

Act No. 70, 1900.

An Act to further regulate the practice of Medicine and Surgery and other matters connected therewith. [6th December, 1900.]

MEDICAL
PRACTITIONERS ACTS
FURTHER
AMENDMENT.

WHEREAS it is expedient to enable persons requiring medical 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 Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Preamble.

1. If it appears to the satisfaction of the New South Wales Medical Board that any person registered as a legally qualified medical practitioner within the meaning of the Medical Practitioners Act, 1898, or any Act amending the same, has been guilty of infamous conduct in any professional respect, it shall be lawful for the Board to remove such person's name from the register, and thereupon he shall cease to be a legally medical practitioner within the meaning of the said Acts:

Board may remove
name from register
in certain cases.

Provided that in case of a charge of infamous conduct as aforesaid the Board shall make due inquiry, sitting as an open court, and the person charged shall be afforded an opportunity of defence, either in person or by counsel, and shall have the right of appeal to the Supreme Court, and such appeal shall be in the nature of a rehearing.

2. (1) 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

Persons advertising
that they treat
disease.

Medical Practitioners Acts Further Amendment.

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.

(2) 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, or shall be liable to imprisonment for a term not exceeding six months.

(3) Any person purporting to be but not being the person whose name is stated in any advertisement or notification as aforesaid, who treats diseases, injury, or ailment at any house referred to in any advertisement or notification as aforesaid shall be liable to a penalty of twenty pounds, or shall be liable to imprisonment for a term not exceeding six months. 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.

3. In the case of any person not possessed of qualifications entitling him to registration under the Medical Practitioners Act, 1898, or the Acts amending the same, it shall be lawful for the Medical Board in its discretion to place upon a separate register the name of any such person, provided he gives proof that he has passed through a due course of study at a recognised school of medicine and surgery, and that he has practised in a reputable manner as a medical practitioner in New South Wales during five years prior to the passing of this Act, and such person when so registered shall have all the rights of a registered medical practitioner, and shall be subject to all the provisions of the aforesaid Acts.

Amendment of Act
No. 26, 1898.

4. Section three of the Medical Practitioners Act, 1898, is amended by substituting in subsection (b) the word "five" for the word "three."

5. All penalties imposed by this Act may be recovered before, and all charges under this Act may be heard and determined by, a stipendiary or police magistrate, or any two justices of the peace in petty sessions.

Short title.

6. This Act may be cited as the "Medical Practitioners Acts Further Amendment Act, 1900."

Board may place
upon separate
register names of
unqualified persons
in certain cases.

Offences and
penalties.

Act