

## MEDICAL.

No. 56 of 1979.

AN ACT to amend section 11, section 12, and section 21C, and to repeal the Second Schedule, of the Medical Act, 1894-1976.

[Assented to 12th November, 1979.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Medical Act Amendment Act, 1979*.

Short title  
and  
citation.

(2) In this Act the Medical Act, 1894-1976, is referred to as the principal Act.

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Acts, as  
amended by  
Acts Nos.  
75 of 1975  
and  
70 of 1976.

(3) The principal Act as amended by this Act may be cited as the Medical Act, 1894-1979.

Section 11  
amended.

2. Section 11 of the principal Act is amended—

(a) as to subsection (1)—

- (i) by deleting the passage “On and after the coming into operation of the Medical Act Amendment Act, 1956, a”, in lines one and two, and inserting in lieu thereof the word “A”;
- (ii) by deleting the words “or the Dominion of New Zealand”, in lines four and five of subparagraph (i) of paragraph (b), and inserting in lieu thereof the passage “, the Dominion of New Zealand, the United Kingdom, or the Republic of Ireland”;
- (iii) by deleting subparagraph (ii) of paragraph (b) and inserting in lieu thereof a new subparagraph as follows—
  - (ii) that he has passed the examination of the body known as the Australian Medical Examining Council; ;
- (iv) by deleting subparagraph (iii) of paragraph (b);
- (v) by deleting the words “license or diploma”, in line five of subparagraph (iv) of paragraph (b), and inserting in lieu thereof the passage “license, diploma, or certificate”;
- (vi) by deleting subparagraph (vi) of paragraph (b) and inserting in lieu thereof a new subparagraph as follows—
  - (vi) except where he is exempted from the provisions of this subparagraph, that he has,

after obtaining the degree or certificate by virtue of which he applies for registration, served—

(I) for a period of twelve months or for periods amounting in the aggregate to twelve months;

(II) where the course of medical study undertaken was of five years' duration, for a period of twenty-four months or for periods amounting in the aggregate to twenty-four months; or

(III) for such lesser period as the Board, in such special circumstances as it thinks fit, may allow,

in the position of medical officer in one or more institutions or hospitals approved by the Board; ;

(b) as to subsection (1c), by deleting the word "resident" in line five of subparagraph (i) of paragraph (c);

(c) as to subsection (2)—

(i) by deleting the word "has", in line two of paragraph (a), and inserting in lieu thereof the passage "satisfies the Board that prior to the coming into operation of the Medical Act Amendment Act, 1979, he";

(ii) by inserting after the word "Act", in line five of paragraph (a), the words "and has held such a certificate";

(iii) by adding after the word “registration”, being the last word in paragraph (a), the passage “, but in any other case he shall not be eligible to be registered as a medical practitioner under this Act, otherwise than by way of temporary registration, unless he has passed the examination of the body known as the Australian Medical Examining Council” ;

(d) by deleting subsection (2a); and

(e) by deleting subsection (3).

Section 12  
amended.

3. Section 12 of the principal Act is amended—

(a) as to subsection (1), by deleting the word “resident” in line six of paragraph (b);  
and

(b) as to subsection (2), by deleting the word “resident” in line one of paragraph (c).

Section 21C  
repealed and  
re-enacted.

4. Section 21C of the principal Act is repealed and re-enacted with amendments as follows—

21C. Except in a case of extreme urgency, a medical practitioner shall not—

(a) administer a general anaesthetic to a patient on whom he is operating; or

(b) cause or permit any person other than a medical practitioner to administer a general anaesthetic to such a patient,

where another medical practitioner is in practice and present within thirty kilometres of the place of operation.

Penalty—One hundred dollars. .

Second  
Schedule  
repealed.

5. The Second Schedule to the principal Act is repealed.