

WESTERN AUSTRALIA

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# **MEDICAL AMENDMENT ACT 1996**

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**No. 38 of 1996**

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**AN ACT to amend the *Medical Act 1894* and the *Medical Amendment Act 1994*.**

*[Assented to 27 September 1996.]*

The Parliament of Western Australia enacts as follows:

## **Short title**

- 1.** This Act may be cited as the *Medical Amendment Act 1996*.

**Commencement**

**2.** The provisions of this Act come into operation on such day as is, or days as are respectively, fixed by proclamation.

***Medical Act 1894* amended**

**3.** (1) Section 16A (1) of the *Medical Act 1894*\* (“**the principal Act**”) is amended —

(a) by deleting paragraph (a) and substituting the following paragraph —

“  
(a) Subject to this section, every person registered under this Act shall pay a prescribed fee to the Board on or before 1 October in each year.  
”;

(b) in paragraph (aa) by deleting “practice fee” and substituting the following —

“ the fee ”; and

(c) in paragraph (b) by deleting “the fee” and substituting the following —

“ a fee ”.

(2) Section 16A (1a) of the principal Act is amended by deleting “the practice fee” and substituting the following —

“ a fee ”.

(3) Section 16A (2) of the principal Act is amended by deleting “the annual practice fee” and substituting the following —

“ a fee ”.

(4) Section 16A (4) (b) of the principal Act is amended by deleting “the fees” and substituting the following —

“ any fee ”.

(5) After section 16A (4) of the principal Act the following subsection is inserted —

“

(5) Section 45 (1) and (2) of the *Interpretation Act 1984* applies to rules made by the Board for the purposes of this section.

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[\* Reprinted as at 10 March 1988.

*For subsequent amendments see 1995 Index to Legislation of Western Australia, Table 1, p. 139.]*

#### **Medical Amendment Act 1994 amended**

4. After Schedule 1 to the *Medical Amendment Act 1994*\* the following Schedule is added —

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#### **SCHEDULE 2**

##### **FURTHER TRANSITIONAL PROVISIONS**

##### **Persons whose names removed from Separate Register may obtain general registration in certain circumstances**

1. (1) This clause applies to a person if his or her name —

- (a) was transferred to the Separate Register under clause 2 (1) of Schedule 1; and
- (b) was removed from that Register under clause 6 of that Schedule.

(2) A person is entitled to general registration under the principal Act if he or she —

- (a) is a person to whom this clause applies; and

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- (b) in an application made to the Board not later than 31 December 1996 establishes to the satisfaction of the Board that he or she —
  - (i) has become a permanent resident in Australia or intends to do so and has taken steps that demonstrate the genuineness of that intention; and
  - (ii) practises medicine in Australia or intends to do so and has taken steps that demonstrate the genuineness of that intention.

**Board may register persons who formerly held regional or auxiliary registration**

2. (1) This clause applies to a person who immediately before the assent day referred to in Schedule 1 was —

- (a) the holder of a certificate of regional registration under section 12; or
- (b) the holder of a certificate of auxiliary registration under section 12A,

of the principal Act as in force immediately before the commencement of section 9 of this Act.

(2) A person to whom this clause applies may apply to the Board for general registration and the Board may grant the application.

(3) Despite section 11 of the principal Act the Board may under this clause —

- (a) grant general registration for the purposes of that section; and
- (b) impose such conditions on the registration as it thinks appropriate.

**Fees**

3. An application under clause 1 or 2 is to be accompanied by the fee prescribed for the purposes of that clause by rules made by the Board under section 6 of the principal Act.

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[\* Act No. 67 of 1994.]