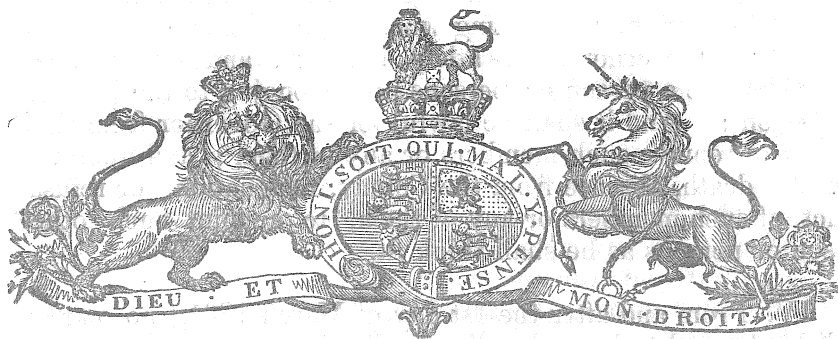


NEW ZEALAND



ANNO VICESIMO TERTIO

VICTORIÆ REGINÆ.

[As passed by the Legislative Council, and lapsed in the House.]

ANALYSIS:

<p>Title. Preamble. 1. Short Title. 2. Repeal of New Munster Ordinance No. 2, 1849, and Wellington Act, Session 1, No. 7. 3. Constitution of Medical Board. 4. Registered person shall be deemed a legally qualified Medical Practitioner. 5. Who entitled to be registered. 6. Proviso as to aliens. 7. Diplomas, &c., to be submitted to Medical Board. 8. Fees payable. 9. Names to be registered and published in</p>	<p>Gazette. 10. Qualification to subsist throughout the Colony. 11. Unregistered person not to hold certain appointments. 12. Penalties on wilful falsification of Register. 13. Penalty for obtaining Registration by false representation. 14. Penalty for falsely pretending to be a registered person. 15. Penalty for misconduct. 16. Notice of death of Medical Practitioner to be given by Registrar. Schedule.</p>
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AN ACT to define the Qualification of Medical Practitioners. Title.

WHEREAS it is expedient that persons requiring medical aid should be enabled to distinguish Qualified from unqualified Practitioners, Preamble.

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

I. The Short Title of this Act shall be "The Medical Practitioners' Act, 1860." Short Title.

II. An Ordinance of the Lieutenant-Governor and Legislative Council of New Munster intituled, "An Ordinance to define the Qualifications, and to provide for the remuneration in certain cases of Medical Practitioners," No. 2, 1849, and an Act of the Superintendent and Provincial Council of the Province of Wellington, Sess. 1, No. 7, intituled "An Act to establish a Medical Board, and to declare who shall be deemed a qualified Medical Practitioner within the Province," are hereby repealed. Repeal of New Munster Ordinance No. 2, 1849, and Wellington Act, Session 1, No. 7.

Constitution of Medical Board.

III. The Governor shall appoint a Committee consisting of not less than three fit persons, one of whom shall be nominated by him President, under the style and description of the New Zealand Medical Board, two thirds of whom shall be members of the Medical Profession, (respecting whose qualification according to this Act the Governor shall satisfy himself), and one third of whom shall be a person or persons not belonging to the Medical Profession : And it shall be lawful for the Governor from time to time to remove such members or any of them ; and upon the removal, death, absence from the Colony, resignation, or refusal to act, of such members or any of them, to appoint such other person or persons as he shall think fit.

Registered person shall be deemed a legally qualified Medical Practitioner.

IV. From and after the 1st day of March 1861, no person shall be deemed to be a legally qualified Medical Practitioner unless he be registered in manner hereinafter provided.

Who entitled to be registered.

V. Every person who shall prove to the satisfaction of a majority of the said Board for the time being that he possesses any one of the qualifications or descriptions mentioned in the Schedule hereunto annexed, shall be entitled to be registered under this Act.

Proviso as to aliens.

VI. Provided always that no person other than a natural born subject of the United Kingdom of Great Britain and Ireland shall be admitted or be deemed a legally qualified Medical Practitioner as aforesaid, until he shall have been naturalized under the law for the time being in force in New Zealand, for the naturalization of aliens resident in New Zealand.

Diplomas, &c., to be submitted to Medical Board.

VII. Any person desirous of being registered under this Act, shall submit his degree, diploma, or other certificate or proof of his being duly entitled as aforesaid for the examination and approval of the said Medical Board, and shall prove to the satisfaction of a majority of such Board that he is so entitled as aforesaid, and shall obtain from the said Medical Board a certificate of his being a legally qualified Medical Practitioner : Provided that a copy of any degree, diploma, or other certificate certified by a member of the said Board or by a Resident Magistrate to be a true copy of the original document of which it purports to be a copy, may be accepted by the Board as evidence in lieu of the original.

Fees payable.

VIII. The Fees specified in the Schedule shall be paid by every person on his registration under this Act to the President of the said Board, and by him be paid into the Colonial Treasury to be applied as Ordinary Revenue : Provided that any person resident in the Colony, who at the time of the passing of this Act may be registered or certificated under the said recited Act or Ordinance shall not be liable to the payment of any fees.

Names to be registered and published in Gazette.

IX. The President of the said Medical Board shall, in the month of March 1861, cause the names of all "legally qualified Medical Practitioners" resident in New Zealand, with the nature of their respective qualifications, to be registered in a book to be kept by the said Board for that purpose, and shall also cause all the names and qualifications so registered to be published in the

Government Gazette, in the month of April, 1861, and the publication of the same shall be repeated in the month of April annually, for the information of Coroners, Magistrates, and the Public.

X. Every person declared to be a legally qualified Medical Practitioner by such Board shall be held and taken to be "a legally qualified Medical Practitioner" throughout the Colony of New Zealand. Qualification to subsist throughout the Colony.

XI. After the first day of January 1862, no person shall hold any appointment as a Physician, Surgeon, or other Medical Officer in any Hospital, Infirmary, Dispensary, or Lying-in Hospital not supported wholly by voluntary contributions, or in any Lunatic Asylum, Gaol, Penitentiary, House of Correction, or other public establishment, Body or Institution, or to any Friendly or other Public Society, or as a Medical Officer of health, unless he be registered under this Act. Unregistered person not to hold certain appointments.

XII. If any person shall make wilfully or cause to be made, any falsification in any matter relating to the Register he shall be deemed guilty of a misdemeanour, and shall on conviction thereof be imprisoned for any term not exceeding twelve months. Penalty on wilful falsification of Register.

XIII. If any person shall wilfully procure or attempt to procure himself to be registered under this Act by making or producing or causing to be made or produced any false or fraudulent representation or declaration, either orally or in writing, every such person so offending, and every person aiding or assisting him therein shall be deemed guilty of a misdemeanour, and shall on conviction thereof be sentenced to be imprisoned for any term not exceeding twelve months. Penalty for obtaining Registration by false representation.

XIV. 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 recognised by law as a Physician or Surgeon, or Licentiate in Medicine and Surgery, or either of them, or a Practitioner in Medicine, or an Apothecary, shall upon a summary conviction for any such offence pay a sum not exceeding Twenty Pounds. Penalty for falsely pretending to be a registered person.

XV. If any Medical Practitioner shall be convicted in New Zealand of any felony or misdemeanour, the President of the Board shall erase the name of such Medical Practitioner from the Register. Penalty for misconduct.

XVI. Every Registrar of Deaths, on receiving notice of the death of any Medical Practitioner shall forthwith transmit by Post to the President of the said Board, a certificate under his own hand of such death, with the particulars of the time and place of death, and on the receipt of such certificate, the said President shall erase the name of such deceased Medical Practitioner from the Register. Notice of death of Medical Practitioner to be given by Registrar.

SCHEDULE.

- Fellow, Licentiate, Extra Licentiate, or Member of the Royal College of Physicians of London.
- Fellow, Licentiate, or Member of the Royal College of Physicians of Edinburgh.
- Fellow or Licentiate of the King's and Queen's College of Physicians of 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.
- Fellow or Licentiate of the Faculty of Physicians and Surgeons of Glasgow.
- Fellow or Licentiate of the Royal College of Surgeons in Ireland.
- Licentiate of the Society of Apothecaries, London.
- Licentiate of the Apothecaries Hall, Dublin.
- Doctor, or Bachelor, or Licentiate of Medicine, or Master of Surgery of any University of the United Kingdom, or Doctor of Medicine by Doctorate granted prior to the 2nd day of August, 1858, by the Archbishop of Canterbury.
- Medical Officer duly appointed and confirmed of Her Majesty's Sea or Land Service.
- Person who has followed a regular course of professional study in some Medical or Surgical School, College, or University for at least four years, and shall submit to the said Board a diploma testifying to his being a Graduate in Medicine or Surgery of some University which requires a residence and attendance during at least two sessions of six months each, or four sessions of three months each previous to graduation, and which shall appear to the said Board of sufficient credit and authority.

TABLE OF FEES.

	£	s.	d.
By person not in practice in the Colony at the time of the passing of this Act	1	0	0
By person in practice or resident in the Colony at such time	0	5	0

T. H. BARTLEY,
Speaker.

Passed the Legislative Council, this
20th day of August, 1860.

J. J. PIERCY,
Clerk of Legislative Council.