



Western Australia

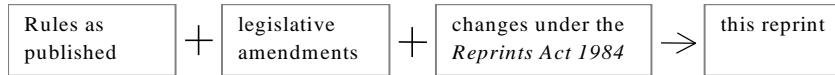
Medical Act 1894

# **Medical Rules 1987**

**Reprint 2: The rules as at 10 February 2006**

## Guide for using this reprint

### *What the reprint includes*



### *Endnotes, Compilation table, and Table of provisions that have not come into operation*

1. Details about the original rules and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the rules being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

### *Notes amongst text (italicised and within square brackets)*

1. If the reprint includes a rule that was inserted, or has been amended, since the rules being reprinted were made, editorial notes at the foot of the rule give some history of how the rule came to be as it is. If the rule replaced an earlier rule, no history of the earlier rule is given (the full history of the rules is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
  - removed (because it was repealed or deleted from the law); or
  - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

### *Reprint numbering and date*

1. The reprint number (in the footer of each page of the document) shows how many times the rules have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3<sup>rd</sup> reprint since the rules were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the rules are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Western Australia

## Medical Rules 1987

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Western Australia

Reprinted under the  
*Reprints Act 1984* as  
at 10 February 2006

Medical Act 1894

## Medical Rules 1987

### 1. Citation

These rules may be cited as the *Medical Rules 1987*<sup>1</sup>.

### 2. Commencement

These rules shall come into operation on 1 January 1988.

### 3. Interpretation

In these rules unless the contrary intention appears —

“**attending medical practitioner**” means a medical practitioner appointed to or engaged in a medical call service for the purposes of attending patients served through the medical call service;

“**certificate of approval**” means a certificate of approval of a medical call service issued under section 21CA of the Act;

“**director of medical services**” means the person holding or acting in the office of director of medical services in a medical call service;

“**Form**” means a form in Schedule 3;

**“principal medical practitioner”** means a medical practitioner on whose behalf and for whose patients a medical service is provided by a medical call service.

**4. Meetings of the Board**

- (1) The Board shall meet at least once in each month.
- (2) A meeting of the Board shall be at the time and place fixed by the Board.

**5. Special meetings**

Notwithstanding anything in rule 4 the president may, and at the request of any 2 members of the Board shall, convene a special meeting of the Board by serving not less than 2 days notice on the members stating the place and time of the meeting.

**6. Absence of quorum**

Where a quorum is not present within 30 minutes of the time fixed for the holding of a meeting the meeting shall be adjourned to a time fixed by the members of the Board present.

**7. Notice of resolution**

A meeting of the Board shall not consider any motion proposing to revoke or amend a resolution of the Board unless notice of the proposed motion is given in the notice convening that meeting.

**8. Resolution without meeting**

A resolution in writing signed or consented to by letter, telex, telegram or other written means of communication by each member of the Board shall be as valid and effectual as if it had been passed at a meeting of the Board.

**9. Minutes to be taken and kept**

- (1) The Registrar shall ensure that the minutes of every meeting of the Board are taken and thereafter kept in a place of safe custody.
- (2) The minutes of a meeting of the Board shall be confirmed by resolution at the next meeting of the Board and upon adoption of that resolution confirmation of the minutes shall be authenticated by the signature of the person presiding at that next meeting.

*[Rule 9 amended in Gazette 30 Dec 2004 p. 7022.]*

**10. Summons**

A summons for the purposes of section 9(2) of the Act shall be in the form of Form 1.

**11. Application for registration**

- (1) An application for general registration as a medical practitioner, or for conditional registration as a medical practitioner under section 11AB, 11AC, 11AD, 11AE, 11AF(1) or 11AG of the Act, shall be in the form of a form approved by the Board.
- (2) Subject to subrule (2a), an application for registration referred to in subrule (1) shall be accompanied by —
  - (a) the fee prescribed in item 1 in Schedule 1; and
  - (b) the appropriate annual fee prescribed in item 2, 2a or 2b of Schedule 1.
- (2a) An application for conditional registration under section 11AE, 11AF(1) or 11AG of the Act, shall be accompanied by —
  - (a) the fee prescribed in item 1c in Schedule 1; and
  - (b) the appropriate annual fee prescribed in item 2, 2a or 2b of Schedule 1.

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- (3) An application referred to in subrule (1) shall be submitted in a completed form.

*[Rule 11 amended in Gazette 1 Jul 1997 p. 3256; 7 Sep 2001 p. 4973-4.]*

**12. Evidence in support of an application for registration**

- (1) The evidence to be provided by a natural person applying for general registration as a medical practitioner is as follows —
- (a) the name of the applicant and the date and place of birth of the applicant;
  - (b) evidence of the identity of the applicant;
  - (c) the names and addresses of 2 persons who will vouch for the good fame and character of the applicant;
  - (d) if the applicant has been registered as a medical practitioner elsewhere, a certificate of good standing from the body administering the law under which medical practitioners are registered in that State or country;
  - (e) evidence of the educational qualifications that entitle the applicant to registration and evidence that these qualifications have not been withdrawn;
  - (f) where a period of service is relevant in relation to registration, evidence of that service;
  - (g) evidence that the applicant has not been convicted of any offence in this State or elsewhere;
  - (h) evidence that the applicant is not addicted to any deleterious drugs and that the applicant has not been declared an inebriate under any law;
  - (i) evidence that the applicant has not been refused registration elsewhere.
- (1a) The evidence to be provided by a natural person applying for conditional registration under section 11AB, 11AC, 11AD,



11AE, 11AF or 11AG of the Act, is, in addition to the evidence required under subrule (1), as follows —

- (a) the section of the Act under which the applicant is applying;
  - (b) if the application is made under section 11AF of the Act, the specific category of conditional registration for which the applicant is applying and evidence in support of that application; and
  - (c) if the application is made under section 11AG of the Act, a copy of the undertaking required by that section.
- (2) The evidence to be provided in respect of a body corporate applying for registration as a medical practitioner is as follows —
- (a) the name, registered office and place (or places) of business of the body corporate;
  - (b) the names and addresses of the members of the body corporate specifying which of the members are registered medical practitioners;
  - (c) evidence of the identity, good fame and character of the members of the body corporate who are not medical practitioners;
  - (d) the names of the principal executive officer of the body corporate;
  - (e) the name of the medical practitioner in whose control the affairs of the body corporate is vested;
  - (f) the name of every person who is not a medical practitioner who holds shares in the body corporate, evidence of his or her identity and the name of the medical practitioner on whose behalf the shares are held; and

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- (g) the proposed memorandum and articles of the body corporate indicating the clauses in those documents providing —
  - (i) for the responsibility for the control of the affairs of the body corporate in relation to the practice of medicine; and
  - (ii) that no person other than a medical practitioner has authority over professional matters.
- (3) An application referred to in subrule (2) shall be accompanied by —
  - (a) the proposed memorandum and articles of association of the proposed body corporate;
  - (b) evidence of the registration under the Act of the medical practitioners who are members of the body corporate;
  - (c) where it is proposed to use a business name, the proposed business name and evidence of the reservation of that name;
  - (d) if any person who is proposing to be a director or officer of the body corporate is not a medical practitioner, 2 references as to the characters of each such person; and
  - (e) if any shares in the proposed body corporate are to be held by any person who is not a medical practitioner, the name of that person and on whose behalf those shares are to be held and the trust deed setting out the terms of the trust.
- (4) In subrule (1) “**general registration**” means registration which is not subject to any condition.

*[Rule 12 amended in Gazette 17 Nov 1989 p. 4093-4;  
20 Jan 1995 p. 220-21; 7 Sep 2001 p. 4974.]*

**12A. Registration subsequent to erasure of name from Register under section 10(5)**

- (1) An application by a person for the restoration of the name of that person to the Register under section 10(6) of the Act subsequent to erasure under section 10(5) of the Act shall be in the form of a form approved by the Board.
- (2) The fine that may be imposed by the Board for the purposes of section 10(6) of the Act shall be an amount not exceeding \$200.

*[Rule 12A, formerly rule 12, renumbered as rule 12A in Gazette 27 May 1988 p. 1728.]*

**12B. Certified copy of certificate of registration and certificate of extract of registration of business name to be lodged**

- (1) A certified copy of the certificate of registration of a body corporate proposed to be registered as a medical practitioner shall be lodged with the Registrar as soon as is practicable after its issue.
- (2) Where a body corporate which proposes to be registered as a medical practitioner, proposes to use a business name, a certificate of extract of the registration of the business name shall be lodged with the Registrar.

- (3) In this rule —

“**certificate of registration**” of a body corporate means the certificate issued by ASIC stating that the body corporate was registered under the *Corporations Act 2001* of the Commonwealth.

*[Rule 12B inserted in Gazette 17 Nov 1989 p. 4094; amended in Gazette 12 Oct 2001 p. 5561.]*

**12C. Change of particulars**

- (1) Where any change occurs in the particulars submitted in an application for the registration of a body corporate as a medical practitioner the person nominated in the application as the chief

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executive officer of the body corporate shall, not later than 7 days after the event, notify the Board of the fact.

- (2) A person who fails to comply with the provisions of subrule (1) commits an offence.

Penalty: \$1 000.

*[Rule 12C inserted in Gazette 17 Nov 1989 p. 4094.]*

**13. Certificates of registration**

- (1) A certificate of registration is to be in the form of a form approved by the Board.
- (2) A certificate of registration referred to in subrule (1) shall state the provision of the Act under which such registration is granted.
- (3) The Board may on payment of the fee prescribed in item 7 of Schedule 1 issue a certificate of good standing in respect of any registered medical practitioner.

*[Rule 13 amended in Gazette 20 Jan 1995 p. 221.]*

**14. Annual fees**

The annual fee prescribed for the purposes of section 16A(1) of the Act is, if the Board is satisfied that the person —

- (a) intends to practise on a regular basis in the State, the fee prescribed in item 2 of Schedule 1;
- (b) is retired from regular practice and intends to practise only on an occasional basis, the fee prescribed in item 2a of Schedule 1; or
- (c) does not intend to practise in the State, the fee prescribed in item 2b of Schedule 1.

*[Rule 14 inserted in Gazette 1 Jul 1997 p. 3256.]*

**15. Fine for the purposes of section 16A(2) of the Act**

The fine prescribed for the purposes of section 16A(2) of the Act is \$200.

**16. Application for authorisation to practise or for restoration to the Register**

- (1) An application for an authorisation to practise for the purposes of section 16A(1)(b) and (4) and section 16A(2) and (4) of the Act shall be in the form of a form approved by the Board.
- (2) An applicant for an authorisation under section 16A(2) and (4) of the Act shall submit together with the application made for the purposes of that provision —
  - (a) a statement setting out whether he has been convicted of any offences;
  - (aa) a statement setting out whether he has been the subject of an order under section 13(3), (3a), (3b) or (9b);
  - (b) a statement as to whether or not any qualifications on which he relies for registration have been cancelled by the body by which they were awarded;
  - (c) a statement as to whether or not he is addicted to any deleterious drug and whether or not he has been declared an inebriate under any law;
  - (d) a statement as to whether during the time that his name was erased from the Register he has been registered as a medical practitioner in Australia or elsewhere and whether any application by him for registration as a medical practitioner in Australia or elsewhere has been refused.

*[Rule 16 amended in Gazette 30 Dec 2004 p. 7022.]*

**17. The Register**

- (1) The form of the Register for natural persons shall be in the form of Form 2.

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- (1a) The form of the Register for bodies corporate shall be in the form of Form 3a.
- (1b) The Register may be kept or prepared —
  - (a) by making entries in or on a bound or loose leaf book; or
  - (b) by recording or storing the required particulars by means of a mechanical, electronic or other device, but so that the particulars so recorded or stored will remain in the form in which they were originally recorded or stored and will be capable of being reproduced in written form in the English language.
- (2) The Registrar shall keep the Register in a place of safe custody at the office of the Board or at some place appointed by the Board.
- (3) Any person may on payment of the fee prescribed in item 3 of Schedule 2 inspect the Register at the office of the Board between 8.30 a.m. and 5.00 p.m. on any day of the week from Monday to Friday.

*[Rule 17 erratum in Gazette 19 Feb 1988 p. 525; amended in Gazette 17 Nov 1989 p. 4094; 8 Dec 1995 p. 5989.]*

**18. Notification of additional diploma or certificate**

An application under section 15 of the Act to enter a memorandum of an additional diploma or certificate in the Register shall be —

- (a) in the form of a form approved by the Board; and
- (b) accompanied by —
  - (i) the fee prescribed in item 4 of Schedule 1; and
  - (ii) the original certificate or diploma referred to in the application or other evidence that satisfies the Board.

**18A. Notification of change of shareholder**

The medical practitioner having the control of the affairs of a body corporate registered as a medical practitioner under the Act shall notify the Board of any change in the shareholders of the body corporate as soon as is practicable after such change.

*[Rule 18A inserted in Gazette 17 Nov 1989 p. 4094.]*

**19. Application for certificate of approval for a medical call service**

- (1) An application for a certificate of approval for a medical call service shall be in the form of a form approved by the Board, and shall be accompanied by the fee prescribed in item 5 of Schedule 1 for the issue of the certificate.
- (2) Where the medical call service proposed to be established is proposed to be conducted by more than one person or by a body corporate the application shall be accompanied by —
  - (a) the proposed deed of partnership or other arrangement containing the terms of the partnership or other arrangement; or
  - (b) the proposed memorandum and articles of association of the body corporate,as the case requires.
- (3) An application referred to in subrule (1) shall be submitted in a completed form.

*[Rule 19 erratum in Gazette 19 Feb 1988 p. 525.]*

**20. Certificate of approval of a medical call service**

A certificate of approval of medical call service shall be in the form of Form 3.

**21. Register of medical call services**

A register of medical call services shall be in the form of Form 4.

**22. Operation of medical call service within approved area**

Where pursuant to section 21CA(4) the Board restricts the operation of a medical call service within an area specified by the Board the person conducting the medical call service shall not cause, permit or suffer any medical service to be provided through the medical call service conducted by him to be provided outside the area approved by the Board in relation to that medical call service.

**23. Office of director of medical services to be established**

- (1) Subject to subrule (2), the person conducting a medical call service shall establish on the staff of the medical call service an office to be designated as “Director of Medical Services” and the person holding or acting in that office shall be the person responsible for the medical services provided through the medical call service.
- (2) A person shall not be appointed to hold or act in the office of director of medical services unless that person has been registered as a medical practitioner for a period of not less than 5 years.

**24. Notification of appointment**

- (1) The person conducting a medical call service shall as soon as is practicable after any person is appointed to hold or act in the office of director of medical services notify the Board of that fact in the form of Form 5.
- (2) A medical practitioner who ceases to hold office as director of medical services in a medical call service shall within 7 days of that event notify the Board of his cessation of office in the form of Form 5.



**25. Number of medical practitioners**

Subject to any conditions imposed by the Board under section 21CA(4) in relation to the medical call service in question, a person who conducts a medical call service shall ensure that the number of medical practitioners appointed to or engaged in the medical call service is sufficient to provide a proper standard of professional medical care having regard to —

- (a) the extent and kind of area served through the medical call service; and
- (b) the number and kind of patients being treated or likely to be treated through the medical call service.

**26. Communications system to be provided**

A person who conducts a medical call service shall ensure that an efficient communication system is provided so that —

- (a) any patient desiring treatment through the medical call service can contact the medical call service at any time that the medical call service is required to be available to patients; and
- (b) a principal medical practitioner and an attending medical practitioner can whenever it is necessary to do so communicate with each other.

**27. Duties of director of medical services**

In addition to any other duties required to be carried out by the director of medical services, the director of medical services of a medical service shall ensure that —

- (a) any patient requiring treatment is treated as soon as is practicable having regard to the kind of treatment required;
- (b) except in the case of an emergency, only patients of principal medical practitioners are treated by medical practitioners of the medical call service;

- (c) only episodic and not continuing care of patients is provided through the medical call service;
- (d) the medical services through the medical call service are provided in a proper and professional manner;
- (e) the procedures applicable under any law relating to the treatment of the patients in question including these rules are complied with.

Penalty: \$1 000.

*[Rule 27 amended in Gazette 17 Nov 1989 p. 4094.]*

**28. Duties of principal medical practitioners**

A principal medical practitioner who engages a medical call service for his patients shall ensure that —

- (a) access to the medical call service by patients is available;
- (b) any information that is necessary for the treatment of any patient who requests treatment through the medical call service is easily accessible to the attending medical practitioner; and
- (c) shall make arrangements to be in communication with any attending medical call service for the purposes of consultation or, if he is not available, notify the medical call service of that fact.

Penalty: \$500.

*[Rule 28 amended in Gazette 17 Nov 1989 p. 4094.]*

**29. Duties of attending medical practitioner**

An attending medical practitioner shall —

- (a) make proper records of any treatment rendered to a patient;
- (b) ensure that the principal medical practitioner of a patient receives any such record;

(c) ensure that patient confidentiality is maintained.

Penalty: \$200.

*[Rule 29 amended in Gazette 17 Nov 1989 p. 4094.]*

**30. Additional grounds for cancellation or suspension of certificate of approval**

The matters prescribed for the purposes of section 21CD(1)(e) of the Act as a ground for the cancellation or suspension of a certificate of approval are —

- (a) that the certificate of approval was obtained by fraud or the submissions made in the application for the certificate of approval were misleading in a material particular; and
- (b) that any condition, restriction or prohibition imposed by the Board under section 21CA(4) of the Act was not complied with.

**31. Application for renewal of certificate of approval**

- (1) An application for the renewal of a certificate of approval of a medical call service shall be made by the holder of the certificate of approval and shall be accompanied by the fee prescribed in item 6 of Schedule 1.
- (2) Where the holder of a certificate of approval to conduct a medical call service is a firm or a body corporate the application under subrule (1) shall specify any change that has occurred in the partners or the shareholders, as the case requires, since the issue of the last renewal of the certificate of approval.
- (3) Where the holder of a certificate of approval to conduct a medical service is a body corporate an application under subrule (1) shall specify the names and addresses of the persons currently having the management and control of the affairs of the body corporate.

**32. Operation within approved area**

A person conducting the medical call service shall not provide any medical service through a medical call service unless the place in which the service is provided is within the area approved by the Board in relation to the medical call service.

Penalty: \$500.

*[Rule 32 amended in Gazette 17 Nov 1989 p. 4094.]*

**33. False or misleading advertising**

A medical practitioner shall not in relation to his practice as a medical practitioner engage in advertising that —

- (a) is false in a material particular;
- (b) is misleading or deceptive or is likely to mislead or deceive;

*[(c) deleted]*

- (d) is vulgar, sensational or of such frequency as is likely to adversely affect or be likely to adversely affect the reputation of the medical profession;
- (e) claims or implies the superiority of the medical practitioner over other medical practitioners;
- (f) contains testimonials or endorsements concerning the medical practitioner;
- (g) contains testimonials or endorsements by a medical practitioner concerning any goods or services.

Penalty: \$2 000.

*[Rule 33 amended in Gazette 17 Nov 1989 p. 4094;  
15 Nov 1991 p. 5812; 29 Oct 1993 p. 5888.]*

**33A. Registered name to be used**

A medical practitioner shall, when advertising his medical practice use the name by which he is registered unless he has

obtained the prior written approval of the Board to use another name.

*[Rule 33A inserted in Gazette 15 Nov 1991 p. 5812.]*

**34. Advertising**

- (1) Subject to subrule (2), a medical practitioner shall not cause or permit an advertisement to be published in connection with his practice as a medical practitioner except in accordance with Schedule 2.

Penalty: \$2 000.

- (2) Where the Board is of the opinion that by reason of the isolation of an area, the unavailability of newspapers or postal services or both the Board may approve of advertising by means other than those referred to in clauses 1 and 2 of Schedule 2.

*[Rule 34 amended in Gazette 17 Nov 1989 p. 4094.]*

**35. Board may waive or reduce fees**

Without derogating from any provisions in the Act relating to the waiver of fees the Board may waive or reduce any fee prescribed in item 1, 1c, 2, 2a or 2b in Schedule 1.

*[Rule 35 amended in Gazette 1 Jul 1997 p. 3256; 7 Sep 2001 p. 4974.]*

**[40. Omitted under the Reprints Act 1984 s. 7(4)(f).]**

## Schedule 1

### Fees

The following fees are payable in respect of the matters specified below —

	\$
1. Application for registration by a natural person (other than as provided in item 1b or 1c).....	150.00
1a. Application for registration by a body corporate.....	200.00
1b. Application for general registration under clause 1 or 2 of Schedule 2 to the <i>Medical Amendment Act 1994</i> .....	150.00
1c. Application for certain type of conditional registration by a natural person ( <i>section 11AE, 11AF(1) or 11AG of the Act</i> ) .....	270.00
2. Annual fee — practising .....	350.00
2a. Annual fee — occasional practice .....	89.00
2b. Annual fee — not practising .....	71.00
3. Inspection of Register.....	25.00
4. Entry of additional degree or diploma.....	25.00
5. Application for certificate of approval for a medical call service.....	500.00
6. Application for renewal of certificate of approval for a medical call service.....	100.00
7. Application for certificate of good standing.....	50.00
8. Application for restoration after erasure under section 10(6).....	75.00
9. Application for restoration under section 16A(2) or 16A(1)(b) and (4).....	75.00

*[Schedule 1 amended in Gazette 9 Dec 1988 p. 4819; 17 Nov 1989 p. 4094; 29 Sep 1995 p. 4695; 8 Dec 1995 p. 5989-90; 1 Oct 1996 p. 5088; 15 Oct 1996 p. 5491; 1 Jul 1997 p. 3256; 7 Sep 2001 p. 4974; 23 Aug 2002 p. 4323; 29 Jun 2004 p. 2525.]*

## **Schedule 2**

### **1. Newspapers**

- (1) An advertisement shall not occupy more than a 5 centimetre wide column or an equivalent space.
- (2) The printing of the advertisement shall be —
  - (a) “run on” without spacing or display;
  - (b) of uniform type for the name and other particulars;
  - (c) in the type face used for non-display advertisements.
- (3) The content of the advertisement shall state only —
  - (a) with respect to a medical practitioner —
    - (i) the name of the medical practitioner and if the practice is carried on in association with other medical practitioners the names of the other medical practitioners;
    - (ii) the address of his practice or, if more than one, then each of those addresses;
    - (iii) the telephone number of each practice and the telephone numbers to be called after hours;
    - (iv) the title “doctor” or such other title indicating that the person is a medical practitioner that is approved by the Board;
    - (v) the languages spoken by the medical practitioner; and
    - (vi) the hours of attendance provided by the medical practitioner;and
    - (b) the commencement of a practice — the extension of a practice to a new area — the resumption of practice — the closure of a practice for any period exceeding 30 days — the resumption of practice after any period exceeding 30 days — the change of address of a practice — the sale of a practice, as the occasion or circumstance requires.
- (4) An advertisement shall not appear in more than 2 newspapers circulating in the area of the practice.

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- (5) An advertisement shall not appear in more than 5 consecutive daily issues of a newspaper.

*[Clause 1 amended in Gazette 31 Dec 1992 p. 6324.]*

**2. Circulars**

- (1) A circular shall be —
- (a) on stationery of a professional standard;
  - (b) enclosed in a plain envelope; and
  - (c) circulated only amongst patients of the medical practitioner, other medical practitioners and specialists.
- (2) A circular shall not contain any statements other than a statement referred to in clause 1(3).
- (3) A circular shall be circulated only on the occasion or in the circumstances referred to in the circular.

*[Clause 2 amended in Gazette 31 Dec 1992 p. 6324.]*

**3. Telephone directories**

- (1) An entry with respect to a medical practitioner in a general telephone directory containing the names of subscribers in alphabetical order shall be published —
- (a) only once under the name of the medical practitioner; and
  - (b) if the medical practitioner practises under a name other than his own name, only once in association with that other name.
- (2) An entry with respect to a medical practitioner in a telephone directory arranged as a guide to products and services (yellow pages) shall be published —
- (a) only once under his own name in any alphabetical list of medical practitioners; and
  - (b) if the medical practitioner practises under a name other than his own name, only once under that other name.
- (3) An entry in a telephone directory, with respect to a medical practitioner, or a medical practice name approved under rule 33A —
- (a) shall not occupy more than a 5 centimetre wide column or an equivalent space;



- (b) shall be printed in the manner specified in clause 1(2);
- (c) may be printed with the name and telephone number of the medical practitioner, or the medical practice, in bold type (but not in super bold type);
- (d) in the case of a medical practice name shall not contain the individual names of the medical practitioners who comprise the practice; and
- (e) shall not contain any statements other than a statement referred to in clause 1(3)(a).

*[Clause 3 amended in Gazette 31 Dec 1992 p. 6324; 29 Oct 1993 p. 5889.]*

**4. Stationery**

- (1) The letterhead on any stationery used by a medical practitioner for the purposes of his practice as a medical practitioner shall not contain any statement relating to that practice other than —
  - (a) the name and address of the medical practitioner;
  - (b) the qualifications of the medical practitioner as entered in the Register and such other qualifications as may be approved by the Board in relation to the medical practitioner;
  - (c) the appellation “Doctor”, “Medical Practitioner”, “Family Doctor”, “Family Physician”, “General Practitioner” or where the medical practitioner is a specialist the particular speciality, according to the case in question;
  - (d) the languages spoken by the medical practitioner;
  - (e) the hours of attendance provided by the medical practitioner.
- (2) Where a medical practice is carried on by an association of medical practitioners any stationery used in connection with the practice shall contain only —
  - (a) the name under and address at which the medical practice is carried on;
  - (b) the matters referred to in subclause (1)(c); and
  - (c) with respect to each medical practitioner practising in the association the matters referred to in subclause (1)(c).

**cl. 5**

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**5. Name plates**

- (1) A name plate shall not be displayed except —
  - (a) at the residence of the medical practitioner; and
  - (b) at any premises at which the medical practitioner normally conducts his practice,and then only once at each place.
- (2) Notwithstanding subclause (1), where a medical practitioner has ceased to practise at any premises but the premises continue to be used for the purposes of the practice of another medical practitioner or other medical practitioners the name plate of the first mentioned medical practitioner may be displayed at those premises until the first anniversary of the date on which the first mentioned medical practitioner ceased to practise at those premises.
- (3) The dimensions of a name plate shall not exceed an area of 1 000 square centimetres.
- (4) The size of the letters or characters used in a name plate shall not exceed a height of 20 centimetres.
- (5) A name plate shall not contain any statement other than the information referred to in clause 4(1)(a) to (c).
- (6) Where 2 or more medical practitioners operate a medical practice in association with each other and under the name of the association the dimensions of the name plate bearing the name of the association and the size of the letters or characters shall not exceed the dimensions specified in subclause (3) and subclause (4) respectively.
- (7) A name plate shall not be illuminated by a light unless the light is of constant intensity and is stationary.

*[Clause 5 amended in Gazette 31 Dec 1992 p. 6324.]*

**6. Notices**

- (1) The dimensions of a notice or sign erected for the purpose of indicating the location of a medical practice from the road frontage of the premises of the medical practice shall not exceed an area of 1 square metre.
- (2) The size of the letters or characters used in a notice or sign referred to in subclause (1) shall not exceed a height of 20 centimetres.

- (3) A notice or sign referred to in subclause (1) shall not contain any statement other than —
  - (a) one of the following statements that is relevant to the medical practice conducted at the premises “Medical Centre”, “Surgery”, “Doctor”, “Doctor’s Surgery”, “Specialist Centre”, “X-rays”, “Pathology” or such other statement as is approved by the Board in relation to the premises; and
  - (b) a directional indicator.
- (4) The dimensions of a notice or sign erected in a building, shopping arcade, shopping centre, shopping town and premises of that kind indicating the location of a medical practice shall not exceed a length of 80 centimetres and a height of 20 centimetres.
- (5) Only 1 notice or sign of the kind referred to in subclause (4) shall be erected.
- (6) The size of the letters or characters used in a notice or sign referred to in subclause (4) shall be consistent with the size of the notice or sign.
- (7) A notice or sign referred to in subclause (4) shall not contain any statement other than one of the statements specified in subclause (3) that is relevant to the medical practice conducted at the premises.
- (8) A notice listing the tenants in any building shopping arcade, shopping centre or any premises of that kind shall not contain any statement in relation to a medical practitioner other than —
  - (a) the name of the medical practitioner;
  - (b) the title “doctor”; and
  - (c) if the medical practitioner is a specialist, the designation of the speciality professed by the medical practitioner;
  - (d) the languages spoken by the medical practitioner;
  - (e) the hours of attendance provided by the medical practitioner.
- (9) The size of the letters or characters in a notice referred to in subclause (8) shall not exceed the height of 20 centimetres.
- (10) A notice shall not be illuminated by a light unless the light is of constant intensity and is stationary.

**Schedule 3**

Form 1  
Western Australia [Rule 10]  
*Medical Act 1894*  
(section 9)

**SUMMONS BY THE MEDICAL BOARD**

In the matter of

.....

(name of person the subject of the injury)

to.....

of.....

You are hereby summoned to attend at the place specified below on the date and at the time indicated to be examined and questioned before the Medical Board for the purposes of the inquiry into the matter of.....

(name of person the subject of the inquiry)

\*You are required to bring with you and produce at the time and place indicated below (describe the documents or things to be produced). The place, date and time of attendance are.....20....., .....a.m./p.m.

Signed at.....on.....20.....

.....

Registrar

\*Delete if not relevant

[Note: The *Medical Act 1894* s.9(2) provides that a summons by the Board has the same effect as a subpoena issued by the Supreme Court in civil proceedings and shall be enforced by a judge in chambers in the same manner as in the case of disobedience or non-observance of a subpoena issued by the Supreme Court.]

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Form 2  
Western Australia [Rule 17]  
*Medical Act 1894*

REGISTER OF MEDICAL PRACTITIONERS (NATURAL PERSONS)

Number	Name	Address	Medical Qualification	Date of registration

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Form 3  
Western Australia [Rule 20]  
*Medical Act 1894*

CERTIFICATE OF APPROVAL OF A MEDICAL CALL SERVICE  
UNDER THE *MEDICAL ACT 1894* SECTION 21CA

This certificate of approval is issued to.....  
.....of.....  
.....

to establish and conduct a medical call service.

This certificate of approval is issued subject to the following conditions, restrictions and prohibitions —

.....  
.....  
.....

This certificate remains in force until 31 December 20      unless cancelled or  
suspended by the State Administrative Tribunal.

.....  
Registrar

*[Form 3 amended in Gazette 30 Dec 2004 p. 7022.]*

**Medical Rules 1987**  
**Schedule 3**

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Form 3a  
Western Australia [Rule 17]  
*Medical Act 1894*

**REGISTER OF MEDICAL PRACTITIONERS (BODIES CORPORATE)**

No.	Name of body corporate	Place of business	Registered Office	Date of registration	Name of principal executive officer

*[Form 3a inserted in Gazette 17 Nov 1989 p. 4095.]*

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Form 4  
Western Australia [Rule 21]  
*Medical Act 1894*

**REGISTER OF MEDICAL CALL SERVICES**

Number	Name of holder of certificate of approval	Address	Date granted	Address of premises	Name of director of medical services

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Form 5

[Rule 24(2)]

Western Australia  
*Medical Act 1894*

**NOTIFICATION OF CHANGE OF DIRECTOR OF  
MEDICAL SERVICES**

To: The Medical Board

This is to notify you that I Dr.....  
of.....  
have ceased to be the Director of Medical Services of the.....  
Medical Call Service with effect from.....

(date)

and the director of medical services of the.....

(name)

medical call service is Dr.....

(name)

Dated.....

Signed.....

[This notification must be sent to the Medical Board within 7 days of the change of the  
Director of Medical Services.].

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### Notes

- <sup>1</sup> This reprint is a compilation as at 10 February 2006 of the *Medical Rules 1987* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

### Compilation table

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Medical Rules 1987</i>	31 Dec 1987 p. 4572-9 (erratum 19 Feb 1988 p. 525)	1 Jan 1988 (see r. 2)
<i>Medical Amendment Rules 1988</i>	27 May 1988 p. 1728	27 May 1988
<i>Medical Amendment Rules (No. 2) 1988</i>	9 Dec 1988 p. 4819	1 Jan 1989 (see r. 2)
<i>Medical Amendment Rules 1989</i>	17 Nov 1989 p. 4093-5	17 Nov 1989 (see r. 2 and <i>Gazette</i> 17 Nov 1989 p. 4090)
<i>Medical Amendment Rules 1991</i>	15 Nov 1991 p. 5812	15 Nov 1991
<i>Medical Amendment Rules 1992</i>	31 Dec 1992 p. 6324	31 Dec 1992
<i>Medical Amendment Rules 1993</i>	29 Oct 1993 p. 5888-9	29 Oct 1993
<i>Medical Amendment Rules 1995</i>	20 Jan 1995 p. 220-1	20 Jan 1995
<i>Medical Amendment Rules (No. 2) 1995</i>	29 Sep 1995 p. 4695	1 Oct 1995 (see r. 2)
<i>Medical Amendment Rules (No. 3) 1995</i>	8 Dec 1995 p. 5989-90	8 Dec 1995 (see r. 2)
<i>Medical Amendment Rules 1996</i>	1 Oct 1996 p. 5087-8	1 Oct 1996
<i>Medical Amendment Rules (No. 2) 1996</i>	15 Oct 1996 p. 5491	16 Oct 1996 (see r. 2 and <i>Gazette</i> 15 Oct 1996 p. 5491)
<i>Medical Amendment Rules 1997</i>	1 Jul 1997 p. 3255-6	2 Jul 1997 (see r. 2 and <i>Gazette</i> 1 Jul 1997 p. 3250)
<b>Reprint of the <i>Medical Rules 1987</i> as at 23 Jul 1999</b> (includes amendments listed above)		
<i>Medical Amendment Rules (No. 2) 2001</i>	7 Sep 2001 p. 4973-4	7 Sep 2001



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<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Medical Amendment Rules 2001</i>	12 Oct 2001 p. 5561	12 Oct 2001
<i>Medical Amendment Rules 2002</i>	23 Aug 2002 p. 4323	23 Aug 2002
<i>Medical Amendment Rules 2004</i>	29 Jun 2004 p. 2524-5	29 Jun 2004
<i>Medical Amendment Rules (No. 2) 2004</i>	30 Dec 2004 p. 7022	1 Jan 2005 (see r. 2 and <i>Gazette</i> 31 Dec 2004 p. 7130)
<b>Reprint 2: The Medical Rules 1987 as at 10 Feb 2006</b> (includes amendments listed above)		

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