

[CONFIDENTIAL.]

(Rough Draft for Consideration Only.)

No. , 1926.

A BILL

To amend the Medical Practitioners Act, 1912,
and certain other Acts; and for purposes
connected therewith.

BE it enacted by the King's Most Excellent Majesty,
by and with the advice and consent of the Legis-
lative Council and Legislative Assembly of New South
Wales in Parliament assembled, and by the authority of
the same, as follows :—

1. This Act may be cited as the "Medical Prac- Short title.
titioners (Amendment) Act, 1926."

Medical Practitioners (Amendment).

2. The Medical Practitioners Act, 1912, is amended as follows :— Amendment, Act No. 29, 1912.

- (1) By omitting paragraph two of section four, as inserted by the Medical Practitioners (Amendment) Act, 1915; Sec. 4 (2).
- (2) by omitting the second proviso to paragraph three of section four as inserted by the Medical Practitioners (Amendment) Act, 1915; Sec. 4 (3).
- (3) by inserting the following section next after section six :— New section.

6A. Where any person who applies for a certificate under section five of this Act— Board may refuse to register or grant certificate in certain cases.

- (a) has been convicted of any felony or misdemeanour, or of any offence which, if committed within the State, would be a felony or misdemeanour; or
- (b) has been guilty of infamous conduct in any professional respect,

the board may refuse to grant him a certificate under section five of this Act, or to register his name in the book referred to in section six of this Act;

- (4) by omitting from section nine all words following the words " this Act "; Sec. 9.
- (5) by inserting after section nine the following new section :— New section.

9A. (1) Where the board— Appeal from decision of board, &c.

- (a) has refused to grant a certificate to any person, or to register the name of a person—
 - (i) on the ground that he has ceased to possess or does not possess the qualifications entitling him to registration; or
 - (ii) on the ground referred to in paragraph (a) of section 6A of this Act; or

(b)

(b) has removed the name of any person from the register under paragraph (a) or paragraph (b) of section nine of this Act,—

such person shall have the right of appeal to the Supreme Court.

The appeal shall be in the nature of a rehearing.

(2) (a) The board shall not—

- (i) refuse to grant a certificate to a person or to register the name of a person ; or
- (ii) remove the name of any person from the register,

upon the ground that he has been guilty of infamous conduct in any professional respect, unless due inquiry has been made by the board.

(b) For the purposes of the inquiry the board shall sit as an open court, and the person against whom infamous conduct is alleged shall be afforded an opportunity of defence either in person or by counsel and shall have the right of appeal to the Supreme Court. Such appeal shall be in the nature of a rehearing.

