



ANNO QUARTO

VICTORIÆ REGINÆ,

No. 24.

By His Excellency SIR JOHN FRANKLIN, Knight Commander of the Royal Hanoverian Guelphic Order, Knight of the Greek Order of the Redeemer, and a Captain in Her Majesty's Royal Navy, Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies, with the advice of the Legislative Council.

AN ACT to amend an Act intituled An Act to regulate the Practice of Medicine in this Colony.

WHEREAS an Act was passed in the first year of Her present Majesty intituled *An Act to regulate the Practice of Medicine in this Colony*—AND WHEREAS it hath been found that certain of the provisions thereof require to be amended—BE IT THEREFORE ENACTED by His Excellency SIR JOHN FRANKLIN Knight Commander of the Royal Hanoverian Guelphic Order Knight of the Greek Order of the Redeemer and a Captain in Her Majesty's Royal Navy Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies with the advice of the Legislative Council that from and after the commencement of this Act the first third fourth fifth sixth and eighth Sections of the said recited Act shall be and the same are hereby repealed.

PREAMBLE.

Sections 1, 3, 4,
5, 6, and 8 of
1 Vict. No. 17
repealed.

II. AND BE IT ENACTED that no person shall after the First day of January next either for the purposes of the Act intituled *An Act to provide for the Attendance of Medical Witnesses at Inquests* or for any other purpose whatever be deemed a legally qualified Medical Practitioner unless such person shall have proved to the satisfaction of the President or any one Member of the Court of Examiners appointed or to be appointed under the authority of the said recited Act that he is a

Definition of a
legally qualified
Medical Practitioner.

Doctor of Medicine of some University or a Physician Surgeon or Apothecary licensed or admitted as such by some College of Physicians or Surgeons or by the Society of Apothecaries of London or Dublin or unless he shall have obtained after an examination publicly held before at least three Members of such Court of Examiners Letters Testimonial to practise as a Physician Surgeon and Apothecary and that any person who shall without such license or admission practise in any case either in his own name or in the name of any other person as a Physician Surgeon or Apothecary shall for every such offence forfeit and pay a penalty or sum not exceeding One Hundred Pounds—PROVIDED ALSO ALWAYS that every person who at the commencement of this Act shall be and have been continuously in practice in this Island as a Physician Surgeon or Apothecary from any period preceding the Twenty-seventh day of November One thousand eight hundred and thirty-five shall be admitted to an examination by the Principal Medical Officer of the Government if he shall apply for such examination before the First day of December next and that any Letters Testimonial which after such examination may be issued by such officer shall be as effectual in every respect as if they had been issued by the Board appointed by the Lieutenant-Governor under the said recited Act.

Penalty.

Exceptions.

Power of Court of Examiners as to Letters Testimonial.

III. AND BE IT ENACTED that from and after the First day of January next the power of the Court of Examiners shall cease and be determined as to the granting of Letters Testimonial save and except in the case of any applicant who has or shall have conformed to any course of education prescribed by the said Court or required in any of the recognized Medical Schools of the United Kingdom.

Court of Examiners may pass bye-laws.

IV. AND BE IT ENACTED that it shall be lawful for the Court of Examiners to pass bye-laws for regulating every branch of the practice of Medicine and Surgery in this Colony and the vending of Drugs and for determining the course of Education of candidates for Letters Testimonial—PROVIDED that such bye-laws shall be subject to the approbation of the Lieutenant-Governor and not be repugnant to any of the provisions of this Act.

Regulation as to pupils.

V. AND BE IT ENACTED that it shall be lawful for every legally qualified Medical Practitioner to receive as pupils any person not under the age of sixteen years who shall have received such a preliminary course of instruction as shall be declared by any bye-law to be passed by such Court to be sufficient.

No person to sell Drugs without a Licence.

VI. AND BE IT ENACTED that from and after the First day of January One thousand eight hundred and forty-one no person shall commence to vend Medicines or Drugs in this Island or its Dependencies without having obtained a Licence so to do after an examination before the President and two or more Members of the Board as to his knowledge of Pharmacy or producing his licence as an Apothecary from the Society of Apothecaries of London or Dublin and every person offending against this Section shall forfeit a penalty not exceeding Fifty Pounds.

VII. AND BE IT ENACTED that every penalty under this Act shall be recovered in a summary way before any two Justices of the Peace and be awarded levied and distributed and the party convicted be entitled to appeal in the manner respectively provided by the Act intituled *An Act to regulate Summary Proceedings before Justices of the Peace*. Form of Proceeding.
Appeal.

JOHN FRANKLIN.

Passed the Legislative Council this fifth day of October, one thousand eight hundred and forty,

RONALD C. GUNN, *Clerk of the Council*.