

MEDICAL.

No. 87 of 1957.

AN ACT to amend the *Medical Act 1955*.

[6 December 1957.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—(1) This Act may be cited as the *Medical Act 1957*.

Short title
and citation.

(2) The *Medical Act 1955* is in this Act referred to as the Principal Act.

2 Section ten of the Principal Act is amended—

Registration
of legally-
qualified
medical prac-
titioners.

(a) by inserting in subsection (1), after the word “Act”, the words “, and of all persons to whom the Council has granted certificates of provisional registration pursuant to section fourteen A,”; and

(b) by inserting after that subsection the following subsection:—

“(1A) Where a person is granted a certificate of provisional registration pursuant to section fourteen A, the Council shall cause to be inserted in the register kept under this section, in such manner as the Council thinks desirable, in relation to the entry therein of the name of that person a note indicating that that person is the holder of a certificate of provisional registration only.”.

3 Section fourteen of the Principal Act is amended—

Qualifications
of medical
practitioners.

(a) by omitting the word “and” at the end of sub-paragraph (i) of paragraph (c) of subsection (1);

(b) by adding at the end of paragraph (c) of that subsection the following sub-paragraph:—

“; and

“(iii) except in the case of a person to whom subsection (1A) of this section applies, that he has served as a resident medical officer in accordance with section fourteen A and has obtained the experience, and produces the certificate or certificates, required by that section,”;

(c) by inserting in that subsection, after the word "is" (last occurring), the words " , on payment of the prescribed fee,"; and

(d) by inserting after that subsection the following subsection:—

"(1A) Sub-paragraph (iii) of paragraph (c) of subsection (1) of this section does not apply to or in relation to a person who—

(a) is entitled to practise as a medical practitioner, and has, for a period of at least three years, so practised, in another State or Territory of the Commonwealth or in a country outside Australia;

(b) has been exempted by the Council from the provisions of section fourteen A; or

(c) holds the qualification prescribed in paragraph 13 of the third schedule."

4 After section fourteen of the Principal Act the following section is inserted:—

Provisional
registration.

Cf. No. 41 of
1955 (S.A.),
s. 30A, 3 Geo.
VI No. 10
(Qld.), s. 19.

"14A.—(1) Except in the case of a person to whom subsection (1A) of section fourteen applies, a person is not entitled to registration under that section unless, after obtaining the qualifications mentioned in paragraph (b) and sub-paragraphs (i) and (ii) of paragraph (c) of subsection (1) of that section, he has served for a period of, or for periods amounting in the aggregate to, at least twelve months as a resident medical officer in an approved hospital, or in two or more approved hospitals, in this State or elsewhere and has obtained satisfactory experience in medicine, surgery, and obstetrics, and produces to the Council a certificate from the governing body of that hospital or, as the case may be, certificates from the governing bodies of each of those hospitals, certifying that his service as a resident medical officer was performed and completed to the satisfaction of the relevant governing body.

"(2) For the purpose of enabling a person to perform within this State the service mentioned in subsection (1) of this section, the Council may grant to that person a certificate of provisional registration if that person satisfies the Council that, except for the performance of that service, he is qualified for registration under section fourteen.

"(3) Subject to this Act, the holder of a certificate of provisional registration under this section shall, in respect of the performance in this State of his service as a resident medical officer and of his professional duties and functions as such, but not otherwise, be deemed to be a legally-qualified medical practitioner.

“(4) The Council may, subject to any conditions that it deems proper, by writing under the hand of the secretary, exempt a person from the requirements of this section.

“(5) The Council may, if by reason of any epidemic or emergency or other circumstances it considers it desirable so to do in the public interest, by notice in the *Gazette*, exempt a person from serving the unexpired period of his term as a resident medical officer under this section.

“(6) In this section, ‘approved hospital’ means any hospital or institution (whether in this State or not) that the Council has, by notice in the *Gazette*, declared to be an approved hospital for the purposes of this section.”.

5 Section fifteen of the Principal Act is amended by omitting subsection (10) thereof and substituting therefor the following subsection:— Special licences.

“(10) The Council shall grant not more than two original special licences in any one year.”.

6 After section twenty-six of the Principal Act the following section is inserted:—

“26A.—(1) Where a legally-qualified medical practitioner after examining a person certifies, under or for the purposes of any law in force in this State relating to lunatics, idiots, or persons of unsound mind, that that person is a lunatic or an idiot or is a person of unsound mind, he shall, if that person is registered under this Act or is the holder of a certificate of provisional registration under section fourteen A, within forty-eight hours after so certifying that person, notify the Council that he has so certified that person. Medical practitioner to notify Council if he certifies another medical practitioner to be a lunatic, &c.

“(2) A legally-qualified medical practitioner who fails to comply with the provisions of this section is guilty of an offence.

Penalty: Twenty-five pounds.”.

7 The fourth schedule to the Principal Act is amended by omitting from the heading thereto the numerals “24” and substituting therefor the numerals “26”. The fourth schedule.

