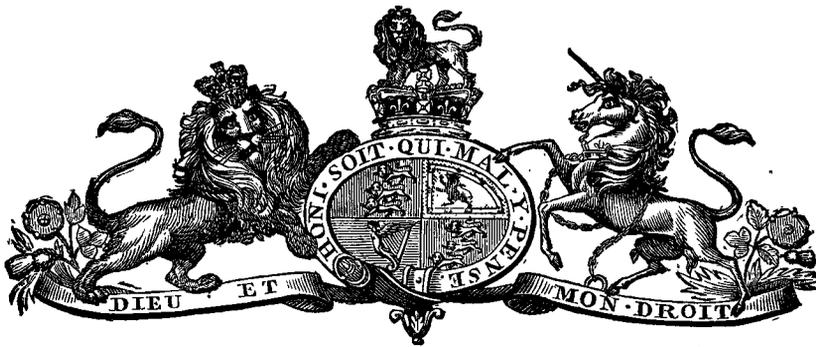


NEW ZEALAND.



TRICESIMO SECUNDO ET TRICESIMO TERTIO

VICTORIÆ REGINÆ.

No. LI.

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ANALYSIS.

<p>Title. Preamble. 1. Commencement of Act. 2. Short Title. 3. Repeal of Act. 4. Interpretation.</p> <p style="text-align: center;">I.—REGISTRATION.</p> <p>(1.) <i>Duties of Registrar-General and Registrars.</i> 5. Registry. 6. Certificate of registry. 7. Registry open to inspection. 8. Registrar to act judicially. 9. Registry to be corrected. 10. Qualification in Registry may be altered. 11. Register to be published.</p> <p style="text-align: center;">(2.) <i>Who may be Registered.</i> 12. Medical practitioners. 13. Applicant to give notice of application. 14. Publication of notice.</p>	<p style="text-align: center;">II.—APPEAL.</p> <p>15. Appeal from Registrar.</p> <p style="text-align: center;">III.—FEES.</p> <p>16. Fees to be taken. 17. And paid into Treasury.</p> <p style="text-align: center;">IV.—GENERAL PROVISIONS.</p> <p>18. Physician may sue &amp;c. 19. Unregistered persons not to be entitled to receive fees &amp;c. 20. No unregistered person to hold any public medical appointment. 21. Names of registered persons guilty of certain offences may be erased from Register. 22. Act not to affect chemists &amp;c.</p> <p style="text-align: center;">V.—PENALTIES.</p> <p>23. Persons unregistered using medical titles. 24. Persons fraudulently procuring themselves to be registered or forging certificates.</p>
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AN ACT to repeal “The Medical Practitioners Act 1867” and to make other provisions in lieu thereof. Title.  
[3rd September 1869.]

WHEREAS by “The Medical Practitioners Act 1867” provisions were made for the Registration of the members of the Medical Profession in the Colony and it is expedient to amend such provisions— Preamble.

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

1. This Act shall come into operation on the first day of January one thousand eight hundred and seventy. Commencement of Act.
2. The Short Title of this Act shall be “The Medical Practitioners’ Registration Act 1869.” Short Title.
3. “The Medical Practitioners Act 1867” is hereby repealed except as regards acts done offences committed or penalties incurred before the passing of this Act. Repeal of Act.

*Medical Practitioners' Registration.*

Interpretation.

4. In the construction of this Act the words and phrases following shall have the signification hereby attached to them unless there is something in the context repugnant to or inconsistent with such construction—

“Medical practitioner” shall mean a person registered under this Act and shall include 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 Act or Ordinance in force in the Colony

“Registration” and “registered” shall respectively mean registration under this Act and registered under this Act

“Registrar-General” shall mean the Registrar-General of Births Deaths and Marriages

“Registrar” shall mean that one of the Registrars of Births Deaths and Marriages whose office is nearest to the place of residence of the person applying to be registered or otherwise concerned.

## I.—REGISTRATION.

(1.) *Duties of Registrar-General and Registrars.*

Registry.

5. The Registrar-General shall keep in his office a book in which shall be inserted the names qualifications and residences of all persons now registered under the repealed Act and in which shall from time to time be inserted the name qualification and residence of every person in the Colony who shall be registered and the date of such registration and each Registrar in the towns of Auckland New Plymouth Napier Nelson Hokitika Picton Christchurch Dunedin and Invercargill shall keep a similar book for the registration of persons who may find it more convenient to apply to such Registrars And each such Registrar shall immediately on the registration of any person in his book forward a copy of the entry thereof to the Registrar-General and shall also from time to time acquaint the Registrar-General with any erasure in or alteration of his Registry.

Certificate of registry.

6. On application made to him at any time for that purpose by any medical practitioner the Registrar-General or Registrar as the case may be shall issue to such applicant a certificate of registration.

Registry open to inspection.

7. All such books as aforesaid shall be open to inspection by the public.

Registrar to act judicially.

8. The Registrar-General or Registrar may examine any person applying to be registered as hereinafter provided and any opponent and any witness who may be produced by either party and may require any statement to be made on oath and for that purpose may administer oaths and if satisfied that such applicant is qualified to be registered under this Act shall enter his name and other particulars in the Registry as herein provided Provided that the Registrar may if he see fit in any case abstain from entering the name of such applicant and the particulars of his qualifications until after he shall have transmitted which he is hereby required to do without delay a copy of the same and the evidence if any taken by him thereon to the Registrar-General and received his direction thereon.

Registry to be corrected.

9. The Registrar-General and Registrar respectively from time to time shall erase the names of all registered persons who shall have died and shall from time to time make the necessary alterations in the addresses or qualifications of the persons registered under this Act.

Qualification in Registry may be altered.

10. Every person registered who may after such registration have obtained any higher degree or any qualification other than the

*Medical Practitioners' Registration.*

qualification in respect of which he may have been registered shall be entitled to have such higher degree or additional qualification inserted in the Register in substitution for or in addition to the qualification previously registered.

**11.** A true copy of the Register aforesaid certified by the Registrar-General to be a true copy shall in the month of December in each year be sent to the Colonial Secretary and shall by him be published in the *New Zealand Gazette* of the Colony and any copy of the Register so published shall be evidence in all Courts of law and before all Resident Magistrates and Justices of the Peace and others that the persons therein specified are registered according to the provisions of this Act Provided that in the case of any person whose name does not appear in such copy a certified copy under the hand of the Registrar-General or Registrar of the entry of the name of such person on the Register shall be evidence that such person is registered.

Register to be published.

*(2.) Who may be Registered.*

**12.** Every person now or hereafter possessed of any one or more of the qualifications hereafter described shall be entitled to be registered that is to say—

Medical practitioners.

Fellow Member Licentiate or Extra Licentiate of the Royal College of Physicians of London England

Fellow Member or Licentiate of the Royal College of Physicians of Edinburgh Scotland

Fellow or Licentiate of the King's and Queen's College of Physicians of Dublin Ireland

Fellow or Member or Licentiate in Midwifery of the Royal College of Surgeons of England

Fellow or Licentiate of the Royal College of Surgeons of Edinburgh Scotland

Fellow or Licentiate of the Faculty of Physicians and Surgeons Glasgow Scotland

Fellow or Licentiate of the Royal College of Surgeons of Dublin Ireland

Licentiate of the Society of Apothecaries London England

Licentiate of the Apothecaries' Hall Dublin Ireland

Doctor or Bachelor or Licentiate of Medicine or Master in Surgery of any University of the United Kingdom of Great Britain and Ireland or Doctor of Medicine by Doctorate granted prior to the second August one thousand eight hundred and fifty-eight by the Archbishop of Canterbury

A Medical Officer duly qualified of Her Majesty's Land or Sea Service

Any person registered under "The Medical Practitioners Act 1867"

Any person who has passed through a regular course of medical study of not less than three years' duration in a school of medicine or surgery and has received after due examination from some university college or other body a diploma degree or license other than those before specified entitling him to practise medicine or surgery whether within Her Majesty's dominions or not

Any person who shall have been registered as a legally qualified practitioner in England Ireland or Scotland under any Act of the Imperial Parliament.

**13.** Any person desiring to be registered shall give notice of his intention to apply for that purpose to the Registrar-General or Regis-

Applicant to give notice of application.

*Medical Practitioners' Registration.*

trar as aforesaid and shall state in such notice his residence his qualification and the date of his intended application and that his diploma or other evidence of qualification is deposited for public inspection in the office of the Registrar-General or Registrar as the case may be and shall affix to such notice his name in full.

Publication of notice.

14. The diploma or other evidence of qualification shall be produced to the Registrar and a copy thereof certified by a Justice of the Peace shall be deposited as stated in the notice and such notice shall be published in a newspaper circulating near the place of the applicant's residence at least one month before the date of his application and in the *New Zealand Gazette*.

## II.—APPEAL.

Appeal from Registrar.

15. If any such applicant as aforesaid or any person objecting and appearing before the Registrar-General or Registrar as aforesaid shall be dissatisfied with the decision of the Registrar-General or Registrar it shall be lawful for him respectively by motion in the Supreme Court to apply to such Court for an order to the Registrar-General or Registrar and the Court may order that the person applying shall be registered or that he shall be registered conditionally or upon terms or may decline to make such or any order and with or without costs and the Supreme Court may in such case and in any other motion for the rectification of the Register make such order with or without costs as it shall think fit.

## III.—FEES.

Fees to be taken.

16. The Registrar-General or Registrar shall take and receive the under-mentioned fees—

	£	s.	d.
On deposit of diploma or other evidence of qualification ... ..	1	0	0
Certificate of registration ... ..	0	5	0
Alteration of qualification in Register ... ..	0	10	0
Any other alteration of Register ... ..	0	5	0
Inspection of Register ... ..	0	2	0

Provided always that any person registered under "The Medical Practitioners Act 1867" shall be registered under this Act without payment of a fee.

And paid into Treasury.

17. All fees accruing under this Act shall form part of the Consolidated Fund of the Colony.

## IV.—GENERAL PROVISIONS.

Physician may sue &c.

18. Every registered person shall be entitled to sue in any Court of law in New Zealand to the extent of the jurisdiction of such Court for the recovery of his fees or other remuneration for his professional services whether medical or surgical.

Unregistered persons not to be entitled to receive fees &c.

19. No person shall be entitled to recover any charge in any Court of law in the Colony for any medical or surgical advice or attendance or for the performance of any operation or for any medicine which he shall have both prescribed and supplied unless he shall prove on the trial that he is registered.

No unregistered person to hold any public medical appointment.

20. No person unless registered shall hold any appointment as a physician surgeon or other medical officer in any hospital infirmary dispensary or lying-in hospital or in any lunatic asylum gaol penitentiary house of correction house of industry or other institution supported wholly or in part by public funds for affording medical relief in sickness infirmity or old age or as a medical officer of health and no certificate required by any Act now or hereafter to be in force to be signed by any physician surgeon licentiate in medicine or surgery or other medical practitioner shall be valid unless the person signing the

*Medical Practitioners' Registration.*

same shall be registered. Provided that nothing in this Act contained shall render invalid any such certificate from a duly appointed medical officer of any of Her Majesty's Land or Sea Forces in full pay although such officer may not be registered under this Act.

**21.** If any person shall have procured himself to be registered by making or producing or causing to be made or produced any false or fraudulent representation or declaration either verbally or by writing or if any person not entitled to be registered shall have been registered or if any registered person shall be or shall have been convicted of any felony or misdemeanour in Great Britain or Ireland or in any of the British Dominions the Registrar-General and Registrar respectively shall erase the name of any such person from the Register and such erasure shall be notified by the Registrar-General in the *New Zealand Gazette*.

Names of registered persons guilty of certain offences may be erased from Register.

**22.** Nothing in this Act contained shall extend or be construed to extend to prejudice or in any way to affect the lawful occupation trade or business of chemists druggists and dentists.

Act not to affect chemists &c.

## V.—PENALTIES.

**23.** 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 and surgery bachelor of medicine surgeon general practitioner or apothecary or any name title addition or description implying that he is registered under this Act 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 for every such offence pay a sum not exceeding fifty pounds to be recovered in a summary way.

Persons unregistered using medical titles.

**24.** If any person fraudulently or by false representations shall procure himself to be registered as a Medical Practitioner or shall forge alter or counterfeit any such certificate or shall utter or use any such forged altered or counterfeited certificate knowing the same to have been forged altered or counterfeited or shall falsely advertise or publish himself as having been registered as a Medical Practitioner he shall be deemed guilty of a misdemeanour and being convicted thereof shall be liable to imprisonment with or without hard labour for any term not exceeding three years.

Persons fraudulently procuring themselves to be registered or forging certificates.

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