED STEPHEN;—25 *March*, 1875.]

WHEREAS it is expedient that protection should as far as possible be afforded to persons suffering under disease or other bodily ailments against medical or surgical treatment by unskilled and ignorant individuals and therefore that persons requiring medical or surgical aid should be enabled to distinguish qualified from unqualified practitioners And whereas by the Medical Practitioners' Act Amendment Act of the Imperial Parliament passed in the year one thousand eight hundred and sixty-eight it is enacted that every Colonial Legislature shall have power to make laws for enforcing the registration within its jurisdiction of all persons registered in England under the "Medical Practitioners' Act of 1858" anything in the last-mentioned Act notwithstanding Provided that every person so registered shall be entitled to registration in any Colony on payment of such fee as may there be demandable for the same Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent

Preamble.
English Act 21 & 22
Vict. c. 90.

c 1—A

consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

Commencement title and division of Act.

1. This Act shall commence at the expiration of three months after the passing thereof and may be cited as the "Medical Act of 1875" It is divided into two parts—

PART I.—RELATING TO THE MEDICAL COUNCIL and

PART II.—TO MEDICAL PRACTITIONERS.

Definitions of terms and phrases.

2. The following terms in italics shall unless inconsistent with the context have the meanings hereby assigned to them— 10

Governor—The Governor with the advice of the Executive Council.

Council or *Medical Council*—The Medical Council appointed under this Act.

Medical Board—The Board appointed under the Act second 15 Victoria number twenty-two.

Practitioner or *Medical Practitioner*—Any medical practitioner registered as such under this or the last mentioned Act.

Register—The Medical Register of New South Wales.

President—The President of the Medical Council—but until the 20 first meeting of such Council the President of the Medical Board.

Registrar—The Registrar and Secretary appointed by the Council.

University or *College*—These shall severally be taken to include any other recognized Associated Body granting medical 25 qualifications.

Repeal of existing Acts.

Proviso.

3. The Acts specified in the first schedule hereto so far as the same are therein expressed to be repealed are hereby repealed Provided that nothing in this Act except in regard to practitioners whose names may be removed from the register under the provisions 30 herein contained shall affect anything lawfully done or any right or privilege acquired under the said Acts or any of them.

PART I.—MEDICAL COUNCIL.

Appointment of Council and qualification of members.

4. A Council to be styled the Medical Council shall be established consisting of thirteen practitioners of whom eight shall be 35 elected from time to time in the manner hereinafter provided three shall be appointed by the Governor and two by the Senate of the University the names of the candidates and of the persons entitled to vote being taken at the first election from the list of practitioners kept by the Medical Board and at every subsequent election from the 40 register kept by the Council.

Elected members of Council.

5. The names of the persons appointed by the Governor and the Senate of the University respectively to be members of the Council shall with all convenient speed be published in the *Gazette* and immediately after such publication the Medical Board shall cause a 45 notice to be published in the *Gazette* and in such public newspapers as they may determine that the election of the remaining eight members will be held at a place and time mentioned such time being not less than sixty days from the first publication of such notice.

Mode of nomination.

6. Every person desirous of becoming a candidate shall be 50 nominated by two practitioners which nomination shall be signed by such practitioners as well as the candidate and be sent or delivered to the President at least thirty days before the time fixed for election and upon

upon the receipt of such names the President shall cause a list thereof and of the persons nominating each candidate to be published in such public newspapers as the Board shall determine.

7. If no more than eight persons be nominated as aforesaid Uncontested election.
 5 they shall be declared duly elected members of the Council and their names shall be forwarded to the Colonial Secretary for publication in the *Gazette*.

8. If more than eight candidates be nominated the President Proceedings when contested.
 10 shall cause their names to be forthwith printed on papers hereinafter called voting papers and shall cause one of such papers signed by him on the back thereof as soon as may be practicable to be delivered or posted to every practitioner resident in the Colony whose address may be known.

9. Every practitioner desirous of voting shall erase from his Voting papers to be signed.
 15 voting paper the names of the persons for whom he does not vote and shall legibly sign such voting paper in the presence of a magistrate or a Commissioner for taking affidavits and shall two days at the least before the day of election forward such voting paper to the President with the words "Election of Medical Council" written on the envelope.

10. On the day appointed for the first election a special meeting Proceedings at elections.
 20 of the Medical Board shall be held at which two scrutineers not being candidates shall be appointed to assist the President and the papers shall be opened in the presence of the President and scrutineers who shall count the votes for each candidate and shall then declare the
 25 persons who have obtained the largest number of votes to be duly elected members of the Council and the President shall as soon afterwards as may be practicable cause their names to be published in the *Gazette*. He shall also cause the names of the persons elected to be published in such newspapers as the Board shall determine. A list of Disposal of voting papers.
 30 the candidates and statement of the number of votes recorded for each shall be signed by the President and scrutineers and immediately after the election shall together with the voting papers be sealed up and kept by the Registrar for twelve months after which the voting papers shall be destroyed.

11. In the event of two or more candidates being found to have Casting vote.
 35 obtained an equal number of votes the President shall have a casting vote and shall state in writing which of such candidates are or is elected.

12. If any voter shall suffer to remain upon his voting paper Certain indefinite votes to be void.
 40 a greater number of unerased names than the number of candidates to be elected or if any voting paper be so defaced or written as to render it doubtful for which candidate the person signing such paper intended to vote or if any voting paper be not signed or attested as hereinbefore required the votes intended to be given by such paper shall be of no
 45 effect but such paper shall be sealed up and kept as before mentioned.

13. All duties which by the preceding sections are imposed on Conduct of future elections.
 the Medical Board or its President in regard to the first election of members of the Council shall in regard to all future elections be discharged by the Medical Council at the time in existence and by the
 50 President thereof respectively.

14. All appointed members of the Council shall hold office for Duration of office.
 such time as the Governor shall declare (or in respect of members appointed by the Senate as the Senate shall declare) not exceeding four years but may be reappointed and all elected members shall hold
 55 office for four years except that in respect of the first election the four members who received the least number of votes shall retire at the end of two years but every retiring member may be re-elected. In case of an equality of votes between two or more members the question which of them shall retire at the end of the said two years shall be
 60 determined under the direction of the President by lot. 15.

Resignation of office.

15. Any member of the Council may at any time resign his office by letter addressed to the President.

If not sufficient candidates Governor to appoint.

16. If at the time fixed for any election there be no candidate named or a less number of candidates be nominated than there are members to be elected the Governor may appoint any practitioner or practitioners to supply the vacancy or vacancies who shall by virtue of such appointment hold office for such time as the Governor shall determine. 5

Election not to be questioned for defect of title.

17. No election shall be questioned by reason of any defect of title of any person before whom such election shall have taken place if 10 such person really acted at such election nor by reason of any formal error or defect in any instrument or in any publication under this Act nor by reason of any such publication being out of time.

As to future appointments and elections.

18. As soon as may be reasonably practicable after the expiration of the term of office of any appointed member of the Council 15 a new appointment shall be made by the Governor or the Senate as the case may require and shall be published in the *Gazette* with all convenient speed And sixty days at the least before the expiration of the term of office of any of the elected councillors or of any practitioner appointed by the Council to supply an extraordinary vacancy 20 the Council and the President thereof shall take respectively all such steps and such things shall be done thereupon and thereafter for and in relation to the election of practitioners in the place of the retiring councillors as this Act directs to be taken and done respectively in respect of the first election of the Council or as shall be requisite and 25 practicable having regard to the number of persons to be elected.

When the term of office is to begin.

19. The term of office of each elected member shall be taken to have commenced with respect to the first elected members on and from the first day of meeting of the Council and with respect to all members thereafter elected to have commenced on and from the anniversary of 30 that day And every election after the first shall take place on such anniversary or on the earliest day thereafter which shall be practicable to be fixed in each case by the Council.

Extraordinary vacancies.

20. On the occurrence of any extraordinary vacancy in the office of councillor the Council shall within fourteen days afterwards 35 appoint a practitioner to fill such vacancy who shall hold office until the expiration of his predecessor's term of office and shall then go out of office but may be elected if still qualified All such appointments shall be notified in the *Gazette* and it shall be lawful for the Council at all times to exercise their powers notwithstanding any vacancy in 40 their number.

Appointment of President.

21. The Council shall hold their first meeting at such time and place as the Governor may appoint by notification in the *Gazette* at which meeting the first business transacted shall be the election by the members present of one of the Council as President thereof Upon 45 any vacancy in that office a special meeting of the Council shall be called by the Registrar at which or at some adjournment thereof a President shall be elected from among themselves by ballot by the members present Every President shall hold office so long as he shall remain a councillor. 50

Council to make by-laws.

22. The Council may from time to time make by-laws for regulating their proceedings and the duties of their officers and servants and preserving order at Council meetings also as to the time and place of the meetings of the Council and the mode of summoning the members thereof and as to all other matters for carrying this Act 55 into effect not herein specially provided for.

By-laws to be approved by Governor and gazetted.

23. All such by-laws being consistent with the provisions of this Act and not repugnant to any other Act or law in New South Wales shall have the force of law when confirmed by the Governor and

and published in the *Gazette* but not sooner or otherwise And copies thereof shall be laid before both Houses of Parliament forthwith if Parliament be sitting and if not then within fourteen days after the opening of the next Session.

5 24. The production of a *Gazette* containing the names of any members therein mentioned to have been appointed by the Govern-
ment or Senate or elected as the case may be or purporting to contain
any such by-law as aforesaid shall in any suit or proceeding whatever
be sufficient evidence that such persons were nominated or elected and
10 that such by-laws were duly made confirmed and published as herein
required.

Gazette to be evidence in certain cases.

15 25. In the absence of any by-law as to summoning meetings of the Council the President may summon a meeting at such time and place as to him shall seem expedient by letter addressed to each mem-
ber and at every meeting in the absence of the President some member
chosen from those present shall act as President.

Absence of President at meeting.

20 26. All acts of the Council at any meeting thereof shall be decided by the votes of the majority of members present—the whole number present not being less than seven And at every such meeting
the President or in his absence the member chosen to act as President
shall in addition to his vote as a member have a casting vote in case of
an equality of votes.

Mode of voting and quorum.

25 27. The Council shall have power to appoint an Executive Com-
mittee out of their own body of which the quorum shall not be less
than five and to delegate to such Committee such of the powers and
duties vested in the Council as the Council may see fit.

Executive Com- mittee.

30 28. The Council shall take all necessary steps to prosecute
persons infringing or reasonably believed to have infringed any of the
provisions of this Act.

Council a prosecuting body.

35 29. The Medical Board shall continue in existence until the
first meeting of the Council after which date the said Board shall cease
to exist and the Act two Victoria number twenty-two with the several
Acts amending the same mentioned in the first Schedule hereto shall
be repealed.

Medical Board to cease after first meet- ing of Council.

30 30. The Council may appoint a Registrar who shall also act as
Secretary to the Council and shall be paid such salary as the Council
may determine.

Registrar to be appointed.

40 31. It shall be the duty of the Registrar to keep a book called
the Medical Register in which he shall enter the names addresses and
qualifications of all practitioners registered by the Council and he
shall from time to time as directed by the Council erase from such
Register the names addresses and qualifications of all practitioners
who shall have died or become disqualified He shall also keep
minutes of the proceedings of the Council and the Executive Com-
45 mittee and such books of account as may be required for vouching the
receipt and expenditure of money which books shall at all times be
open for inspection by members of the Council.

Duties of Registrar and Secretary.

50 32. The Registrar General in Sydney and elsewhere every
deputy registrar of births deaths and marriages on entering the death
of any medical practitioner or person styled or reputed to be such a
practitioner shall forthwith transmit notice of such death to the
Registrar of the Council.

Registrar General &c. to give notice of deaths.

55 33. The Council shall after their first meeting prepare a list of
all persons registered as practitioners under all existing Acts of this
Colony and shall publish it in the *Gazette* They shall also publish in
the *Gazette* from time to time a list of the Universities and Colleges
granting medical qualifications whose diplomas or other certificates of
qualification are recognized by the Council as well as a list of the par-
ticular personal qualifications comprised in Schedule III to this Act
And

Recognised Univer- sities Colleges &c. and qualifications.

Proviso.

And the Council may at any time add the names of other Universities and Colleges whose regulations appear to the Council to be sufficient for the granting of medical qualifications and may remove from the list the name of any University or College whose rules for the granting of such qualifications appear to the Council to be insufficient to ensure a due amount of medical skill and knowledge Provided always that all diplomas and other certificates of medical qualification recognized by the General Council of Medical Education and Registration of the United Kingdom shall be equally recognized by the Council appointed under this Act.

PART II.—PRACTITIONERS.

Persons registered or entitled so to be.

34. All persons whose names and qualifications shall on the commencement of this Act appear registered by the Medical Board shall without further registration be deemed to be duly registered under this Act and every person holding a qualification from any of the qualifying bodies enumerated in Schedule III to this Act or being personally qualified as therein mentioned shall be entitled to be registered by the Council unless otherwise disqualified.

Registration of persons hereafter qualified.

35. In addition to the names of all persons registered by the Medical Board the Council shall from time to time cause the names addresses and qualifications of all legally qualified medical practitioners to be entered in the Medical Register which Register shall be kept in the form in the second Schedule to this Act or as nearly as conveniently may be in accordance therewith and a copy of each Register shall in the month of January in each year be published by the Council in the *Gazette*.

Register to be published.

36. The Council shall also from time to time cause to be published in the *Gazette* the names addresses and qualifications of all practitioners registered after such publication in January and copies of any such published Register signed by the President or Registrar and any such notification in the *Gazette* shall be evidence in all Courts and before all Justices that the persons therein specified and no others are registered in accordance with this Act.

Fees on registration.

37. The fee for registration under this Act shall be and a fee of shall be paid for any qualification subsequently registered.

Council to inquire into qualification.

38. The Council may question any applicant attending and any witness produced before them and may take a solemn declaration from such applicant or witness touching the qualification of any person and if any person shall wilfully make any false statement upon his examination or in such declaration or shall utter or put off as true before the Council any forged or counterfeit document or shall wilfully procure or attempt to procure himself to be registered under this Act by making or producing or causing to be made or produced any false representation or declaration either verbally or in writing the person so offending and every person assisting him therein shall be deemed guilty of a misdemeanor.

Penalty for false statement &c.

Forging certificate.

39. If any person shall fraudulently or by any false representation obtain a certificate as a legally qualified practitioner under this Act or shall forge or counterfeit any such certificate or fraudulently alter any certificate issued or purporting to be issued by the Council or shall utter or use any such forged counterfeited or altered certificate knowing the same to have been forged counterfeited or altered or shall falsely advertise himself or cause himself to be advertised as having obtained a certificate from the Council as such a practitioner he shall be deemed guilty of a misdemeanor.

40. If any person shall falsely pretend to be a physician doctor of medicine licentiate in medicine or surgery bachelor of medicine surgeon general practitioner or apothecary or shall wilfully take or use any name title addition or description implying that he is registered under this Act or recognized by law as a physician or surgeon or licentiate in medicine or surgery or a practitioner in medicine or an apothecary knowing that he is not so registered or so recognized he shall be liable to pay a fine of not less than *five* pounds nor more than *fifty* pounds.
41. If any person shall wilfully take or use the title of physician doctor of medicine licentiate in medicine or surgery master in surgery bachelor of medicine surgeon medical or general practitioner apothecary surgeon-apothecary accoucheur licentiate or practitioner in midwifery professor of medicine or any other medical or surgical name title or description to which he is not legally entitled or which he has not caused to be registered under this Act he shall be liable to pay a fine of not less than *two* pounds nor more than *twenty* pounds and for every subsequent offence after the first conviction a fine not less than *five* pounds nor more than *fifty* pounds.
42. Every practitioner who shall have received a certificate of registration under this or some other Act may sue for and recover in any Court of law reasonable fees or other remuneration for his professional services whether medical surgical or obstetrical and it shall be sufficient in the declaration or plaint to use the words "for medical services" which shall include every demand for medical surgical or obstetrical aid including medicines when supplied by him.
43. No unregistered person shall hold any appointment as a physician surgeon or other medical officer in any hospital infirmary dispensary lying-in hospital or institution for persons of unsound mind not supported wholly by voluntary contributions or in any gaol penitentiary house of correction house of industry or any public institution not so supported as aforesaid for affording medical relief in sickness infirmity or old age or as a public vaccinator or medical officer of health And no certificate now or hereafter required by law from a physician surgeon licentiate in medicine or surgery or other medical practitioner shall be valid unless the person signing the same be registered under this or some other Act Provided that nothing herein shall render invalid any such certificate from a duly appointed medical officer of Her Majesty's land or sea forces although not so registered.
44. The Council may refuse to register any person whose name shall have been removed from a recognized licensing body and if the Council shall at any time ascertain that the name of any practitioner has in consequence of criminal conduct or misconduct professional or otherwise been erased from the list of members of any University College or body from which such practitioner obtained any qualification entitling him to practise medicine or surgery the Council may direct the Registrar to remove such practitioner's name from the register and the Registrar shall erase the same accordingly.
45. If any practitioner shall be convicted of any felony or misdemeanour or shall after due inquiry be judged by the Council to have been guilty of infamous conduct in any respect the Council may direct the Registrar to erase the name of such practitioner from the register.
46. On the removal of any practitioner's name under the preceding section notice of such removal shall be sent by post or otherwise to his last known address and such practitioner shall at the expiration of three months from the date of such erasure cease to be legally qualified and shall be liable to the penalties imposed by this Act on unregistered practitioners and notice of such practitioner's name having been removed from the register shall be published in the *Gazette*.

Falsely pretending to be a registered practitioner.

Falsely assuming an unregistered qualification.

Registered practitioners to recover charges.

Unregistered persons not to hold certain appointments.

Name of practitioner to be removed from Register in certain cases.

Medical practitioners convicted of felony may be struck off the register.

Notice thereof to be given and qualification to cease.

The term "legally qualified medical practitioner."

47. After the commencement of this Act the words "legally qualified medical practitioner" or "duly qualified medical practitioner" or any words importing a person recognized by law as a medical practitioner when used in any Act passed in this Colony shall be construed to mean a person registered under this Act whose name remains on the register. 5

Fines how applied.

48. All fines imposed and recovered under this Act and all moneys received by the Council or Registrar arising from fees paid on registration or from the sale of medical registers shall be paid into a fund to the credit of the Council. Provided that half the amount of 10 every fine imposed shall go to the police fund.

Breach of Act not otherwise provided for.

49. Every person committing a breach of any provision of this Act or of any by-law made thereunder shall when no specific penalty is provided be liable to a penalty not exceeding *twenty* pounds and all fines incurred under this Act or under any such by-law may be 15 recovered in a summary way before any two Justices according to the provisions of the Act fourteenth Victoria number forty-three and the Act therein adopted or any other law hereafter passed for regulating summary proceedings before Justices.

Penalties how recovered.

Limitation of proceedings.

50. No person shall be liable to any fee or fine under this Act 20 unless proceedings in respect thereof be commenced within six months after such fee has accrued or the liability to such fine has been brought under the notice of the Council.

Matters falling on Sunday &c.

51. Whenever anything is by this Act or shall by any by-law made thereunder be directed to be done or to take place on a certain 25 day and that day shall happen to be Sunday or Good Friday or any public holiday such thing may take place or be performed on the next day which shall not be Sunday Good Friday or a public holiday and all changes of time rendered necessary by any such alteration may lawfully be made. 30

SCHEDULES.

SCHEDULE I.

No. of Act.	Title or object of Act.	Extent of Repeal.
5 2 Vict. No. 22 ...	An Act to define the Qualifications of Medical Witnesses &c.	The whole except as to proceedings for election of first Medical Council.
8 Vict. No. 8... 10 9 Vict. No. 12 } 19 Vict. No. 17 ...	Acts amending the said Act.... ..	
	An Act to provide for the Registration of Legally Qualified Medical Practitioners.	The whole.

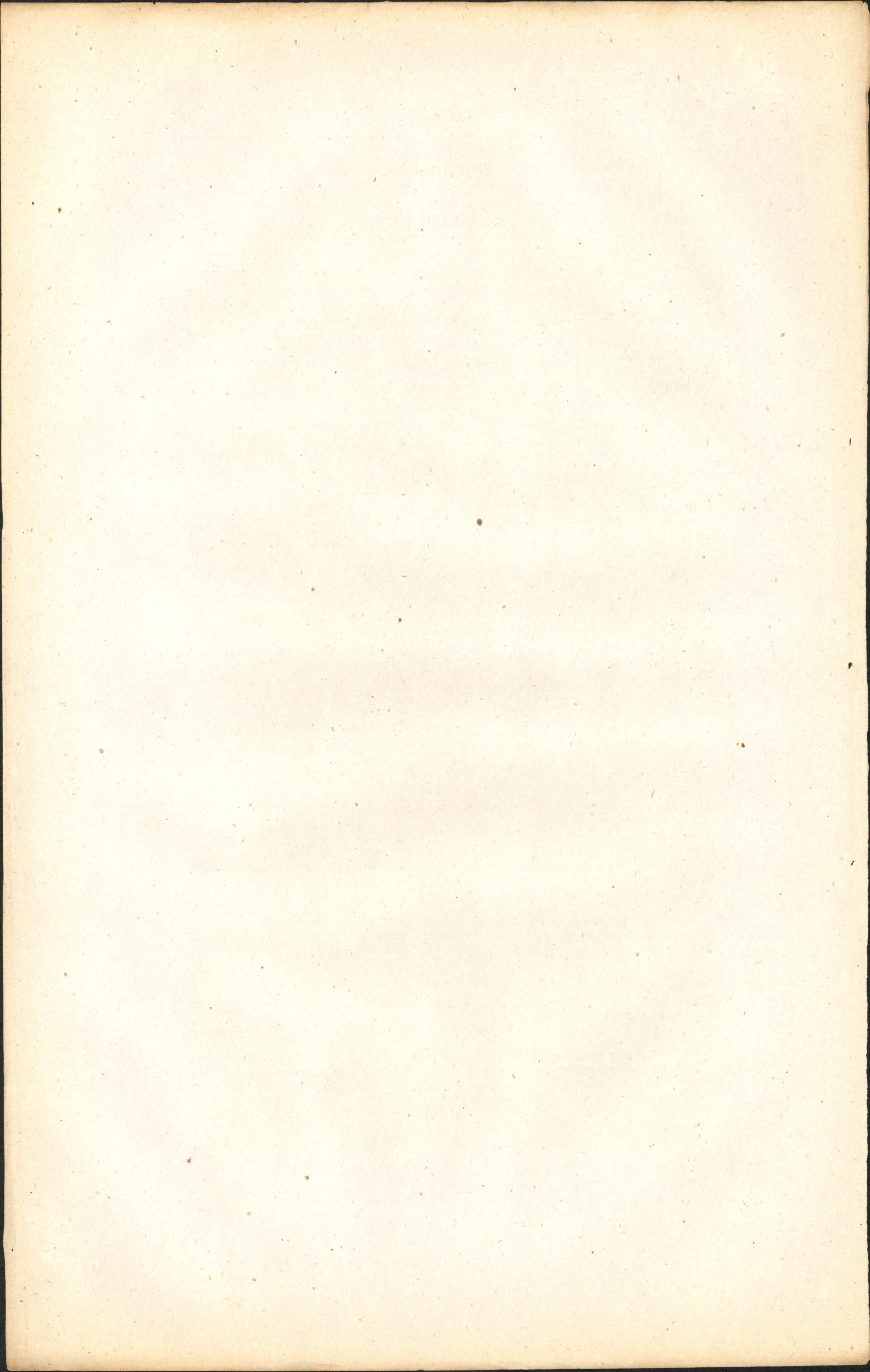
SCHEDULE II.

Name.	Residence.	Qualifications.
15 A B	Sydney	Fellow of the Royal College of Physicians London. Licentiate of the Royal College of Surgeons Edinburgh. Licentiate of the Society of Apothecaries London.
20 C D	Grafton	
E F	Parramatta	Member of the Royal College of Surgeons London. Licentiate of the Faculty of Physicians and Surgeons of Glasgow.
25 G H	Newcastle	Licentiate of the Society of Apothecaries London.

A B President of Medical Council.
C D } Members of Medical Council.
E F }

SCHEDULE III.

- 30 1. Fellow Member Licentiate or extra Licentiate of the Royal College of Physicians London.
2. Fellow Member or Licentiate of the Royal College of Physicians Edinburgh.
- 35 3. Fellow or Licentiate of the King's and Queen's College of Physicians of Ireland.
4. Fellow or Member of the Royal College of Surgeons of England.
5. Fellow or Licentiate of the Royal College of Surgeons of Edinburgh.
6. Fellow or Licentiate of the Faculty of Physicians and Surgeons of Glasgow.
7. Fellow or Licentiate of the Royal College of Surgeons in Ireland.
8. Licentiate of the Society of Apothecaries London.
- 40 9. Licentiate of the Apothecaries Hall Dublin.
10. Doctor Bachelor or Licentiate of Medicine or Licentiate or Master in Surgery of some University in the United Kingdom or in some British Colony or Possession incorporated by Royal Charter or established by Act or Ordinance passed therein.
11. Any person registered as a Medical Practitioner under any Act of Parliament in force in the United Kingdom.
- 45 12. Any Medical Commissioned Officer duly appointed of Her Majesty's sea or land forces.
13. Any person who shall prove to the satisfaction of the Council that he has obtained after examination from some University or College a diploma or degree entitling him to practice medicine or surgery in the country to which such University or College belongs Provided that by its rules every person receiving any such diploma or degree is required to have passed through a course of medical study of not less than four years.
- 50



1875.

Legislative Council.

MEDICAL BILL.

*SCHEDULE of Amendments to be proposed in Committee by
SIR ALFRED STEPHEN.*

- Preamble, line 1. *Omit "it is expedient" insert "in order"*
" line 4. *Omit "and therefore" insert "it is expedient"*
Section 2, line 25. *Omit "any other" insert "every"*
Section 4, line 35. *After "practitioners" insert ".or persons entitled
to be registered as such" Omit "eight" insert "six"*
" line 36. *Omit "three" insert "four"*
" line 37. *Omit "two" insert "three"*
" line 38. *After "University" insert "the four persons so
"appointed being selected if practicable from different Col-
leges or bodies granting medical qualifications and as to
"the said six persons" omit "candidates and of the"*
Section 5, line 47. *Omit "eight" insert "six"*
Section 7, line 4. *Omit "eight" insert "six"*
Section 8, line 8. *Omit "eight" insert "six"*
Section 10, line 28. *After "Gazette" omit the rest of the line.*
" line 29. *Omit "published" insert "and" After "deter-
mine" omit all the rest of the clause.*
Section 12, line 45. *After "effect" omit the rest of the line.*
Section 16, line 6. *After "practitioners" insert "or person or per-
sons entitled to be registered as such"*
Section 18, line 14. *Omit "reasonably"*
" line 15. *After "office" insert "or the death or resigna-
tion."*
" line 19. *Omit "practitioner" insert "person"*
" line 23. *Omit "practitioners" insert "members"*
Section 20, line 34. *After "vacancy" insert "by death or resigna-
tion"*
" line 35. *After "of" insert "an elected"*
" line 36. *After "practitioner" insert "or person entitled
as aforesaid"*
Section 22, line 55. *After "thereof" omit the rest of the section.*
Section 23, line 58. *After "law" omit "in New South Wales"*
Section 24, line 6. *Omit "Members" insert "persons" Omit "by
the Government or Senate"*
" line 7. *After "may be" insert "to be Members of the
Medical Council"*
" line 8. *After "proceeding" omit "whatever"*
" line 9. *Omit "nominated" insert "so appointed"*
Section 25, line 12. *Omit "as to" insert "providing otherwise for"*
Section 26, line 19. *After "seven" insert "Provided that no pro-
ceeding under the 44th or 45th section of this Act shall be
valid unless nine members at the least be present"*
Sections 27 and 28. *Omit both sections.*

- Section 29. *Alter the number to 27.*
 Sections 30 and 31. *Alter these (united) to 28.*
 Section 28, line 38. *Omit "thirty-one" omit "the duty of the Registrar" Insert "his duty"*
(In Margin.) Omit "Duties of Registrar and Secretary" insert "His duties stated"
 " line 40. *Omit "registered" insert "ordered" After "Council" insert "to be registered."*
 " line 44. *After "Council" omit "and the Executive Committee."*
 " line 46. *After "money" omit the rest of the clause.*
 " line 48. *Alter 32 to 29. (Number of section.)*
 Section 29, line 50. *After "such" omit "a practitioner"*
 " line 53. *Alter 33 to 30. (Number of clause.)*
 Section 30, line 53. *After "shall" insert "within three months." After "prepare" insert "and publish in the Gazette."*
 " line 54. *After "practitioners" omit the rest of the line. Insert "up to the date of such publication."*
 " line 55. *Omit from "Colony" to "Gazette."*
 " line 58. *After "Council" insert "or otherwise by law."*
 Page 6, lines 1 to 6. *Omit all these lines.*
 " line 7. *Capital A to all.*

Section 31 *to stand as follows:—*

Council may be constituted a Licensing Body.

31. The Governor may at any time by Proclamation or Letters Patent constitute the Council an Examining and Licensing Body with power to grant licenses after due examination to persons to practice medicine or surgery or both whom the Council shall find to be qualified so to practise Provided that every such person shall have passed through a course of medical study of not less than four years duration and have attended hospital practice for not less than three years of that time or shall before the passing of this Act have habitually practised medicine or surgery or both as the case may be in this Colony for a period of five years Every person so licensed hereinafter called a Licentiate shall pay for such examination and for his license respectively such reasonable fees as the Governor shall from time to time direct.

Page 6, line 12. *Alter number from 34 to 32.*

Section 32, line 14. *Omit "without further registration" Omit "duly."*

" line 17. *Omit "shall" insert "or being a Licentiate in medicine or surgery under the last preceding section shall on application to the Registrar and proof of such qualification and on payment of the fees or fee due in that behalf."*

Section 32, line 18. *After "Council" omit rest of the section.*

Section 33 *to stand as follows:—*

Persons adopting particular theories or systems.

33. No person shall be disqualified or deemed ineligible as a medical practitioner or for appointment or election to the Council or to any office by reason of his adopting or having adopted any particular theory of medicine or surgery or system of medical or surgical treatment.

Section 34. *Alter number 35 to 34.*

" line 21. *After "all" omit "legally qualified"*

" line 22. *After "practitioners" insert "entitled as in the said thirty-second section mentioned"*

" line 23. *After "nearly" insert "thereto"*

" line 24. *Omit "in accordance therewith" Omit "each" insert "such"*

" line 26. *After "Gazette" insert "including all names registered up to the end of the previous December"*

Section 35. *Alter number 36 to 35.*

" line 29. *After the word "after" insert "that month." Omit "such publication in January"*

Section

Section 35, line 31. *Omit "in all Courts and before all Justices" insert "for all purposes"*
 „ line 33. *Omit "are" insert "were" Omit "in accordance with this Act" insert "up to the time specified in such register or notification"*

Sections 37 and 38 as printed alter to 36 and 37.

Section 37, line 42. *Omit "or counterfeit"*

Section 38 (*alter from 39 as printed*), line 50. *Omit "or counterfeit"*

„ line 52. *Omit "counterfeited"*

„ line 53. *Omit "counterfeited"*

Page 7, lines 1 to 19, sections 40 and 41. *Omit these sections.*

Sections 39, 40, and 41, to stand severally as follows:—

39. If any person not registered or entitled to be registered under this Act shall take or use any name title addition designation or description (whether by words or word or by letters only) implying that he is registered or entitled to be registered under this Act or is recognized by law as a legally qualified medical practitioner knowing that he is not so registered or entitled or so recognized—or shall take or use any medical or surgical name title addition designation or description which he has not registered and is not entitled to register under this Act—he shall be liable to a fine of not less than two pounds nor more than twenty pounds and for every subsequent offence after the first conviction to a fine of not less than five pounds nor more than fifty pounds. Falsely assuming medical titles.

40. Provided always that nothing in the preceding section shall extend to any person although not entitled to registration under this Act who shall take or use the addition or designation only of Homœopathic Practitioner or Hydropathic Practitioner or Unlicensed Medical Practitioner nor shall the enactment extend to any surgeon or apothecary duly registered as such but not entitled to registration as a physician who shall take or use the prefix or title of Doctor unless he shall have used some other word or words or letters implying that he is a Doctor of Medicine. Proviso excepting certain cases.

41. In all prosecutions under the said thirty-ninth section if it be shown that the defendant's name or the name title addition designation or description taken or used by him was not registered at the time of the alleged offence the fact that he was not then entitled to registration or not so entitled in respect of the name title addition designation or description in question shall be presumed unless such defendant shall show that he was so entitled. Proof of qualification to lie on defendants.

Section 42, line 20. *After "practitioner" omit the rest of the line insert "registered"*

„ line 21. *Omit "registration" Omit "or some other"*

„ line 22. *Omit "of law"*

Section 43, line 28. *Omit "physician surgeon or other"*

„ line 29. *Omit "lying-in hospital"*

„ line 30. *Omit "penitentiary"*

„ line 31. *After "correction" omit "house of" insert "or"*

„ line 35. *Omit from "physician" to "other" inclusive*

„ line 37. *Omit "or some other"*

Section 44, line 43. *Omit "criminal conduct or"*

„ line 44. *Omit "erased" Insert "removed" Omit "University"*

„ line 45. *Omit "College or" insert "such" After "body" omit the rest of the line.*

„ line 46. *Omit the words to "surgery" inclusive. Omit "direct"*

„ line 47. *Omit "the Registrar to" Omit the word "and" to end of the section.*

Section

The like on proof of
misconduct.

Section 45 to stand as follows :—

45. If any practitioner shall be convicted of felony or any serious misdemeanor or shall after due inquiry and sufficient opportunity afforded him of defence be adjudged by the Council to have been guilty of disgraceful conduct in any respect or to be an habitual drunkard or while intoxicated to have attended professionally any sick person the Council may either permanently or for a limited time remove such practitioner's name from the register.

Section 46, line 55. After "address" insert "should he not have been present at the decision"

„ line 56. Omit "erasure" insert "notice" line 57. After "qualified" omit the rest of the section.

Section 48, line 7. After the word "all" omit the rest of the line. (In marginal note omit the words "how applied" insert "and Fees &c.") Unite s. 48 to s. 49.

„ line 8. After "Registrar" insert "under this Act" omit the rest of the line.

„ line 9. Omit the first eight words.

„ line 10. Omit the word "Provided" and thence down to "pounds" in line 14. Omit marginal note.

„ line 15. Omit "or under any such by-law"

„ line 16. Omit marginal note.

Sections 50 and 51 as printed to be altered to numbers 49 and 50.

Section 49, line 20. Omit "fee or"

„ line 22. Omit "such fee has accrued or"

Section 50, lines 26 and 28. After "Sunday" insert "Christmas Day"

Schedule, line 42. After "University" insert "or College"

„ line 47. After "Forces" insert "or recognized as such Officer while in the East India Company's service"

„ line 48. Omit all the words after "shall" insert "have"