



## ANALYSIS

Title.		
1. Short Title.		3. Qualifications for registration as medical practitioners.
2. Qualifications for conditional registration.		4. Penalty for wrongfully using title of medical practitioner.

1951, No. 43

AN ACT to amend the Medical Practitioners Act 1950. Title.  
[1 December 1951

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Medical Practitioners Amendment Act 1951, and shall be read together with and deemed part of the Medical Practitioners Act 1950 (hereinafter referred to as the principal Act). Short Title.  
1950, No. 50

2. Section nine of the principal Act is hereby amended, as from the commencement of that Act, by inserting in paragraph (a), after the words "at any stage", the words "(other than the entrance stage)". Qualifications for conditional registration.

3. Section twelve of the principal Act is hereby amended by inserting, after paragraph (a), the following paragraph:— Qualifications for registration as medical practitioners.

“ (aa) That he became eligible to be conditionally registered under this Act before the date fixed by resolution of the Medical Council and notified in the *Gazette* under subsection one of section ten of this Act; or ”.

Penalty for wrongfully using title of medical practitioner.

4. Section fifty-five of the principal Act is hereby amended by adding the following subsections as subsections two and three:—

“ (2) Every person commits an offence and shall be liable on summary conviction to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding three months who, not being a medical practitioner by virtue of any degree, qualification, or registration obtained in New Zealand or elsewhere, describes himself or otherwise holds himself out as a medical practitioner.

“ (3) In any prosecution under subsection two of this section,—

“ (a) In the case of a person who is not entitled to use the title ‘ Doctor ’ by virtue of any degree, qualification, or registration obtained in New Zealand or elsewhere, proof that the person has described himself or otherwise held himself out as a doctor shall be deemed to be proof that he has described himself or otherwise held himself out as a medical practitioner unless he establishes that the manner and circumstances in which he did the act which is proved were such as to raise no reasonable inference that he was describing himself or otherwise holding himself out as a medical practitioner:

“ (b) In the case of a person who is entitled to use the title ‘ Doctor ’ by virtue of any degree, qualification, or registration obtained in New Zealand or elsewhere, proof that the person has described himself or otherwise held himself out as a doctor shall be deemed to be proof that he has described himself or otherwise held himself out as a medical practitioner if the manner and circumstances in which he did the act which is proved were such as to raise a reasonable inference

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that he was describing himself or otherwise holding himself out as a medical practitioner:

- “(c) If it is proved that any person has used the title ‘ Doctor ’, the burden of proving that he is entitled to do so by virtue of any degree, qualification, or registration obtained in New Zealand or elsewhere shall be on that person:
- “(d) If it is proved that a person is not registered as a medical practitioner in New Zealand, the burden of proving that he is a medical practitioner by virtue of any degree, qualification, or registration obtained in New Zealand or elsewhere shall be on that person.”