

Legislative Council.

60^o VICTORIÆ, 1896.

A BILL

To regulate the practice of Medicine and Surgery and
other matters connected therewith.

[MR. WANT;—3 November, 1896.]

WHEREAS it is expedient to enable persons requiring medical Preamble.
aid to distinguish qualified from unqualified practitioners:
Be it therefore enacted by the Queen's Most Excellent Majesty, by
and with the advice and consent of the Legislative Council and
5 Legislative Assembly of New South Wales in Parliament assembled,
and by the authority of the same, as follows:—

1. (I) Whosoever, not being a legally qualified medical prac- Penalty for falsely
titioner within the meaning of the Act second Victoria number using the name of a
twenty-two, as amended by the Acts ninth Victoria number twelve physician, doctor, &c.
10 and nineteenth Victoria number seventeen, or entitled to be registered
as a legally qualified medical practitioner within the meaning of this
Act takes or uses the name or title of a physician, doctor of medicine,
licentiate in medicine and surgery, bachelor of medicine, or surgeon,
or any other name, title, addition, or description implying that
15 he is a practitioner in medicine, shall be liable to a penalty of
fifty pounds, and a further penalty of *five* pounds for each day from
the time when the said offence was first committed in the case of a
continuing offence against the provisions of this section, or shall be
liable to imprisonment for a term not exceeding *twelve* months.

(II) A person shall be deemed to be entitled to be registered as a legally qualified medical practitioner within the meaning of this Act if, in fact, he has fulfilled the conditions and done the things and possesses the qualifications required in the Act second Victoria number twenty-two, as amended by the Acts ninth Victoria number twelve and nineteenth Victoria number seventeen, to be proved to the satisfaction of the New South Wales Medical Board or a quorum thereof. 5

Persons advertising
that they treat
disease.

2. (I) Any person who states in an advertisement or notification that he treats disease, injury, or ailment, or that disease, injury, or ailment is treated in any house therein referred to, shall in every such advertisement or notification as aforesaid, state his christian name and surname in full, and shall place and maintain the said names upon any house (if any) referred to in the said advertisement or notification; and if he be not a legally qualified medical practitioner within the meaning of the Acts mentioned in section one of this Act, he shall, also, in each case, affix to his surname the words "not registered." 10 15

(II) Any person who fails to comply with the requirements above-mentioned or any of them shall be liable to a penalty of *twenty* pounds, and in the case of a continuing offence to a further penalty of *five* pounds for each day from the time when the said offence was first committed. 20

(III) Any person purporting to be but not being the person whose name is stated in any advertisement or notification as aforesaid, who treats disease, injury, or ailment at any house referred to in any advertisement or notification as aforesaid shall be liable to a penalty of *twenty* pounds. In any proceedings under this subsection, the burden of proving that he is the person whose name is stated in the advertisement or notification shall lie on the person charged. 25

Copy of register to
be evidence.

3. A copy of the register kept in pursuance of the Act second Victoria number twenty-two, signed by the President of the New South Wales Medical Board, shall, in any proceedings under this Act, be *prima facie* evidence that the persons whose names are therein contained and no others were, up to and including the time when the said copy of the register was so signed, legally qualified medical practitioners. 30 35

Offences and
penalties.

4. All penalties imposed by this Act may be recovered before, and all charges under this Act may be heard and determined by, a Police or Stipendiary Magistrate, or any two Justices of the Peace in Petty Sessions.

Short title.

5. This Act may be cited as the "Medical Practitioners Act, 1896." 40