



BY AUTHORITY.

ANNO QUADRAGESIMO QUARTO VICTORIÆ REGINÆ.

CAP. XIX.

An Act relating to the Registration and Qualification of Physicians and Surgeons.

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| Sec. | Sec. |
| 1 Title of Act. | 23 Higher qualification than that registered may be added in addition. |
| 2 New Brunswick Medical Society, how constituted. | 24 & 25 Who may or may not recover charges for professional services. |
| 3 Medical Council, of whom composed. | 26 Definition of terms. |
| 4 Vacancy in Council, how filled. In case of neglect or refusal to fill up vacancy, vacancy how filled; Proviso. | 27 Qualification for appointment in the public service, &c. |
| 5 Council, how styled. [of. | 28 Validity of Physician's Certificate. |
| 6 Council to appoint Secretary, duty | 29 Penalty for practising contrary to provisions of Act. |
| 7 Secretary to be also Registrar. Compensation. | 30 Penalty, how recovered and applied. |
| 8 Registrar to publish annually a list of all names appearing on Register, copy of which, certified by President of Council, to be <i>prima facie</i> evidence in all Courts; Proviso. | 31 On trial, burden of proof to rest upon Defendant. |
| 9 Persons entering upon study of Physic, &c., to pass certain examinations. | 32 Registrar making false register; penalty. |
| 10 Candidates for examination to give notice to Registrar. | 33 Person procuring for himself a false register; penalty. |
| 11 Who may not practice Physic, &c. | 34 Person using a false name, title, &c. in register; penalty. |
| 12 What person shall not be entitled to have his name entered on Registry of Council; Proviso. | 35 Time within which suit must be commenced. |
| 13 Provisions of Sec. 12 not to apply to persons entitled to registry under Sec. 38 of this Act. | 36 When medical, &c. aid may be given by others than Registered Physicians, &c.; Proviso. |
| 14 Resident Students before 1st January, 1881, to produce certain credentials. | 37 Members of Council, term of office; Proviso. |
| 15 Powers and duties of Council. | 38 Persons claiming a register, to file a memorandum of their names, place of residence, &c. in Provincial Secretary's Office. |
| 16 Meeting of Council, how and by whom called; Proviso. Acts of Council, how decided. | 39 Physician, &c. in Her Majesty's Naval or Military Service may practice Physic. |
| 17 Moneys forming part of fund of Council, to whom paid, and how applied. | 40 Annual and other meeting of Council, where held. Duties of Council. |
| 18 Duties of Registrar; Proviso. | 41 Accounts of Council to be published annually, or laid before Provincial Secretary. |
| 19 Penalty for neglect to register. | 42 When vacancy occurs, Council to inform Governor in Council or Medical Society. |
| 20 Qualified person not to be refused registration; if refused, may appeal to Governor in Council. | 43 When Provincial Secretary shall call a meeting of Medical Society, notice to be given. What shall be done at such meeting. |
| 21 Registrar not to enter qualification on Register unless satisfied that person is entitled to it. Appeal from decision of Registrar, by whom decided. | 44 When non-resident practitioners may register. |
| 22 Forfeiture of right to registration. | 45 Cap. 93 of Consolidated Statutes repealed; Proviso. |

Passed 25th March, 1881.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. This Act may be cited as "The New Brunswick Medical Act, 1881."

2. All persons who are qualified to register under Section 38 of this Act, and who do register after the passing of this Act, shall constitute The New Brunswick Medical Society.

3. There shall be a Medical Council composed of nine legally qualified Medical Practitioners of not less than seven years standing, four of whom shall be nominated and appointed by the Governor in Council, and five by The New Brunswick Medical Society; of which Council any five shall constitute a quorum for the purpose of carrying out the provisions of this Act.

4. Every vacancy in such Council, whether caused by

death, resignation, removal from office, or otherwise, shall be filled up by the body or authority who shall have nominated and appointed the person causing such vacancy, with as little delay as possible, so that as far as practicable the Council shall always consist of nine members, four appointed by the Governor in Council and five by The New Brunswick Medical Society. In case of dissolution of such Society, or their neglect or refusal to fill up a vacancy, which they are empowered and directed by this Section to supply, within three months after such vacancy shall have been caused, the remaining members of the Medical Council shall nominate and appoint a properly qualified person to fill such vacancy, in the place and stead of The New Brunswick Medical Society. In case of a similar neglect or refusal on the part of the Governor in Council, the Medical Council shall exercise the like power; provided that no person shall be capable of being appointed to such Council who shall not have the qualifications prescribed in the last preceding Section for the first nine members of the Council.

5. The Medical Council shall be styled and named "The Council of Physicians and Surgeons of New Brunswick," in this Act called "The Council."

6. The Council, or a majority of the members comprising the same, shall appoint from time to time a regular Medical Practitioner, duly qualified under this Act, to act as Secretary of the Council, who shall attend the meetings of the Council, and keep a record of the proceedings of the same in a book or books to be provided by him for that purpose, together with all such matters and things as to the Council shall appertain.

7. The Secretary shall also be the Registrar of the Council, and shall be paid such salary out of the moneys to be received as hereinafter provided as the Council shall determine.

8. The Registrar of the Council shall, before the first day of May in every year, cause to be printed and published in the Royal Gazette of this Province, and in such other manner as the Council shall appoint, a correct register of the names in alphabetical order according to the surnames, with the respective residences (in the form set forth in the Schedule A to this Act, or to the like effect) and medical titles, diplomas and qualifications conferred by any College or body, with the dates thereof, of all persons appearing on the Register as existing on the first day of January in such year, and such Register shall be called the "Medical Register;" and a copy of such Register for the time being, purporting to be so printed and published as aforesaid, or a certificate signed by the President of the Council, and attested by the Registrar, with the Corporate Seal of the Council attached, shall be *prima facie* evidence in all Courts and before all Justices of the Peace and others, that the persons therein specified are registered and qualified according to the provisions of this Act; and the absence of the name of any person from such copy or the want of such certificate shall be *prima facie* evidence that such person is not registered according to the provisions of this Act; provided always, that in the case of any person whose name does not appear in any such copy, a certified copy under the hand of the Registrar of the Council of the entry of the name of such person on the Register shall be evidence that such person is registered under the provisions of this Act.

9. Hereafter no person shall begin or enter upon the study of Physic, Surgery, or Midwifery, for the purpose of qualify-