

MEDICAL PRACTITIONERS (AMENDMENT) ACT.

Act No. 23, 1955.

Elizabeth II,
No. 23, 1955.

An Act to make provision for the issue to persons of licenses to practise in one or more branches of medicine or surgery or both; to prescribe the qualifications of persons to whom those licenses may be issued and the powers and privileges of those persons; to enable those persons to obtain registration as medical practitioners in certain events; to authorise the payment of fees to members of the New South Wales Medical Board; for these purposes to amend the Medical Practitioners Act, 1938-1953, in certain respects; and for purposes connected therewith. [Assented to, 26th April, 1955.]

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:—

Short title
and
citation.

1. (1) This Act may be cited as the "Medical Practitioners (Amendment) Act, 1955."

(2)

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(2) The Medical Practitioners Act, 1938, as amended by subsequent Acts and by this Act, may be cited as the Medical Practitioners Act, 1938-1955. No. 23, 1955.

2. The Medical Practitioners Act, 1938-1953, is amended— Amendment
of Act No.
37, 1938.

(a) by inserting next after subsection eight of section five the following new subsection:— Sec. 5.
(Constitu-
tion of
board.)

(9) Each member of the board shall be paid such fees as the Governor may direct.

(b) (i) by inserting at the end of paragraph (e) of subsection one of section seventeen the following word and new paragraph:— Sec. 17.
(Qualifica-
tions for
future
registra-
tion.)
“or

(f) has held a license under section 21B of this Act for a period or periods aggregating five years or more”;

(ii) by inserting in subsection three of the same section after the words “matters referred to in paragraph (d) or paragraph (e)” the words “or paragraph (f)”;

(c) by inserting next after section 21A the following new section:— New sec.
21B.

21B. (1) Any person who—

(a) resided in the State of New South Wales on the first day of January, one thousand nine hundred and fifty-four, and has been continuously so resident since that day up to the day on which he applies to the board for a license under this section; and Licenses
to practise
medicine
or sur-
gery.

(b) has passed through a regular graded course of medical study of five or more years' duration in a school of medicine in some part of the British Empire or some other country and—

(i) has received, after due examination, from a university, college
or

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or other body with which such school of medicine is associated and which is duly recognised for the purpose in such part or country, a degree or diploma certifying to his ability to practise medicine or surgery; and

- (ii) is or was by law entitled to be registered or to practise as a medical practitioner in some part of the British Empire or some other country,

may apply to the board for a license to practise in all or in one or more branches of medicine or surgery or both.

(2) If an applicant for a license under this section proves to the satisfaction of the board the several matters referred to in subsection one of this section, the board shall, at the earliest convenient time thereafter, arrange for the applicant to attend before the Examining Medical Committee for examination. The examination may be oral or in writing or both.

(3) For the purposes of this section there shall be an Examining Medical Committee which shall consist of such number of persons, but not less than three, as the Minister may appoint thereto.

No person shall be appointed under this subsection unless he is a person registered under this Act.

The Minister shall appoint one of the members of the Examining Medical Committee to be chairman thereof.

Each member of the Examining Medical Committee shall receive such fees as the Governor may direct.

(4)

(4) The Examining Medical Committee No. 23, 1955.
shall report to the board whether or not, in its
opinion, any applicant examined by it—

- (a) has a knowledge of the English language adequate for the conduct of medical practice;
- (b) possesses the requisite knowledge and skill for the efficient practice of medicine and surgery according to the standards in force at the University of Sydney; and
- (c) is, by reason of experience or otherwise, specially fitted to practise in a particular branch of medicine or surgery.

(5) Where the Examining Medical Committee reports that in its opinion an applicant has the knowledge referred to in paragraph (a) of subsection four of this section and has the requisite knowledge and skill referred to in paragraph (b) of that subsection, the board shall enter the name of the applicant in a list to be kept by the board for the purpose.

(6) Where the Minister is satisfied that the needs of any institution or establishment are not adequately provided for in respect of medical or surgical services or both, he shall notify the board of that fact and the board shall thereupon select from the list referred to in subsection five of this section the person who in its opinion would be the most suitable for employment in the institution or establishment.

(7) (a) The board shall, on payment of a fee of three pounds three shillings, issue to the person so selected a license—

- (i) to practise in all branches of medicine and surgery; or
- (ii)

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- (ii) to practise in such one or more branches of medicine or surgery or both as may be specified in the license,

in the institution or establishment or institutions or establishments specified in the license or in such class or classes of institutions or establishments as may be so specified.

(b) A license issued under this section shall, subject to this Act, have effect for a period of one year from date of issue, but may be renewed by the board from time to time for a like period upon the application of the person to whom the license was issued.

(8) The provisions of subsections six and seven of section seventeen of this Act shall, mutatis mutandis, extend to and in respect of the issue of a license under this section.

(9) Where a license has been issued to any person under this section, and while the license has effect, that person shall (for purposes connected with or relating to the practice of medicine or surgery or both to the extent permitted by the license) be deemed to be registered under this Act.

(10) The provisions of sections twenty-seven, twenty-eight and twenty-nine of this Act shall, mutatis mutandis, apply to and in respect of a person to whom a license has been issued under this section.

For the purposes of that application a reference to a "registered person" shall be construed as a reference to a person to whom a license has been issued under this section, and any provision relating to the removal of the name of any person from the register shall be construed as a provision relating to the revocation of a license.

(11) In this section "institution" includes State hospital, mental hospital and public hospital.

MURRUMBIDGEE