



WESTERN AUSTRALIA.

ANNO TRICESIMO TERTIO

VICTORIÆ REGINÆ.

NO. VIII.

AN ORDINANCE to regulate the registration of Medical Practitioners.

[12th July, 1869.]

WHREAS it is expedient that persons requiring Medical aid should be enabled to distinguish qualified from unqualified practitioners: Be it therefore enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows:—

Preamble.

1 THIS Ordinance may be cited as "The Medical Ordinance, 1869," and shall commence and take effect from the Thirty-first day of December One thousand eight hundred and sixty-nine.

Short title and date of operation.

2 AFTER the First day of January One thousand eight hundred and seventy, no person shall be entitled to recover any charges

None but registered persons to recover charges.

33° VICTORIÆ, No. 8.

Medical Practitioners.

in any Court of Law for any medical or surgical advice, attendance, or for the performance of any operation, or for any medicine which he shall have both prescribed and supplied, unless he shall prove upon the trial that he is registered under this Ordinance.

District Medical Officer not disqualified if registered within 3 months after commencement of Ordinance.

3 PROVIDED nevertheless that no person who, on the First day of January One thousand eight hundred and seventy, shall be acting as Medical Officer in any of the Districts of the Colony shall be disqualified to hold such office by reason of his not being registered as herein required, unless he shall have failed to be registered within three months from the commencement or coming in force of this Ordinance.

Meaning of terms "legally qualified Medical Practitioner" &c.

4 AFTER the First day of January One thousand eight hundred and seventy, the words "legally qualified Medical Practitioner," or "duly qualified Medical Practitioner," or any words importing a person recognized by law as a Medical Practitioner or member of the Medical profession, when used in any Ordinance or Act shall be construed to mean a person registered under this Ordinance.

No certificate to be valid unless person signing be registered.

5 AFTER the First day of January One thousand eight hundred and seventy, no certificate, required by any law now in force or that may hereafter be passed, from any Medical Practitioner, shall be valid unless the person signing the same be registered under this Ordinance.

Penalty for obtaining registration by false representations.

6 IF any person shall wilfully procure or attempt to procure himself to be registered under this Ordinance by making or producing, or causing to be made or produced, any false or fraudulent representation or declaration, either verbally or in writing, every such person so offending and every person aiding and assisting him therein shall be deemed guilty of a misdemeanor, and shall on conviction thereof be sentenced to be imprisoned for any term not exceeding twelve calendar months.

Penalty for falsely pretending to be a registered person.

7 ANY person who shall wilfully and falsely pretend to be, or take or use the name or title of a physician, doctor of medicine, licentiate in medicine or surgery, bachelor of medicine, surgeon, general practitioner or apothecary, or any name, title, addition, or description implying that he is registered under this Ordinance, or that he is recognized by law as a physician or surgeon, or licentiate in medicine and surgery, or a practitioner in medicine or an apothecary, shall, upon a summary conviction for any such offence, pay a sum not exceeding Fifty Pounds.

Medical Practitioners.

8 NOTHING in this Ordinance contained shall extend or be construed to extend to prejudice or in any way affect the lawful occupation, trade, or business of chemists and druggists and dentists.

Chemists, &c., not to be affected.

9 THE Governor in Executive Council may from time to time appoint a Board consisting of not less than three members, being of the Medical Profession, one of whom shall be appointed President, under the style and description of "The Medical Board," and the Governor shall in like manner remove the said members or any of them, and on the removal, death, resignation or absence from the Colony of the said members or any of them, shall appoint such other person or persons, being of the Medical Profession, as he shall think fit. And every person, not registered under the provisions of the Imperial Medical Act, 21 and 22 Victoria, cap. 90, but possessed or hereafter becoming possessed of any one or more of the qualifications described in the Schedule A of the said Imperial "Medical Act, 1858," desirous of being registered under this Ordinance shall submit his degree, diploma, certificate or other proof for the examination and approval of the said Medical Board, and shall thereupon obtain from the said Medical Board a certificate of his being qualified to be registered as a general practitioner.

Medical Board to be appointed.

Resignation, death, or absence of member of the Board.

Board to examine diplomas, &c., of persons not registered under Act 21 and 22 V. c. 90, desirous of being registered under this Ordinance, and shall thereupon grant a Certificate of qualification to be registered under this Ordinance.

10 THE said Medical Board may by special orders dispense with the production of such degree, diploma, certificate or other proof as aforesaid, and on due proof to the satisfaction of such Board of his qualification, skill and ability to practise Medicine or Surgery may, in their discretion, grant to any person a certificate of his being qualified to be registered as a Medical Practitioner.

Board may in their discretion grant a certificate of qualification to be registered, without production of diploma, &c.

11 EVERY person who has registered or who hereafter may register himself under the Imperial Medical Act, 21 and 22 Victoria, cap. 90, and every person who shall obtain a certificate as aforesaid from the said local Medical Board shall on payment of a fee of one guinea (such fee to be paid over to the Colonial Treasurer on behalf of the public) be entitled to be registered on producing to the Colonial Secretary the document conferring or evidencing the qualification or each of the qualifications in respect whereof he seeks to be so registered, or upon transmitting by post to the said Colonial Secretary information of his name and address, and evidence of the qualification or qualifications in respect whereof he seeks to be registered and of the time or times at which the same was or were respectively obtained. Provided nevertheless, any person who was actually practising Medicine in this Colony before the First day of July One thousand eight hundred and sixty-nine, shall also on pay-

Every person registered under 21 and 22 V. c. 90, and every person obtaining a certificate from the Board, shall on payment of £1 1s. be entitled to be registered under this Ordinance, &c.

ment of such fee as aforesaid be entitled to be registered on producing to the Colonial Secretary a declaration, according to the form in the Schedule to this Ordinance, signed by him, or upon transmitting to the Colonial Secretary information of his name and address and enclosing such declaration as aforesaid.

Colonial Secretary to keep register.

12 IT shall be the duty of the Colonial Secretary to keep a correct register in accordance with the provisions of this Ordinance and the regulations of the aforesaid Medical Board, and to erase the names of all registered persons who have died, and from time to time to make the necessary alterations in the addresses or qualifications of the persons registered under this Ordinance; and, to enable the Colonial Secretary duly to fulfil the duties imposed upon him, it shall be lawful for him to write a letter to any registered person, addressed to him according to his address on the register, to enquire whether he has ceased to practise, or has changed his residence, and if no answer shall be returned to such letter within the space of six months from the sending of the letter it shall be lawful to erase the name of such person from the register; provided always that the same may be restored by direction of the Medical Board aforesaid, should they think fit to make an Order to that effect.

Board to make orders for regulating register.

13 The said Medical Board shall with all convenient speed after the passing of this Ordinance, and from time to time as occasion may require, make orders for regulating the register to be kept under this Ordinance, as nearly as conveniently may be in accordance with the form set forth in the Schedule to this Ordinance, or to the like effect.

Evidence of qualification to be given before registration.

14 NO qualification shall be entered in the register, either on the first registration or by way of addition to a registered name, unless the Colonial Secretary be satisfied by the proper evidence that the person claiming is entitled to it; and any appeal from the decision of the Colonial Secretary may be decided by the said Medical Board, and any entry which shall be proved to the satisfaction of the said Medical Board to have been fraudulently or incorrectly made may be erased from the register by order in writing of such Board.

Register to be published.

15 THE Colonial Secretary shall in every year cause to be printed, published and sold, under the direction of the said Medical Board, a correct register of the names in alphabetical order according to the surnames, with the respective residences, in the form set forth in the Schedule to this Ordinance, or to the like effect, and Medical

33° VICTORIÆ, No. 8.

Medical Practitioners.

titles, diplomas and qualifications conferred by any Corporation or University, with the date thereof, of all persons appearing on the register as existing on the first day of January in every year; and such register shall be called "The Medical Register;" and a copy of the Medical Register for the time being, purporting to be so printed and published as aforesaid, shall be evidence in all Courts, and before all Justices of the Peace and others; that the persons therein specified are registered according to the provisions of this Ordinance; Provided always that, in the case of any person whose name does not appear in such copy, a certified copy under the hand of the Colonial Secretary of the entry of the name of such person on the register shall be evidence that such person is registered under the provisions of this Ordinance.

J. BRUCE,

GOVERNOR.



*Passed the Legislative Council, }
this 12th day of July, 1869. }*

E. H. LAURENCE,

Clerk of the Council.

33. VICTORIÆ, No. 8.

Medical Practitioners.

SCHEDULE.

NAME.	RESIDENCE.	QUALIFICATION.	TITLE.
A.B.	Perth	Fellow of the Royal College of Physicians of ———	
C.D.	Fremantle	Fellow and Member of the Royal College of Surgeons of ———	
E.F.	York	Graduate in Medicine of University of ———	
G.H.	Newcastle	Licentiate of the Society of Apothecaries, ———	
J.K.	Champion Bay	Member of the College of Surgeons and Licentiate of the Society of Apothecaries, ———	
L.M.	Bunbury	Passed by the local Medical Board.	

Declaration required of a person who claims to be registered as a Medical Practitioner upon the ground that he was in practice as a Medical Practitioner in the Colony before the 1st day of July, 1869.

To the Colonial Secretary.

I _____ residing at _____ hereby declare that I
 was practising as a Medical Practitioner at _____ in the District
 of _____ before the first day of July, 1869.

Dated this _____ day of _____ 18 .

(Signed) [name]