

No. , 1917.

A BILL

To amend the Medical Practitioners Act, 1912,
and the Medical Practitioners (Amendment)
Act, 1915 ; and for other purposes.

[MR. DAVID STOREY ;— *October, 1917.*]

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
5 the same, as follows :—

1. This Act may be cited as the "Medical Practi-
tioners (Amendment) Act, 1917." In this Act the
Medical Practitioners Act, 1912, is referred to as the
Principal Act.

Amendment
of s. 9 of the
Principal
Act.

2. Section nine of the Principal Act is amended by adding after paragraph (c) the words:—"or
" (d) is the subject of a country with which the
British Empire is then at war, unless such
person had become a naturalised British subject 5
prior to the commencement of such war."

Repeal of
s. 12.

3. Section twelve of the Principal Act is repealed,
and the following sections inserted in lieu thereof:—

New section.
Advertising.

12. (1) A person shall not advertise or hold
either himself or any other person out directly or 10
indirectly as being entitled or qualified, able, or
willing to practise medicine or surgery in any of its
branches, or to give or perform any medical or
surgical service, attendance, operation, or advice
unless he or such other person, as the case may be, 15
is a legally qualified medical practitioner:

Provided that this subsection shall not be deemed
to authorise, justify, sanction, or prohibit any such
advertisement or holding out, by a legally qualified
medical practitioner. 20

Any person contravening the provisions of this
section shall be liable to a penalty not exceeding
fifty pounds for each offence.

Exemptions.

(2) This section shall not apply to an adver-
tisement or holding out in relation to the lawful 25
exercise of their profession or duties by—

- (a) any nurse;
- (b) any dentist or pharmacist registered under
the Acts of New South Wales relating to
dentists or pharmacy; or 30
- (c) any life-saving or first-aid association, being a
charitable organisation which makes no
charge for its services.

Publishing
advertisements,
&c.

12A. (1) Any person who publishes, or causes to
be published, any advertisement which is in contra- 35
vention of the last preceding section shall be liable
to a penalty not exceeding *twenty* pounds.

(2) Any person who publishes, or causes to
be published, any advertisement to promote the sale
of any food or drug, or any appliance for the pre- 40
vention, alleviation, or cure of any human ailment

or

or physical defect, and who in such advertisement uses any name or title purporting to be that of a physician, doctor of medicine, or surgeon, shall be liable to a penalty not exceeding *twenty* pounds.

5 (3) If any such advertisement be published in breach of this section in a newspaper printed in New South Wales, the proprietor, publisher, and printer of that newspaper shall severally be liable to the above-mentioned penalty :

10 Provided that no prosecution shall be instituted against such proprietor, publisher, or printer for the publication of any such advertisement unless within twelve months immediately preceding the date of the publication thereof, a warning has been delivered to such proprietor, publisher, or printer, or to the
15 manager of the newspaper, under the hand of the Director-General of Public Health, that the publication of such an advertisement, or of an advertisement substantially to the same effect, is an offence
20 against this Act.

12B. (1) A person, other than a legally qualified medical practitioner or a person acting under the direct instructions of a legally qualified medical practitioner, shall not attend upon, or prescribe for,
25 or supply any drug or medicine to any person suffering from any venereal disease, for the purpose of curing, alleviating, or treating such disease.

Venereal diseases.

Any person contravening the provisions of this section shall be liable to a penalty not exceeding
30 *fifty* pounds, or to imprisonment with or without hard labour for a term of not more than *six* months.

(2) This section shall not apply to any pharmacist, registered under the Acts relating to pharmacy in New South Wales, who—

35 (a) dispenses to a patient of a legally qualified medical practitioner the prescription of such practitioner, if such prescription is dated, and bears the address and usual signature—including the surname—of such practitioner ; or

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(b)

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- (b) sells or supplies, in the ordinary course of his business, any drug or medicine for the purpose of curing, alleviating, or treating venereal diseases, provided that such drug or medicine is not prescribed by the pharmacist, and provided further that the sale of such drug or medicine is not prohibited by the Governor by notification in the Gazette. 5

Amendment
of s. 2 of the
Act of 1915.

4. Section two of the Medical Practitioners (Amendment) Act, 1915, is amended— 10

- (a) in subsection one by inserting after the words "satisfaction of the board" the words "that he is of good fame and reputation, and—"; and
- (b) by omitting from paragraph (c) of that sub-15
section the words "member or".