

Act No. 33, 1900.

MEDICAL  
PRACTITIONERS  
AMENDMENT  
(No. 2).

An Act for the registration of medical practitioners; the restriction of unqualified persons from practising; and to amend such other statutes as may be inconsistent therewith.  
[12th October, 1900.]

**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:—

Penalty for persons not being legally qualified medical practitioners using name or title of physician, &c.

1. Any person who, not being a legally qualified medical practitioner within the meaning of the Medical Practitioners Act, 1898, 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 name, title, addition, or description implying that he is a legally qualified medical practitioner as aforesaid, shall be liable to a penalty of fifty pounds, and in the case of a continuing offence against the provisions of this section 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 twelve months.

A person shall be deemed to be entitled to be registered as a legally qualified medical practitioner within the meaning of this Act if he possesses the qualifications required in the Medical Practitioners Act, 1898, in order to entitle him to be registered as aforesaid.

Removal of name from Register for certain offences.

2. If it appears to the satisfaction of the New South Wales Medical Board that any person registered as aforesaid—

- (a) has ceased to possess, or does not possess, the qualifications in respect of which he was registered; or (b)

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*Witnesses Examination.*

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(b) has been convicted of any felony or misdemeanour, or of any offence which, if committed within this Colony would be a felony or misdemeanour, 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 qualified medical practitioner within the meaning of the Medical Practitioners Act, 1898: Provided that such person so removed shall have the right of appeal to the Supreme Court; such appeal to be in the nature of a rehearing.

3. A copy of the register kept in pursuance of the Medical Practitioners Act, 1898, purporting to be 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 purported to have been so signed, legally qualified medical practitioners as aforesaid.

Register signed by president of New South Wales Medical Board to be *prima facie* evidence.

4. 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.

Recovery of penalties.

5. This Act may be cited as the "Medical Practitioners Amendment Act, 1900."

Short title.

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