



BRITISH COLUMBIA
ANNO TRICESIMO
VICTORIÆ REGINÆ.

 NO. 31.

**An Ordinance respecting Practitioners in
 Medicine and Surgery.**

[2nd April, 1867.]

WHEREAS it is expedient that persons requiring Medical Aid should be enabled to distinguish qualified from unqualified practitioners;

Be it enacted by the Governor of British Columbia, with the advice and consent of the Legislative Council thereof, as follows:

I. It shall be lawful for the Governor from time to time to appoint a Registrar of Medical Practitioners within the said Colony.

II. It shall be lawful for the Governor as occasion shall require to direct the mode and manner in which the Medical Register hereinafter mentioned shall be kept by the said Registrar in such particulars as are not provided for by this Ordinance.

III. It shall be the duty of the said Registrar to keep the said Register correctly, and to erase the names of all registered persons who shall have died, and from time to time to make the necessary alterations in the addresses or qualifications of the persons registered under this Ordinance; and to enable the said Registrar duly to fulfil the duties imposed upon him, it shall be lawful for the said Registrar to write a letter to any registered person addressed to him according to his address on the Register, to enquire whether he has ceased to practise, or has changed his residence, and if no answer shall be returned to such letter within the period of three months from the recording of the letter, it shall be lawful to erase the name of such person from the Register; provided also that the same may be restored by direction of the Governor should he think fit to make an order to that effect or by fresh registration.

IV. Upon the application of any person being possessed of any diploma, license, or privilege to practise Medicine or Surgery, from any School, College, Society or Faculty of Medicine or Surgery, either in the United Kingdom, or in a Foreign Country, such School, College, Society, or Faculty requiring a compulsory course of study extending over not less than three years, such person shall on payment of a fee of Ten Dollars be entitled to be registered by the Medical Registrar on producing to such Registrar the document conferring or evidencing the qualification or each of the qualifications in respect whereof he may desire to be registered, and producing an affidavit made before a Magistrate, or other person qualified to receive solemn declarations, to the effect that he is the person named in such document of qualification, and that such document of qualification has been duly granted by a School, Society, or College requiring a course of study extending over a period of not less than three years; and that he has not lost the benefit of the same by reason of misconduct, and such register may be amended in respect of any qualification subsequently acquired by any registered person on production and proof of such fresh qualification, and on payment of an additional fee of Ten Dollars for the same. Provided, always, that nothing in this Ordinance shall be so construed as to prevent any one possessing a Diploma who is now practising in this Colony from continuing to practise as heretofore, and to use the distinction heretofore adopted.

V. The

Register open to public.

No legal remedy to Medical Practitioner unless registered, excepting Penalties.

Exempts H. M. Medical Officers.

Penalties payable on false pretence.

Preamble.

Power to Governor to appoint Registrar of Medical Practitioners.

Governor may provide for keeping a Medical Register.

Duties of Medical Registrar.

Penalty for non-compliance.

Who may be registered.

Application of fees.

Registration.

Non-compliance.

Medical Ordinance.

Register open to public.

V. The said Register shall be open for inspection by the Public free of charge, and also as from time to time altered, corrected, and revised by the said Registrar shall be published in the *Government Gazette* of the said Colony at least once in every year.

No legal remedy to Medical Practitioners unless registered, excepting Dentists.

VI. No person shall, after the 1st day of January, 1868, be entitled to recover any charge in any Court of Law for any Medical or Surgical advice, or for attendance, or for the performance of any operation, or for any medicine which he shall have both prescribed and supplied, unless he shall prove upon the trial that he has been registered under this Ordinance. Provided, however, that nothing in this Ordinance contained shall be held to apply to a Dentist or the practice of a Dentist.

Exempts H. M. Medical Officers.

VII. Nothing in this Ordinance contained shall be held to apply to any Medical Officer in Her Majesty's service on full pay, and on active service.

Inflicts penalty on false pretence.

VIII. Any person who shall wilfully and falsely pretend to be or take the name or Title of a Physician, Doctor of Medicine, Licentiate in Medicine and Surgery, Bachelor of Medicine, Surgeon, General Practitioner, or Apothecary, or any name, title, addition, or description implying that he is licensed and registered under this Ordinance, or that he is recognized by law as a Physician, or Surgeon, or Licentiate in Medicine and Surgery, or a Practitioner in Medicine or an Apothecary shall, upon a summary conviction for any such offence, pay a sum not exceeding One Hundred Dollars.

Falsification of Register a misdemeanor.

IX. Any Registrar who shall wilfully make or cause to be made any falsification in the said Register, shall be deemed guilty of a misdemeanor, and shall on conviction thereof be imprisoned for any term not exceeding Twelve Calendar Months.

Fraudulent representation a misdemeanor.

X. If any person shall wilfully procure or attempt to procure himself to be registered under this Ordinance, by making or producing or causing to be made or produced any false or fraudulent representation or declaration, either verbally or in writing, every such person so offending, and every person aiding and assisting him therein shall be deemed guilty of a misdemeanor, punishable by fine or imprisonment, and shall on conviction thereof be liable to imprisonment for any term not exceeding Twelve Calendar Months.

Penalty how imposed.

XI. Every fine or penalty imposed under the provisions of this Ordinance may be recovered with costs by way of summary conviction, and in default of payment by distress and sale of the goods and chattels of the offender, and in case of the insufficiency of such distress, by imprisonment of the offender for any term not exceeding Three Calendar Months, but no proceedings for the recovery of any such fine or penalty shall be commenced after the period of Six Months from time of the accruing of such fine or penalty; and in case of any summary conviction, no warrant of commitment upon a conviction shall be held to be invalid by reason of any defect therein, if it be therein alleged that the person offending has been convicted, and there be a good and valid conviction to sustain the same.

Application of fines, fees, &c.

XII. All fines, penalties, and fees imposed under the provisions of this Ordinance shall be payable to Her Majesty the Queen, Her Heirs and Successors, for the public uses of the said Colony, and in support of the Government thereof.

Interpretation clause

XIII. In the construction of this Ordinance the word "Governor" shall be held to mean the Governor of this Colony, or other the person for the time being lawfully administering the Government thereof.

Short Title.

XIV. This Ordinance may be cited for all purposes as "The Medical Ordinance, 1867."

Passed the Legislative Council the 1st day of April, A. D. 1867.

CHARLES GOOD,

ARTHUR N. BIRCH,

Clerk.

Presiding Member.

Assented to, in Her Majesty's name, this 2nd day of April, 1867.

FREDERICK SEYMOUR,

Governor.

NEW WESTMINSTER:

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