

## MEDICAL PRACTITIONERS (AMENDMENT) ACT.

Act No. 14, 1956.

Elizabeth II, No. 14, 1956. An Act to make further provision with respect to the practice of medicine or surgery by unregistered persons; for this purpose to amend the Medical Practitioners Act, 1938, and certain other Acts in certain respects; and for purposes connected therewith. [Assented to, 6th September, 1956.]

**B**E 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, 1956."

(2)

(2) The Medical Practitioners Act, 1938, as amended by subsequent Acts and by this Act, may be cited as the Medical Practitioners Act, 1938-1956. No. 14, 1956.

2. The Medical Practitioners Act, 1938-1955, is amended— Amendment  
of Act No.  
37, 1938.

(a) by inserting next after section forty-one the following new sections:— New secs.  
41A and 41B.

41A. (1) The diseases to which this section applies are cancer, tuberculosis, poliomyelitis, epilepsy, diabetes and such other disease or diseases as may be prescribed for the purposes of this section. Unregis-  
tered person  
not to  
treat  
certain  
diseases.

(2) Subject to subsection three of this section a person not registered under this Act shall not give or perform any medical or surgical advice, service, attendance or operation in relation to—

- (a) any disease to which this section applies; or
- (b) any disease or condition which he alleges to be a disease to which this section applies,

unless, in the case of each person to or upon whom the advice, service, attendance or operation is given or performed, the giving or performing of the advice, service, attendance or operation is expressly authorised by a registered person.

Any person who contravenes any of the provisions of this subsection shall be guilty of an offence and shall be liable on conviction to a penalty not exceeding one hundred pounds.

Nothing in this subsection affects the operation of section twenty-seven of this Act.

(3)

No. 14, 1956.

(3) A person not registered under this Act shall not be liable to be prosecuted under this section in respect of anything done or omitted to be done by him—

(a) in respect of a disease to which this section applies or in respect of any disease or condition which he alleges to be a disease to which this section applies; and

(b) in the bona-fide practice of the religious tenets of any church,

unless, where the disease has been declared to be an infectious disease under section twenty-eight of the Public Health Act, 1902, as amended by subsequent Acts, and he is required by subsection one of section twenty-nine of that Act to give the notice referred to in that subsection, he fails to give that notice.

Unregis-  
tered  
person  
may not  
recover  
fees.

41B. A person not registered under this Act shall not be entitled to sue or counter-claim for or to set-off or otherwise recover any charge or remuneration for any medical or surgical advice, service, attendance or operation given or performed by him after the commencement of the Medical Practitioners (Amendment) Act, 1956.

Sec. 42.  
(Advertis-  
ing.)

(b) (i) by omitting subsection two of section forty-two and by inserting in lieu thereof the following subsection:—

No unregis-  
tered person  
to advertise.

(2) (a) Any person, not registered under this Act, who, after the expiration of three months from the commencement of the Medical Practitioners (Amendment) Act, 1956, advertises himself to be entitled, qualified, able or willing to practise medicine or surgery in any of its branches or to give or perform any medical or surgical advice,

advice, service, attendance or operation shall be guilty of an offence and shall be liable on conviction to a penalty not exceeding fifty pounds. No. 14, 1956.

(b) No registered person shall, otherwise than in accordance with the regulations, advertise himself to be entitled, qualified, able or willing to practise medicine or surgery in any of its branches or to give or perform any medical or surgical advice, service, attendance or operation. Advertising  
by  
registered  
persons.

Any person who contravenes any of the provisions of this paragraph shall be guilty of an offence and shall be liable on conviction to a penalty not exceeding fifty pounds.

- (ii) by omitting from subsection three of the same section the words “, but shall apply to every advertisement by any other person whether or not registered under this Act”;
- (c) by omitting from subsection one of section forty-nine the words “or registered veterinary surgeon” and by inserting in lieu thereof the words “, registered veterinary surgeon, registered physiotherapist, chiropodist or chiropractor”; Sec. 49.  
(Act not to  
extend to  
chemists,  
etc.)
- (d) by omitting subsection (2A) of section fifty-three. Sec. 53.  
(Regula-  
tions.)

---