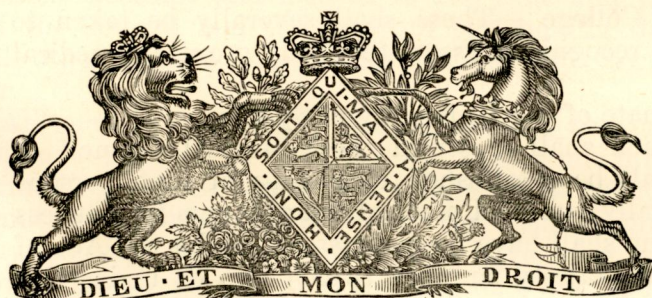


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 29 September, 1886, A.M. }*

F. W. WEBB,
Acting Clerk of Legislative Assembly.

New South Wales.



ANNO QUINQUAGESIMO

VICTORIÆ REGINÆ.

No.

An Act to consolidate and amend the Laws relating to Medical Practitioners.

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

5 1. This Act shall come into operation on the first day of Title of Act. January in the year of our Lord one thousand eight hundred and eighty-seven and shall be called and may be cited as the "Medical Practitioners Act of 1887."

10 2. The Acts specified in the First Schedule hereto shall be Repeal of Acts First Schedule. repealed. Provided that nothing in this Act except in regard to the liability of practitioners to have their names removed from the register under the provisions herein contained shall affect anything lawfully done or any right or privilege acquired under the said Acts or any of them. And all offences committed and penalties incurred and proceedings commenced against or under any of the said Acts before the coming into operation of this Act shall be prosecuted enforced and continued respectively as if this Act had not been passed. Provided also that the Medical Board in existence at the time of the passing of this Act shall and may continue to have and exercise all the powers

Medical Practitioners.

vested in them by the said Acts or any of them until and inclusive of the day next preceding the day fixed as hereinafter provided for the first meeting of the Medical Council by this Act constituted.

3. The following terms in inverted commas shall unless inconsistent with the context have the meanings hereby assigned to them—

- 5 “The Governor”—The Governor with the advice of the Executive Council.
- “Council” or “Medical Council”—The Medical Council constituted under this Act.
- 10 “Medical Board”—The Board appointed under the Act second Victoria number twenty-two.
- “Medical Practitioner”—Any Medical Practitioner registered as such under this or the last-mentioned Act.
- “Register”—The Register of legally qualified medical practitioners by this Act provided to be kept.
- 15 “University” or “College”—These shall severally be taken to include every recognized associated body granting medical qualifications.
- “Senate”—The Senate of the University of Sydney.

20 4. A Council which shall be styled the “Medical Council of New South Wales” shall be established consisting of nine persons who shall have been legally qualified medical practitioners for not less than seven years and who shall have been registered under the Act of the second year of Her Majesty number twenty-two or under this

25 Act three of whom shall be nominated and appointed by the Governor and three by the Senate of the University of Sydney and three shall be elected by the medical practitioners whose names appear on the register of medical practitioners in force at the time of the coming into operation of this Act and thereafter from time to time by the

30 medical practitioners whose names appear on the register for the time being provided to be kept by this Act.

5. The members of the Council shall be appointed or elected as the case may be for the period of three years and shall be eligible for reappointment or re-election the first of such periods to be computed

35 from the first day of January one thousand eight hundred and eighty-seven and every vacancy in the Council from whatsoever cause arising during any such period shall be filled up by appointment or election as the case may be for the unexpired term thereof by the body or authority who shall have appointed or elected the person causing such

40 vacancy Provided that no person shall be capable of being appointed or elected to the Council who shall not have the qualifications prescribed in the last preceding section.

6. The first appointments and election of members of the Council shall take place within sixty days from the coming into

45 operation of this Act and the Governor shall make all necessary arrangements for the receipt of the nomination-papers of candidates and for holding the election and shall give such notices as he shall think fit and generally shall do all such acts and things as may be necessary for the due carrying out of the provisions of this Act And

50 at such election and all subsequent elections all nominations shall be made by nomination-papers in the form prescribed by the Second Schedule to this Act which shall be signed by the candidate and by seven medical practitioners duly entitled to vote at such election.

7. The Council shall hold their first meeting at such time and place as the Governor may appoint by notification in the *Gazette* at

55 which meeting the first business transacted shall be the election by the members present of one of the Council as President thereof who shall hold office for twelve months and thereafter a President shall be elected annually from amongst the members of the Council Upon any

Interpretation clause.

Medical Council.

Appointment and election of Members.

Time within which first Members must be appointed or elected.

Second Schedule.

First meeting of Council.

Election of President.

Medical Practitioners.

any vacancy in the office of President a special meeting of the Council shall be called by the Registrar of which seven days notice shall be given at which or at some adjournment thereof a President shall be elected from amongst the members of the Council by the members present.

5 8. A quorum of the Council shall consist of not less than five members thereof and in the absence of the President from any meeting of the Council one of the members present may be elected chairman of such meeting and all acts of the Council at any meeting thereof shall be decided by the majority of the members present at such meeting and 10 the President or in his absence the Chairman shall in addition to his vote as a member have a casting vote in case of an equality of votes.

9. The Council may make such by-laws for the holding of elections for the members of the Council and for regulating their proceedings and the duties of their officers and servants and preserving 15 order at Council meetings and also as to the time and place of the meetings of the Council and the mode of summoning the members and as to all other matters for carrying this Act into effect not herein provided for.

10. All such by-laws being consistent with the provisions of this Act and not repugnant to any other Act shall come into operation when confirmed by the Governor and published in the *Gazette* but not sooner and the production of a copy of the *Gazette* containing the names of any members therein mentioned to have been appointed by the Governor or Senate or elected as the case may be or purporting to 25 contain any such by-law as aforesaid shall in any action suit or proceeding at law or in equity be sufficient evidence that such persons were appointed or elected and that such by-laws were duly made confirmed and published as herein required.

11. 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 member. 30

12. Any member may resign his membership of the Council by letter addressed to the President or Registrar of the Council.

13. The Council shall appoint a Registrar who shall act as Secretary of the Council and also as treasurer unless the Council shall 35 appoint another person as treasurer.

14. The Council shall cause to be kept a book or register in which it shall cause to be registered the names of all persons certified by the Council to be legally qualified medical practitioners within the 40 meaning of this Act or of any Act hereby repealed with their qualifications and residences and shall from time to time cause to be erased from such register the names of all practitioners who shall have died The Council may refuse to register any person whose name shall have been removed from the register or list of members of any recognized 45 licensing body and if the Council shall at any time ascertain that the name of a practitioner has in consequence of misconduct been erased from the list of members of any such body from which he obtained his qualification the Council may remove such practitioner's name from the register either permanently or for a limited time only and 50 the like where any practitioner shall have been convicted of any felony or misdemeanour or shall after due inquiry and opportunity afforded him of defence be adjudged by the Council to have been guilty of disgraceful conduct in any professional respect or to be an habitual drunkard Copies of the said register shall be published 55 quarterly by the Council in the *Gazette* and shall be published and sold by the Council including all names registered up to the end of the month previous to publication but notifying any change since the last publication in the address of any practitioner or which may have occurred by any intervening death or removal And a copy of the *Gazette*

Medical Practitioners.

Gazette containing such register shall be evidence in all courts of law and equity and before all Justices and others that the persons therein specified are registered according to the provisions of this Act.

15. The Council may question any person who may attend Examination of witnesses.
5 before it as hereinafter mentioned and any witness who may be produced before the Council and shall have power to take a solemn declaration from such person or witness and if any person shall wilfully make any false statement upon his examination or in his declaration or shall utter or put off as true before the Council any
10 forged document or shall procure or attempt to procure himself to be registered 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 shall be deemed guilty of a misdemeanour and shall be liable to imprisonment for a
15 term not exceeding three years.

16. Every person registered under this Act who may have Registration of additional qualifications.
obtained any higher degree or qualification other than the qualification in respect of which he may have been registered shall be entitled to have such higher degree or qualification inserted in the register in
20 substitution for or in addition to the qualification previously registered on payment of the fee hereinafter prescribed.

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

18. Every person possessed and every person hereafter becoming possessed of any one or more of the qualifications described in the
third Schedule to this Act upon production of the document evidencing
30 such qualification or each of such qualifications and upon proof to the satisfaction of the Council of the genuineness of such document and of his identity with the person therein named and subject to the provisions hereinbefore contained shall be entitled to be registered as a
35 legally qualified medical practitioner upon payment of the fee hereinafter prescribed and shall receive from the Council a certificate of registration Provided that the Council shall cause the names of all persons entered on the register in force at the date of its first meeting to be entered on the register by this Act provided to be kept without requiring the payment of any fee or production of evidence of
40 qualification.

19. Any person who has been actually practising medicine or Registration of persons actually practising without qualification.
surgery or both in the Colony of New South Wales during the full period of ten years immediately preceding the passing of this Act or
45 who has been actually practising medicine or surgery or both partly in the Colony of New South Wales and partly in any adjoining
45 Colony during the full period of ten years and who shall within fifteen months from the coming into operation of this Act pass an examination as defined in the Fourth Schedule to this Act and upon
50 Fifth Schedule to this Act shall be entitled to have his name entered on a separate folio of the register to be entitled "Practitioners registered under section nineteen of the 'Medical Practitioners Act 1886'" upon payment of the fee hereinafter prescribed and shall
55 be entitled to all the rights and privileges of a legally qualified medical practitioner except that he shall not be eligible for election or appointment as a member of the Council And the Council shall hold within the said period of fifteen months four such examinations with an interval of not less than three months between each examination and the one succeeding Provided that no person shall be so registered
who

Medical Practitioners.

who if he had been registered under this or any of the Acts hereby repealed would be liable to have his name removed from the register under section fourteen of this Act.

20. The fee for registration under this Act shall be twenty-one Fees.
5 shillings and a fee of twenty-one shillings shall be paid for any qualification subsequently registered and a fee of five pounds shall be payable for each examination mentioned in the preceding section.

21. No person shall be disqualified or deemed ineligible for Persons adopting particular medical theories.
10 registration 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.

22. The words "legally qualified medical practitioner" or Meaning of "legally qualified medical practitioner."
"duly qualified medical practitioner" or any words importing a person recognized by law as a medical practitioner when used in any
15 Act shall be construed to mean a person registered under this Act or some Act hereby repealed and whose name remains on the register.

23. If any person shall fraudulently or by any false representation obtain a certificate or cause himself to be registered as a practitioner under this Act or shall forge any such certificate or fraudulently
20 alter any certificate issued by the Council or shall utter or use any such forged or altered certificate knowing the same to have been forged or altered or shall falsely advertise himself or cause himself to be advertised as having obtained a certificate from or been registered by the Council as a practitioner he shall be deemed guilty of a misdemeanour and shall be liable to imprisonment for a term not exceeding
25 five years.

24. If any person shall falsely pretend to be or shall take or use the name or title of a physician doctor of medicine licentiate in Penalty for wrongfully using medical titles.
30 medicine and surgery bachelor of medicine surgeon general practitioner or apothecary or any name title addition designation or description implying that he is registered as such or is recognised by law as a physician surgeon licentiate in medicine and surgery practitioner in medicine or apothecary he shall upon conviction for any such offence pay a sum not exceeding twenty pounds.

35 25. In all prosecutions under this Act proof that the defendant's name or the title addition designation or description taken or used by him was not registered at the time of the alleged offence shall be Burden of proof.
prima facie evidence that he was not then entitled to registration or not so entitled in respect of the title addition designation or description
40 in question and it shall then lie on the defendant to show that he was so entitled.

26. All moneys received by the Council under this Act arising Disposal of moneys.
from fees paid on registration or otherwise shall be paid into the Consolidated Revenue And all fines incurred under this Act may
45 be recovered in a summary way before any two Justices according to the provisions of the Act fourteenth Victoria number forty-three Recovery of fines.
and the Act therein adopted or any other law hereafter passed for regulating summary proceedings before Justices Provided that in every case where the fine shall exceed forty shillings the defendant
50 shall be entitled to appeal from the conviction in the manner provided by the Act of the fifth year of King William the Fourth number twenty-two passed to regulate summary proceedings before Justices And provided also that no person shall be liable to any fee or fine under this Act unless proceedings in respect thereof be commenced
55 within six months after such fee or the liability to such fine has accrued.

27. Nothing in this Act contained shall extend or be construed to extend to prejudice or in any way affect the lawful occupation trade or business of chemists and druggists so far as the same extend to selling compounding or dispensing medicines. Chemists or druggists not affected.

Medical Practitioners.

SCHEDULES.

FIRST SCHEDULE.

Section 2.

No. of Act.	Title or object of Act.
2 Vic. No. 22.....	An Act to define the qualifications of medical witnesses at Coroners' inquests &c.
5 8 Vic. No. 8..... } 9 Vic. No. 12..... }	Acts amending the said Act
19 Vic. No. 17.....	An Act to provide for the registration of legally qualified medical practitioners.

10

SECOND SCHEDULE.

Section 6.

Form of Nomination.

The _____ day of _____ 18
 WE the undersigned medical practitioners being duly entitled to vote at the election of members of the "Medical Council of New South Wales" do hereby nominate [*stating christian and surname and qualifications*] of _____ as a candidate for the office of member of the said Council at the election to be held for members of the said Council on the _____ day of _____ 18

[*Here are to follow signatures*]

And I the above-named _____ do hereby consent to such nomination and
 20 declare that I am possessed of the necessary qualifications for membership of the above-named council as provided by the "Medical Practitioners Act of 1887."

(Signed)

THIRD SCHEDULE.

Section 18.

25 FELLOW Member Licentiate or extra Licentiate of the Royal College of Physicians London or Edinburgh of the King's and Queen's College of Physicians of Ireland the Royal College of Surgeons of England or Ireland or of Edinburgh the Faculty of Physicians and Surgeons of Glasgow the Society of Apothecaries London or the Apothecaries Hall Dublin.

30 Doctor Bachelor or Licentiate of Medicine or Licentiate or Master in Surgery of some University or College in the United Kingdom or in some British Colony incorporated by Royal Charter or established by Act passed therein.

Every person registered as a Medical Practitioner or entitled to be so registered under any Act in force in the United Kingdom and every Medical Commissioned Officer of Her Majesty's sea or land forces or of the late East India Company's service.

35 Any person who shall have obtained after examination from some University or College a diploma or degree entitling him to practise 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.

40

FOURTH SCHEDULE.

Section 19.

CANDIDATES for examination shall be required to show an acquaintance with the structure of the human body and the functions of its various parts. They must also show competency to treat ordinary cases of midwifery accident or illness and must prove that they understand the mode of administration of dangerous drugs.

45

FIFTH SCHEDULE.

Section 19.

Declaration required of persons applying to be registered as Legally Qualified Medical Practitioners under section nineteen of the "Medical Practitioners' Act 1887."

I _____ of _____ do declare that I have been practising medicine
 50 _____ surgery at _____ within the meaning of the nineteenth section of the
 "Medical Practitioners' Act of 1887" for the period of _____ years immediately preceding
 the _____ day of _____ 1887.

(Signed)

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 29 September, 1886, A.M. }*

F. W. WEBB,
Acting Clerk of Legislative Assembly.

New South Wales.



ANNO QUINQUAGESIMO

VICTORIÆ REGINÆ.

No.

An Act to consolidate and amend the Laws relating to Medical Practitioners.

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

5 1. This Act shall come into operation on the first day of Title of Act.
January in the year of our Lord one thousand eight hundred and eighty-seven and shall be called and may be cited as the "Medical Practitioners Act of 1887."

10 2. The Acts specified in the First Schedule hereto shall be Repeal of Acts
First Schedule.
repealed. Provided that nothing in this Act except in regard to the liability of practitioners to have their names removed from the register under the provisions herein contained shall affect anything lawfully done or any right or privilege acquired under the said Acts or any of them. And all offences committed and penalties incurred and proceedings commenced against or under any of the said Acts before the coming into operation of this Act shall be prosecuted enforced and continued respectively as if this Act had not been passed. Provided also that the Medical Board in existence at the time of the passing of this Act shall and may continue to have and exercise all the powers vested

Medical Practitioners.

vested in them by the said Acts or any of them until and inclusive of the day next preceding the day fixed as hereinafter provided for the first meeting of the Medical Council by this Act constituted.

3. The following terms in inverted commas shall unless inconsistent with the context have the meanings hereby assigned to them—

5 “The Governor”—The Governor with the advice of the Executive Council.

“Council” or “Medical Council”—The Medical Council constituted under this Act.

10 “Medical Board”—The Board appointed under the Act second Victoria number twenty-two.

“Medical Practitioner”—Any Medical Practitioner registered as such under this or the last-mentioned Act.

15 “Register”—The Register of legally qualified medical practitioners by this Act provided to be kept.

“University” or “College”—These shall severally be taken to include every recognized associated body granting medical qualifications.

“Senate”—The Senate of the University of Sydney.

20 4. A Council which shall be styled the “Medical Council of New South Wales” shall be established consisting of nine persons who shall have been legally qualified medical practitioners for not less than seven years and who shall have been registered under the Act of the second year of Her Majesty number twenty-two or under this

25 Act three of whom shall be nominated and appointed by the Governor and three by the Senate of the University of Sydney and three shall be elected by the medical practitioners whose names appear on the register of medical practitioners in force at the time of the coming

30 into operation of this Act and thereafter from time to time by the medical practitioners whose names appear on the register for the time being provided to be kept by this Act.

5. The members of the Council shall be appointed or elected as the case may be for the period of three years and shall be eligible for reappointment or re-election the first of such periods to be computed

35 from the first day of January one thousand eight hundred and eighty-seven and every vacancy in the Council from whatsoever cause arising during any such period shall be filled up by appointment or election as the case may be for the unexpired term thereof by the body or authority who shall have appointed or elected the person causing such

40 vacancy Provided that no person shall be capable of being appointed or elected to the Council who shall not have the qualifications prescribed in the last preceding section.

6. The first appointments and election of members of the Council shall take place within sixty days from the coming into

45 operation of this Act and the Governor shall make all necessary arrangements for the receipt of the nomination-papers of candidates and for holding the election and shall give such notices as he shall think fit and generally shall do all such acts and things as may be necessary for the due carrying out of the provisions of this Act And

50 at such election and all subsequent elections all nominations shall be made by nomination-papers in the form prescribed by the Second Schedule to this Act which shall be signed by the candidate and by seven medical practitioners duly entitled to vote at such election.

7. The Council shall hold their first meeting at such time and place as the Governor may appoint by notification in the *Gazette* at

55 which meeting the first business transacted shall be the election by the members present of one of the Council as President thereof who shall hold office for twelve months and thereafter a President shall be elected annually from amongst the members of the Council Upon any

Interpretation clause.

Medical Council.

Appointment and election of Members.

Time within which first Members must be appointed or elected.

Second Schedule.

First meeting of Council.

Election of President.

Medical Practitioners.

any vacancy in the office of President a special meeting of the Council shall be called by the Registrar of which seven days notice shall be given at which or at some adjournment thereof a President shall be elected from amongst the members of the Council by the members present.

5 8. A quorum of the Council shall consist of not less than five Quorum. members thereof and in the absence of the President from any meeting of the Council one of the members present may be elected chairman of such meeting and all acts of the Council at any meeting thereof shall be decided by the majority of the members present at such meeting and
10 the President or in his absence the Chairman shall in addition to his vote as a member have a casting vote in case of an equality of votes.

9. The Council may make such by-laws for the holding of By-laws. elections for the members of the Council and for regulating their proceedings and the duties of their officers and servants and preserving
15 order at Council meetings and also as to the time and place of the meetings of the Council and the mode of summoning the members and as to all other matters for carrying this Act into effect not herein provided for.

10. All such by-laws being consistent with the provisions of Publication of by-laws. this Act and not repugnant to any other Act shall come into operation when confirmed by the Governor and published in the *Gazette* but not sooner and the production of a copy of the *Gazette* containing the names of any members therein mentioned to have been appointed by the Governor or Senate or elected as the case may be or purporting to
25 contain any such by-law as aforesaid shall in any action suit or proceeding at law or in equity be sufficient evidence that such persons were appointed or elected and that such by-laws were duly made confirmed and published as herein required.

11. In the absence of any by-law as to summoning meetings of Mode of summoning meeting. the Council the President may summon a meeting at such time and place as to him shall seem expedient by letter addressed to each member.

12. Any member may resign his membership of the Council Resignation of member. by letter addressed to the President or Registrar of the Council.

13. The Council shall appoint a Registrar who shall act as Registrar and treasurer. Secretary of the Council and also as treasurer unless the Council shall appoint another person as treasurer.

14. The Council shall cause to be kept a book or register in Registration of legally qualified medical practitioners. which it shall cause to be registered the names of all persons certified by the Council to be legally qualified medical practitioners within the
40 meaning of this Act or of any Act hereby repealed with their qualifications and residences and shall from time to time cause to be erased from such register the names of all practitioners who shall have died The Council may refuse to register any person whose name shall have been removed from the register or list of members of any recognized
45 licensing body and if the Council shall at any time ascertain that the name of a practitioner has in consequence of misconduct been erased from the list of members of any such body from which he obtained his qualification the Council may remove such practitioner's name from the register either permanently or for a limited time only and
50 the like where any practitioner shall have been convicted of any felony or misdemeanour or shall after due inquiry and opportunity afforded him of defence be adjudged by the Council to have been guilty of disgraceful conduct in any professional respect or to be an habitual drunkard Copies of the said register shall be published
55 quarterly by the Council in the *Gazette* and shall be published and sold by the Council including all names registered up to the end of the month previous to publication but notifying any change since the last publication in the address of any practitioner or which may have occurred by any intervening death or removal And a copy of the
Gazette

Medical Practitioners.

Gazette containing such register shall be evidence in all courts of law and equity and before all Justices and others that the persons therein specified are registered according to the provisions of this Act.

15. The Council may question any person who may attend
5 before it as hereinafter mentioned and any witness who may be
produced before the Council and shall have power to take a solemn
declaration from such person or witness and if any person shall
wilfully make any false statement upon his examination or in his
declaration or shall utter or put off as true before the Council any
10 forged document or shall procure or attempt to procure himself to be
registered 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 shall be deemed
guilty of a misdemeanour and shall be liable to imprisonment for a
15 term not exceeding three years.

Examination of
witnesses.

16. Every person registered under this Act who may have
obtained any higher degree or qualification other than the qualifica-
tion in respect of which he may have been registered shall be entitled
to have such higher degree or qualification inserted in the register in
20 substitution for or in addition to the qualification previously registered
on payment of the fee hereinafter prescribed.

Registration of addi-
tional qualifications.

17. 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
25 practitioner shall forthwith transmit notice of such death to the
Registrar of the Council.

Notice of death.

18. Every person possessed and every person hereafter becom-
ing possessed of any one or more of the qualifications described in the
third Schedule to this Act upon production of the document evidencing
30 such qualification or each of such qualifications and upon proof to the
satisfaction of the Council of the genuineness of such document and
of his identity with the person therein named and subject to the pro-
visions hereinbefore contained shall be entitled to be registered as a
legally qualified medical practitioner upon payment of the fee herein-
35 after prescribed and shall receive from the Council a certificate of
registration. Provided that the Council shall cause the names of all
persons entered on the register in force at the date of its first meeting
to be entered on the register by this Act provided to be kept without
requiring the payment of any fee or production of evidence of
40 qualification.

Who entitled to be
registered.

Third Schedule.

19. Any person who has been actually practising medicine or
surgery or both in the Colony of New South Wales during the full
period of ten years immediately preceding the passing of this Act or
who has been actually practising medicine or surgery or both partly
45 in the Colony of New South Wales and partly in any adjoining
Colony during the full period of ten years and who shall within
fifteen months from the coming into operation of this Act pass an
examination as defined in the Fourth Schedule to this Act and upon
filing with the registrar a declaration according to the form in the
50 Fifth Schedule to this Act shall be entitled to have his name entered
on a separate folio of the register to be entitled "Practitioners
registered under section nineteen of the 'Medical Practitioners Act
1886'" upon payment of the fee hereinafter prescribed and shall
be entitled to all the rights and privileges of a legally qualified medical
55 practitioner except that he shall not be eligible for election or appoint-
ment as a member of the Council. And the Council shall hold within
the said period of fifteen months four such examinations with an
interval of not less than three months between each examination and
the one succeeding. Provided that no person shall be so registered
who

Registration of
persons actually
practising without
qualification.

Fourth Schedule.

Fifth Schedule.

Medical Practitioners.

who if he had been registered under this or any of the Acts hereby repealed would be liable to have his name removed from the register under section fourteen of this Act.

20. The fee for registration under this Act shall be twenty-one Fees.
5 shillings and a fee of twenty-one shillings shall be paid for any qualification subsequently registered and a fee of five pounds shall be payable for each examination mentioned in the preceding section.

21. No person shall be disqualified or deemed ineligible for Persons adopting particular medical theories.
10 registration 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.

22. The words "legally qualified medical practitioner" or Meaning of "legally qualified medical practitioner."
15 "duly qualified medical practitioner" or any words importing a person recognized by law as a medical practitioner when used in any Act shall be construed to mean a person registered under this Act or some Act hereby repealed and whose name remains on the register.

23. If any person shall fraudulently or by any false representation obtain a certificate or cause himself to be registered as a practitioner under this Act or shall forge any such certificate or fraudulently Penalty for forging or fraudulently obtaining certificate.
20 alter any certificate issued by the Council or shall utter or use any such forged or altered certificate knowing the same to have been forged or altered or shall falsely advertise himself or cause himself to be advertised as having obtained a certificate from or been registered by the Council as a practitioner he shall be deemed guilty of a misdemeanour and shall be liable to imprisonment for a term not exceeding
25 five years.

24. If any person shall falsely pretend to be or shall take or Penalty for wrongfully using medical titles.
30 use the name or title of a physician doctor of medicine licentiate in medicine and surgery bachelor of medicine surgeon general practitioner or apothecary or any name title addition designation or description implying that he is registered as such or is recognised by law as a physician surgeon licentiate in medicine and surgery practitioner in medicine or apothecary he shall upon conviction for any such offence pay a sum not exceeding twenty pounds.

25. In all prosecutions under this Act proof that the defendant's Burden of proof.
35 name or the title addition designation or description taken or used by him was not registered at the time of the alleged offence shall be *prima facie* evidence that he was not then entitled to registration or not so entitled in respect of the title addition designation or description
40 in question and it shall then lie on the defendant to show that he was so entitled.

26. All moneys received by the Council under this Act arising Disposal of moneys.
45 from fees paid on registration or otherwise shall be paid into the Consolidated Revenue And all fines incurred under this Act may Recovery of fines.
50 be 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 Provided that in every case where the fine shall exceed forty shillings the defendant
55 shall be entitled to appeal from the conviction in the manner provided by the Act of the fifth year of King William the Fourth number twenty-two passed to regulate summary proceedings before Justices And provided also that no person shall be liable to any fee or fine under this Act unless proceedings in respect thereof be commenced within six months after such fee or the liability to such fine has accrued.

27. Nothing in this Act contained shall extend or be construed Chemists or druggists not affected.
to extend to prejudice or in any way affect the lawful occupation trade or business of chemists and druggists so far as the same extend to selling compounding or dispensing medicines.

Medical Practitioners.

SCHEDULES.

FIRST SCHEDULE.

Section 2.

No. of Act.	Title or object of Act.
5 2 Vic. No. 22.....	An Act to define the qualifications of medical witnesses at Coroners' inquests &c.
8 Vic. No. 8..... } 9 Vic. No. 12..... }	Acts amending the said Act
19 Vic. No. 17.....	An Act to provide for the registration of legally qualified medical practitioners.

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SECOND SCHEDULE.

Section 6.

Form of Nomination.

The _____ day of _____ 18
 WE the undersigned medical practitioners being duly entitled to vote at the election of members of the "Medical Council of New South Wales" do hereby nominate [*stating christian and surname and qualifications*] of _____ as a candidate for the office of member of the said Council at the election to be held for members of the said Council on the _____ day of _____ 18

[*Here are to follow signatures*]
 And I the above-named _____ do hereby consent to such nomination and declare that I am possessed of the necessary qualifications for membership of the above-named council as provided by the "Medical Practitioners Act of 1887."

(Signed)

THIRD SCHEDULE.

Section 18.

25 FELLOW Member Licentiate or extra Licentiate of the Royal College of Physicians London or Edinburgh of the King's and Queen's College of Physicians of Ireland the Royal College of Surgeons of England or Ireland or of Edinburgh the Faculty of Physicians and Surgeons of Glasgow the Society of Apothecaries London or the Apothecaries Hall Dublin.

30 Doctor Bachelor or Licentiate of Medicine or Licentiate or Master in Surgery of some University or College in the United Kingdom or in some British Colony incorporated by Royal Charter or established by Act passed therein.

Every person registered as a Medical Practitioner or entitled to be so registered under any Act in force in the United Kingdom and every Medical Commissioned Officer of Her Majesty's sea or land forces or of the late East India Company's service.

35 Any person who shall have obtained after examination from some University or College a diploma or degree entitling him to practise 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.

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FOURTH SCHEDULE.

Section 19.

CANDIDATES for examination shall be required to show an acquaintance with the structure of the human body and the functions of its various parts. They must also show competency to treat ordinary cases of midwifery accident or illness and must prove that they understand the mode of administration of dangerous drugs.

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FIFTH SCHEDULE.

Section 19.

Declaration required of persons applying to be registered as Legally Qualified Medical Practitioners under section nineteen of the "Medical Practitioners' Act 1887."

I _____ of _____ do declare that I have been practising medicine within the meaning of the nineteenth section of the "Medical Practitioners' Act of 1887" for the period of _____ years immediately preceding the _____ day of _____ 1887.

(Signed)