



ANNO QUINQUAGESIMO SECUNDO ET QUINQUAGESIMO TERTIO

VICTORIÆ REGINÆ.

A.D. 1889.

No. 471.

An Act to amend the "Medical Act, 1880."

[*Assented to, December 6th, 1889.*]

WHEREAS it is desirable to amend the "Medical Act, 1880"— Preamble.
Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows:

1. This Act may be cited for all purposes as "The Medical Act Amendment Act, 1889," and, except so far as inconsistent therewith, shall be incorporated and read as one with the Ordinance No. 17 of 1844, and the "Medical Act, 1880." Short title and incorporation.

2. The Schedule to the "Medical Act, 1880," is hereby repealed, and the said Act is hereby amended, and shall be read and construed as if the qualifications mentioned in the Schedule hereto had been inserted in the said Schedule to the said "Medical Act, 1880," in lieu of the qualifications therein set forth. Repeal of Schedule of "Medical Act, 1880."

3. Any person who shall falsely pretend to be a legally qualified medical practitioner, or who shall use any spurious diploma, or falsely pretend to have or use any diploma as physician, doctor of medicine, licentiate of medicine or surgery, bachelor of medicine, or any other name or title other than that to which such person is actually entitled, or other than that which shall have been *bonâ fide* granted to him, shall, on conviction, for every such offence forfeit and pay a sum not exceeding Fifty Pounds: Provided that any person who has heretofore practised medicine or surgery continuously in South Australia for a term of five years shall not Penalty for false representation.

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not be liable to any penalties under this section by reason only of his using, or continuing to use, the title of doctor.

Publication of
practitioners by
medical board.

4. The names and qualifications of all legally qualified medical practitioners, together with the dates at which their qualifications may respectively have been obtained, and the dates of registration of such medical practitioners respectively, shall, on registration, and in the month of January in each year, be published by the Medical Board in the *Government Gazette*.

Certificate of death.

5. (a) No medical certificate of the cause of death shall be issued for the purposes of "The Registration of Births and Deaths Act of 1874" except by a legally qualified medical practitioner:

No burial without
certifi ate.

(b) No burial of any deceased person shall take place without a certificate of the cause of death under the hand of a legally qualified medical practitioner, or an order for burial signed by a coroner of the said province within the meaning of "The Coroners Act, 1884":

Uncertified deaths.

(c) For the purposes of the said Act, all deaths not certified as in the preceding subsection mentioned shall be deemed and considered to be uncertified deaths:

Exemption.

This section shall not apply to any person who has heretofore practised as a surgeon, physician, or medical practitioner in the Province of South Australia for a period of five years prior to the passing of this Act, nor to places where there is no legally qualified medical practitioner or coroner of the said province as aforesaid, residing within a distance of five miles.

Certificates may be
cancelled.

6. If any legally qualified medical practitioner shall be convicted of any felony or misdemeanor, or be deprived of his qualifications by the college or body which may have granted the same, the Medical Board may, if they see fit, cancel or suspend the certificate of such practitioner, and such practitioner shall, upon the cancellation or during the suspension of his certificate, cease to be a legally qualified medical practitioner.

Examination of
witness by board.

7. The Board may question any person who may attend before them, and any witness who may be produced before them, and may take a solemn declaration from such person or witness; and if any person shall wilfully, knowingly, and corruptly make any false statement upon such examination or in such declaration, or shall utter or attempt to utter or put off as true before them any false, forged, or counterfeit degree, diploma, testimonium, licence, certificate, or other document, or shall wilfully procure or attempt to procure himself to be registered 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 and assisting him therein, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof,

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thereof, be sentenced to be imprisoned for any term not exceeding Penalty. three years, and the registration so fraudulently procured shall be cancelled.

8. Any person who, previously to the passing of this Act, shall have received from the Medical Board a certificate of his being a legally qualified medical practitioner, shall be deemed a legally qualified medical practitioner for all the purposes of this Act. Saving of existing certificates.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

KINTORE, Governor.

SCHEDULE.

1. Any qualification entitling the holder to be registered in the United Kingdom under the Act of the Imperial Parliament of the United Kingdom of Great Britain and Ireland, passed in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, chapter 90, and any Acts amending the same.

2. Doctor or bachelor of medicine, or holder of a medical degree of any university in Australasia legally authorised and empowered to grant such degree.

3. The holder of any medical degree, diploma, or licence to practise, granted by any university, college, or licensing body of any British colony or possession or by any foreign university, college, or licensing body, and which, in the opinion of the Medical Board, is equal to the qualification entitling the holder to be registered in the United Kingdom under the said Act of the Imperial Parliament of the United Kingdom of Great Britain and Ireland, passed in the 21st and 22nd years of the reign of Her Majesty Queen Victoria, chapter 90, or any Acts amending the same.

4. Any person who proves to the satisfaction of the Medical Board that he has passed through a regular graded course of medical study of not less than four years' duration in a British or foreign school of medicine, and has received after due examination from such British or foreign university, college, or body duly recognised for that purpose in the country to which such university, college, or other body may belong, a medical diploma or degree, certifying to his ability to practice medicine or surgery, as the case may be.