



# Government Gazette

OF

WESTERN AUSTRALIA

(Published by Authority at 3.30 p.m.)

---

(REGISTERED AT THE GENERAL POST OFFICE, PERTH, FOR TRANSMISSION BY POST AS A NEWSPAPER)

---

No. 101]

PERTH: TUESDAY, 5th DECEMBER

[1961

---

Crown Law Department,  
Perth, 3rd November, 1961.

THE undermentioned rules made under the provisions of the Medical Act, 1894-1956, and amended from time to time prior to the 22nd August, 1961, are reprinted pursuant to the Reprinting of Regulations Act, 1954, by authority of the Attorney General.

R. C. GREEN,  
Under Secretary for Law.

---

Medical Act, 1894-1956.

## Rules under the Medical Act, 1894-1956.

(Published in the *Government Gazette* on the 31st October, 1947, and incorporating the amendments published in the *Government Gazette* on the 2nd March, 1951, the 3rd February, 1956, the 3rd August, 1956, the 5th November, 1957, and the 20th November, 1959, and reprinted pursuant to the provisions of the Reprinting of Regulations Act, 1954.)

Reprinted pursuant to the Reprinting of Regulations Act, 1954, by authority of the Attorney General dated 3rd November, 1961.

MEDICAL ACT, 1894-1956.

Rules under the Medical Act, 1894-1956.

Schedule.

The Medical Board constituted under the Medical Act, 1894-1956, and acting under the provisions of the said Act, at a meeting held at Perth on the 12th day of September, 1947, amended the rules of the said Board as made and in force under the said Act, in the following manner, namely:—

Repeal all previous rules and amendments and substitute the following rules in lieu thereof:—

Interpretation.

In the construction of these rules, section 3 of the Act shall apply.

Meetings of Board.

1. Monthly meetings of the Board shall be held on the second Friday in each month at 5.15 p.m.; and special meetings shall be held at such times as the president or any two members of the Board may require.

Any monthly meeting of the Board may be postponed to and held at such hour and place as the Board may by resolution direct.

2. Special meetings shall be convened by the Registrar, at the request of the president or any two members of the Board, by posting or delivering to each member 48 hours' written notice, stating the time and place of such meeting.

The omission to post or deliver any such notice, or the non-receipt thereof, shall in no manner affect or prejudice anything done or agreed to at any such meeting.

3. If a quorum of members be not present within 15 minutes of the time appointed, the meeting may be adjourned to such time and place as those present shall determine.

4. At all meetings voting shall be by a show of hands, unless a ballot is called for by any member present.

5. No resolution passed, or any act, matter or thing done or authorised by or at any meeting shall be rescinded, amended, cancelled or revoked at any subsequent meeting, unless prior notice of such intended rescission, amendment, cancellation or revocation has been given in the notices convening the meeting.

6. Minutes of every meeting shall be kept by the Registrar, and shall, when signed by the president or chairman of the same or any subsequent meeting, be binding and conclusive for all purposes.

Reg. 7  
substituted  
by G.G.  
20/11/59,  
p. 2911.

7. (1) Every applicant for registration or temporary registration as a medical practitioner shall at least five clear days before the then next ordinary meeting of the Board, lodge with the Registrar—

- (a) except as hereinafter provided, all degrees, primary qualifications, licenses or diplomas by virtue of which he claims to be registered;
- (b) a declaration in the Form A in the schedule; and
- (c) the registration fee prescribed by section 16A of the Act.

Provided that, wherever for any reason beyond his control an applicant is unable to produce any degree, primary qualification, license or diploma required under paragraph (a) above, but presents to the Registrar a statutory declaration that he is the grantee of such degree, primary qualification, license or diploma together with particulars concerning the name of the authority granting or issuing the same and the date upon which the same was granted

or issued, the Board may dispense with the production of such degree, primary qualification, license or diploma and grant registration subject to the applicant's producing to the Registrar such degree, primary qualification, license or diploma, or an authenticated copy thereof if and when required by the Board so to do, and subject to such registration being cancelled, if the applicant fails to comply with any requisition by the Board as aforesaid.

8. Every applicant for registration shall attend in person before the Board, unless exempted from doing so by the Board, at any or every meeting when his application is being considered, and at such other meetings as the Board may require, and answer all such questions as may be put to him, and shall also supply in writing all such information and evidence as the Board may from time to time require.

The Board may require any applicant to answer questions or supply information or evidence on any matter, either verbally or in writing, under oath or affirmation or otherwise.

9. The registration fee paid by any medical practitioner employed by the Commonwealth Government who may be required to register as a medical practitioner in Western Australia for the purpose of carrying out the duties of his department for a period not exceeding six months shall be refunded to such medical practitioner at the conclusion of his temporary employment in Western Australia.

Reg. 10  
substituted  
by G.G.  
3/8/56,  
p. 1922.

10. Every person applying to have his name restored to the Register under section 10, subsection (4), of the Act shall—

- (a) lodge with the Registrar a declaration in the Form A (1) in the Schedule; and
- (b) at the same time lodge with the Registrar a registration fee of £2 2s.; and
- (c) supply such further written or verbal explanation as the Board may require; and
- (d) satisfy the Board that he is a person of good fame and character.

Reg. 10 (a)  
inserted by  
G.G. 3/8/56,  
p. 1922.  
Amended by  
G.G. 5/11/57,  
p. 3085.

10(a). Every person applying to the Board for an authorisation under section 16A, subsection (4) of the Act shall—

- (a) lodge with the Registrar a declaration in the Form A (2) in the Schedule; and
- (b) supply such further written or verbal explanation as the Board may require; and
- (c) satisfy the Board that he is a person of good fame and character.

11. Every person applying, under section 15 of the Act, to have a higher degree or qualification registered, shall supply such evidence of such higher degree or qualification as the Board may require, and pay a fee of five shillings.

Register.

12. The register shall be kept by the Registrar in the manner and form contained in Schedule B hereto.

13. Any person may on payment of a fee of 2s. 6d., inspect the Register between 10 a.m. and 3 p.m. at the office of the Registrar.

Allegations and Inquiries.

14. When an allegation against a medical practitioner of any of the several matters or things referred to in subsection (1) of section 13 of the Act is made to the Board, and the Board considers the allegation shows justification for inquiry, then the medical practitioner against whom the allegation has been made shall have served upon him personally, or posted to him to his address in the register, or if there be no such address, to his last known address in Western Australia, notice of the nature of the allegation

and of a date (not being less than 14 days from the date of such service or posting) when such allegation will be heard by the Board and considered.

The President may, upon the application of any medical practitioner against whom such an allegation has been made, extend the time for hearing such allegation.

15. At the meeting of the Board at which such allegation is heard, the same may thereupon be dealt with forthwith, or the Board may from time to time, adjourn the hearing to such dates and hours and places as to it may seem meet.

16. Every medical practitioner against whom such an allegation has been made may apply to the Registrar to issue a summons for the attendance or production of any person or documents whom or which it may be desired to call or produce. Such summons shall be in one of the forms C and D in the Schedule hereto.

#### Regional Registrations.

Reg. 17  
amended by  
G.G. 2/3/51,  
p. 477.

17. The fee for each and every regional certificate, or for each and every renewal thereof, issued under section 12 of this Act shall be the sum prescribed by section 16A of this Act.

Provided that no fee shall be paid to the Board by a medical practitioner who is the holder of a regional certificate in respect of one declared region and who during the prescribed period of such regional certificate shall make application for and be granted a regional certificate in respect of another declared region in substitution for and not in addition to the regional certificate held by the medical practitioner at the time of making such application.

18. Every applicant for registration for a regional area under section 12 of this Act shall make a declaration in the Form E in the Schedule to these regulations.

Reg. 18A  
inserted by  
G.G. 3/2/56,  
p. 450.

18A. (i) The duties and conditions of service to be assigned to applicants for regional registration under section 12, subsection (2) (c) and to applicants for Auxiliary Service Registration under section 12A, subsection (3) (a) shall be such as are from time to time prescribed by resolution of the Board.

(ii) Evidence of the performance of the duties and service of an applicant as aforesaid shall be adduced by written report or certificate under the hand of such responsible officer or officers of the hospital or institution in which the said duties and service have been performed as from time to time shall be prescribed by resolution of the Board.

19. The register of persons to whom regional registration certificates are issued to be kept by the Registrar shall be in the Form F in the Schedule to these regulations.

20. Where a certificate of regional registration is issued to any person under section 12 of the Act, such certificate shall be in the Form G in the Schedule to these regulations.

#### Fines.

21. Any person liable under section 16A, subsection (1) of this Act to pay the annual practice fee prescribed in that subsection who fails in any year to pay such fee on or before the 31st day of March shall pay a fine of £1 for the month of April or any portion thereof and a fine of 10s. for each and every month or any portion thereof thereafter during which he shall fail to pay such annual practice fee but in no case shall the total amount of the fines exceed ten pounds.

Reg. 22  
inserted by  
G.G. 20/11/59,  
p. 2912.

22. Before approving any institution or hospital for the purposes of section 11 (1) (b) (vi) the Board may from time to time request the Faculty of Medicine within the University of Western Australia to submit for its consideration a list of institutions and hospitals in Western Australia and of the number of designated posts in each institution and hospital and the period of service therein which the said Faculty recommends as being suitable for the service referred to in section 11 (1) (b) (vi).

Reg. 23 inserted by G.G. 20/11/59, p. 2912. 23. The Board may in general meeting consider the list afore-said and may approve of any of such institutions and hospitals and designated posts therein and the period of service therein as it shall think fit.

Reg. 24 inserted by G.G. 20/11/59, p. 2912. 24. The Board shall from time to time specify in the form of a schedule to these rules the institutions and hospitals and the designated posts together with the period of service required therein as being approved for the purposes of section 11 (1) (b) (vi), and may from time to time vary add to or delete from the same. The form of such schedule shall be as follows:—

The Schedule.

Institution or Hospital	Designated Posts and Number Thereof	Period of Service

Reg. 25 inserted by G.G. 20/11/59, p. 2912. 25. Subject to the power of the Board to approve a lesser period in special circumstances as set out in section 11 (1) (b) (vi) the period prescribed by the said section shall be constituted by six months' service in medicine and six months' service in surgery.

Reg. 26 inserted by G.G. 20/11/59, p. 2912. 26. The Board may approve practice in midwifery not exceeding six months as time served in medicine or as time served in surgery or partly as the one and partly as the other.

Reg. 27 inserted by G.G. 20/11/59, p. 2912. 27. An applicant for registration who is required to comply with the provisions of section 11 (1) (b) (vi) shall produce to the Board with his application for registration a certificate or certificates from the Superintendent of the institutions and/or hospitals in which he has served in the form following or in the Form "H" to these Rules:—

Name of Institution or Hospital.....  
 A..... B..... of.....  
 has served at this Institution (Hospital) for a period of.....  
 from the..... day of.....  
 19....., to the..... day of..... 19....., in the  
 post of..... and his service has been satisfactory.  
 Dated the..... day of..... 19.....  
 Signature of Superintendent.

Reg. 28 inserted by G.G. 20/11/59, p. 2912. 28. An applicant for temporary registration shall produce to the Board evidence in writing which is satisfactory to the Board of his appointment to a post in an institution or hospital before the Board shall grant him temporary registration.

The Schedule Referred to.

Form A substituted by G.G. 20/11/59, p. 2913.

Form A.  
 The Medical Board of Western Australia.  
 Medical Act, 1894-1956.

APPLICATION FOR REGISTRATION AS A MEDICAL PRACTITIONER.

I, .....  
 of .....  
 hereby apply to the Medical Board of Western Australia to be registered as a medical practitioner pursuant to the provisions of the Medical Act, 1894-1956.

I submit herewith the following:—

- (a) My answers to the following questionnaire which I have completed in all particulars.

(b) Degrees, primary qualifications, licences, diplomas or other proof of qualifications by virtue of which I claim to be registered and as mentioned in the following questionnaire.

(c) The prescribed registration fee.

..... Date. Signature of Applicant.

QUESTIONS TO BE ANSWERED BY AN APPLICANT FOR REGISTRATION AS A MEDICAL PRACTITIONER.

At ..... Date..... (Place)

- (1) Name in full..... (Block letters—underline surname.)
(2) Present address .....
(3) Last fixed address .....
(4) Date of birth .....
(5) Place of birth .....
(6) Proposed type of professional occupation .....
(7) Are you a British subject?..... (a) Natural born. (b) Naturalised.

If not, what is your present nationality?.....

- (8) Are you a person of good fame and character?.....
(9) Give the names and addresses of two reputable persons to whom reference may be made as to your character.
(1).....
(2).....

Table with 4 columns: Degree, University or College, Year. Row 10: State your medical qualifications—

- (11) Have your primary degrees been granted after not less than three years' continuous study at one University or College?
(12) Are you at present legally qualified to practise in the country in which your qualifications were granted?
(13) Have you ever been addicted to alcohol or to any deleterious drug or have you ever been declared an inebriate?
(14) Have any of the qualifications upon which you rely for registration as a medical practitioner been withdrawn or cancelled by the University, College or other body by which they were conferred or by any other authority lawfully exercising elsewhere powers similar to those conferred upon this Board?
(15) Have you ever been convicted anywhere of any felony, crime, misdemeanor or indictable offence or of an offence which would be such if committed in Western Australia?
(16) Have you at any time in any State, dominion, province or country been:—
(a) Found guilty of any professional misconduct or of any infamous conduct in a professional respect?
(b) Been subject to any disciplinary action by any body or authority legally constituted to discipline medical practitioners?
(17) Have you ever been refused registration as a medical practitioner?
(18) Have you served as a resident Medical Officer in a hospital or hospitals for a period of not less than twelve months subsequent to graduation?

If, so state particulars and attach certificates from such hospitals setting out work performed and whether service was satisfactory.

Hospital	Service	From	To
.....	.....	.....	.....
.....	.....	.....	.....

- (19) If the answer to 18 is "No" or if service was in hospitals not approved by the Board, do you understand that you may be required to serve as a resident medical officer as prescribed by the Act before being entitled to registration as a medical practitioner and for that purpose you will be granted only temporary registration for a period not exceeding twelve months?.....
- (20) If you are granted only temporary registration, in what hospitals, institutions and/or organisations and for what periods do you propose to serve as a resident medical officer?

Hospital	Period
.....	.....
.....	.....

Attach evidence to conform with Rule 28.....

DECLARATION

I,..... do solemnly and sincerely declare that the above statements are true and correct in every particular, that I am the person named in the medical qualifications and/or other documents or letters, and that I make this solemn declaration by virtue of section 106 of the Evidence Act, 1906.

Declared at .....  
this .....  
day of .....  
19.....  
Before me: .....

Registrar.

.....  
Signature of Applicant.

Form A (1)  
inserted by  
G.G. 3/8/56,  
p. 1922.

FORM A (1).

I, ....., of .....,  
do solemnly and sincerely declare:—

- (1) I claim to have my name restored to the Register under section 10 (4) of the Medical Act, 1894-1956.
- (2) I am the holder of the diplomas by virtue of which I was previously registered under the said Act and, in addition, I hold the diplomas which are hereunto annexed and I declare that I am the person to whom those diplomas were granted and the person therein referred to.
- (3) I have never at any time been convicted of any felony, crime or misdemeanour, nor have I at any time or in any State or country been adjudged guilty of any of the matters mentioned in section 13 of the Medical Act, 1894-1956, save as follows:—
- (4) I am still entitled to practise under the qualification by virtue of which I apply to have my name restored to the Register in the place where the same was granted.

- (5) At no time has my registration by any registering authority under an Act or regulation pertaining to any aspect of the practice of medicine been erased, suspended or refused, save as follows:—

And I make this solemn declaration under and by virtue of section 106 of the Evidence Act, 1906.

Declared at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
 Before me, \_\_\_\_\_  
 A Commissioner in the Supreme Court of Western Australia for taking Affidavits.

Form A (2) inserted by G.G. 3/8/56. p.1923.

FORM A (2).

I, \_\_\_\_\_, of \_\_\_\_\_, do solemnly and sincerely declare:—

- (1) I claim to be entitled to be granted by the Board an authorisation under section 16A of the Medical Act, 1894-1956.
- (2) I am the holder of the diplomas by virtue of which I was previously registered under the said Act and in addition I hold the diplomas which are hereunto annexed, and I declare that I am the person to whom those diplomas were granted and the person therein referred to.
- (3) I have never at any time been convicted of any felony, crime or misdemeanour, nor have I at any time or in any State or country been adjudged guilty of any of the matters mentioned in section 13 of the Medical Act, 1894-1956, save as follows:—
- (4) I am still entitled to practise under the qualification by virtue of which I apply for such authorisation in the place where the same was granted.
- (5) At no time has my registration by any registering authority under an Act or regulation pertaining to any aspect of the practice of medicine been erased, suspended or refused, save as follows:—

And I make this solemn declaration under and by virtue of section 106 of the Evidence Act, 1906.

Declared at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_  
 Before me, \_\_\_\_\_  
 A Commissioner in the Supreme Court of Western Australia for taking Affidavits.

FORM B.  
 REGISTER.

No.	Name of Practitioner	Address	Qualification	Date of Registration



FORM C.

IN THE MATTER OF THE MEDICAL ACT, 1894-1956  
and

In the matter of a complaint against

To:

Under the provisions of section 9 of the Medical Act, 1894-1956, you are hereby summoned to attend before the Medical Board, at the Perth, on the day of , 19 , at the hour of in the noon, and so from day to day until the above complaint is heard and determined, to give evidence on behalf of the .

Dated this day of , 19 .

Registrar,  
Medical Board.

Form D.

IN THE MATTER OF THE MEDICAL ACT, 1894-1956  
and

In the matter of a complaint against

To:

Under the provisions of section 9 of the Medical Act, 1894-1956, you are hereby summoned to attend before the Medical Board at , Perth, on the day of , 19 , at the hour of in the noon, and so from day to day until the above complaint is heard and determined, to give evidence on behalf of the and also to bring with you and produce at the time and place aforesaid,

Dated this day of , 19 .

Registrar,  
Medical Board.

Form E.

Medical Board of Western Australia.

APPLICATION FOR REGIONAL REGISTRATION.

I, (full name necessary)..... of..... do solemnly and sincerely declare as follows:—

(1) I make application to be registered for regional area of..... under amended Medical Act, 1894-1956.

(2) I have passed a regular course of medical study of not less than five years at.....

(3) After due examination at the above College/University, I received a Degree/Diploma certifying to my ability to practise medicine or surgery, and was by law entitled to be registered or to practise as a medical practitioner in the country of origin of my Degree/Diploma.

(4) The date of my birth is.....

(5) The place of birth was.....

(6) My nationality is.....

(7) I am married/single.

(8) I arrived in Australia on.....

(9) I have held the following medical appointments in Australia.....

(10) I speak English—(a) fluently; (b) fairly well; (c) not well.

- (11) I understand English—(a) well; (b) fairly well; (c) not well.
- (12) I have previously engaged in general practice.
- (13) I am prepared to undertake Surgery.
- (14) I am prepared to undertake Obstetrics.
- (15) I am prepared to undergo a probationary period of at least three months as a junior resident medical officer at a selected hospital.
- (16) I hold the following Diplomas or Degrees and am the person named therein, and will at your request produce the same in support of my said application for registration, that is to say:—
  - (a) .....
  - (b) .....
  - (c) .....
- (17) I have never at any time been convicted of any felony, crime or misdemeanour, nor have I at any time or in any state or country been found guilty of any infamous conduct in a professional respect.

And I make this declaration under and by virtue of Section 106 of the Evidence Act, 1906.

Declared at.....in the State of Western Australia.  
 this.....day of....., 19

Before me—

.....

Form F.

The Medical Board of Western Australia.

COPY OF THE REGISTER FOR REGIONAL DISTRICT SERVICES.

No.	Name of Practitioner	Address	Regional District Area	Registration One Year		Date of Registration
				From	To	
						Registrar.
						Registrar.

FORM G.

The Medical Board of Western Australia.

REGIONAL REGISTRATION CERTIFICATE OF MEDICAL ACT, 1894-1956.

No.	Name of Practitioner	Address	Qualifications	Region Declared under Act	Period of Permission to Practise		Date of Registration
					From	To	

(Seal.)

Medical Act, 1894-1956, Section 12, Subsection (13): "Subject to this Act, a certificate of regional registration shall have effect for a period of one year, but if not cancelled or revoked, shall be renewed by the Board from time to time for a like period, upon the application of the person to whom the same was issued."

FORM H.

The Medical Board of Western Australia.

CERTIFICATE OF EXPERIENCE.

Hospital.....  
Date.....

To The Registrar,  
Medical Board of Western Australia,  
36 Outram Street,  
West Perth.

This is to certify that from the..... day of..... 19.....  
Dr. .... whose  
(Full name)

qualifications are .....  
(Degree, University and year)  
has served as a resident medical officer in this hospital for a total of ..... months and such service has comprised work in the departments and for the periods hereunder indicated namely:—

Department.	Period in Complete Months.
.....	.....
.....	.....
.....	.....
.....	.....

The service of the above practitioner whilst so employed has been satisfactory.

Signature: Medical Superintendent or P.M.O.