

AUSTRALIAN CAPITAL TERRITORY

Medical Practitioners Registration (Amendment) Ordinance 1987

No. 57 of 1987

I, THE ADMINISTRATOR of the Government of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 22 October 1987.

J. A. ROWLAND

Administrator

By His Excellency's Command,

JOHN BROWN

Minister of State for the Arts, Sport, the Environment,
Tourism and Territories

An Ordinance to amend the *Medical Practitioners Registration Ordinance 1930*

Short title

1. This Ordinance may be cited as the *Medical Practitioners Registration (Amendment) Ordinance 1987*.¹

Principal Ordinance

2. In this Ordinance, "Principal Ordinance" means the *Medical Practitioners Registration Ordinance 1930*.²

Payment of prescribed fees

3. Section 18 of the Principal Ordinance is amended by omitting "Capital Territory Health Commission" and substituting "Australian Capital Territory Health Authority".

(Ord. 61/87)—Cat. No.

Registration generally**4. Section 22 of the Principal Ordinance is amended:**

- (a) by omitting paragraph (1) (a) and substituting the following paragraphs:

“(a) if:

- (i) the person holds the approved qualification, or each approved qualification, referred to in an item in Part A of the Schedule; and
- (ii) that qualification, or each qualification, was obtained before 1 January 1987;

(aa) if:

- (i) the person holds a qualification, or qualifications recognised by the Australian Medical Council Incorporated for the purposes of this subparagraph and declared by the Minister, by notice published in the *Gazette*, to be an acceptable qualification or acceptable qualifications for those purposes; and
- (ii) the qualification, or one of the qualifications, was obtained on or after 1 January 1987;

(ab) if the person holds the approved qualification, or each approved qualification, referred to in an item in Part B of the Schedule;”;

- (b) by omitting from paragraph (1) (b) “he” and substituting “the person”;
- (c) by omitting from subparagraphs (1) (c) (i), (ii), (iii) and (iv) “he” and substituting “the person”;
- (d) by omitting from subsection (1A) “exercise his power to”;
- (e) by omitting from subsection (1A) “(1) (b) or (c)” and substituting “(1) (aa), (b) or (c)”;
- (f) by omitting from subsection (1B) all the words after “substantially” and substituting “equivalent to:
 - (a) the approved qualification, or each approved qualification, referred to in an item in Part A or Part B of the Schedule; or

- (b) a qualification or qualifications referred to in subparagraph (1) (aa) (i).”;
- (g) by omitting paragraph (3) (a) and substituting the following paragraph:
 - “(a) at the time at which the person applied for registration as a medical practitioner, he or she was entitled under subsection (1) to apply;”;
- (h) by inserting in paragraph (3) (b) “or she” after “he”;
- (j) by omitting from paragraphs (3) (c) and (d) “his” and substituting “the person’s”;
- (k) by inserting in paragraph (3) (d) “or her” after “him”;
- (l) by omitting from paragraphs (3) (e) and (f) “he” (wherever occurring) and substituting “the person”.

Recovery of fees for medical services

5. Section 39A of the Principal Ordinance is amended:

- (a) by omitting subsection (2) and substituting the following subsections:
 - “(2) A registered medical practitioner is not entitled to commence proceedings for the recovery of fees or remuneration for a medical service given to a person or a dependant of a person unless:
 - (a) an account for the fees or remuneration has been served on the person; and
 - (b) the account is unpaid:
 - (i) if the person has applied for a review of the account in accordance with subsection 39B (1)—at the end of the period of 1 month after the date on which a certificate under subsection 39B (2) was issued in relation to the account; or
 - (ii) in any other case—at the end of a period of 1 month after the date of service of the account.
 - “(2A) An account referred to in subsection (2) shall specify:
 - (a) the amount claimed;
 - (b) the nature of the relevant medical service;

- (c) the date or dates upon which the medical service was given; and
- (d) the name of the person for whom the service was given.

“(2B) Service of an account on a person for the purposes of this section may be effected only by delivering it to the person personally or by sending it by pre-paid post addressed to the person at the place of residence of the person last known to the medical practitioner issuing the account.”;

- (b) by omitting from subsection (3) “affect” and substituting “apply in relation to”; and
- (c) by omitting from subsection (3) all the words after “dependant of a person”.

Review of accounts for fees for medical services

6. Section 39B of the Principal Ordinance is amended:

- (a) by omitting from subsection (1) “6 months” and substituting “1 month”;
- (b) by omitting from subsection (1) “him” and substituting “the person”;
- (c) by omitting from subsection (2) “upon such an application” and substituting “within 3 months of receiving an application under subsection (1)”;
- (d) by omitting from paragraph (5) (b) “he” and substituting “the practitioner”;
- (e) by omitting from paragraph (5) (c) “he” and substituting “the registered medical practitioner”; and
- (f) by omitting from subsection (5A) “his” (wherever occurring) and substituting “the person’s”.

Schedule

7. The Schedule to the Principal Ordinance is amended:

- (a) by omitting from the heading to Part A “*and New Zealand*” and substituting “*before 1 January 1987*”;
- (b) by omitting from Part A items 11, 12 and 13;

- (c) by omitting from the heading to Part B “*and Ireland*” and substituting “*, Ireland and New Zealand*”;
 - (d) by omitting from Part B item 22; and
 - (e) by omitting from Part B items 24 to 29 (inclusive) and substituting the following items:
 - “24 Bachelor of Medicine and Bachelor of Surgery, University of Otago
 - 25 Bachelor of Medicine and Bachelor of Surgery, University of New Zealand
 - 26 Bachelor of Medicine and Bachelor of Surgery, University of Auckland”.
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NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 6 November 1987.
2. No. 13, 1930 as amended by No. 7, 1931; No. 23, 1933; No. 27, 1937; No. 2, 1939; No. 4, 1950; No. 9, 1954; No. 5, 1956; No. 13, 1958; No. 2, 1962; No. 3, 1963; No. 1, 1964; No. 19, 1966; Nos. 14 and 15, 1967; No. 21, 1969; No. 34, 1970; No. 44, 1973; No. 17, 1975; No. 40, 1976; No. 65, 1977; No. 43, 1978; No. 46, 1978; Nos. 26 and 38, 1979; No. 47, 1980; No. 48, 1981; Nos. 30 and 41, 1982; No. 13, 1984; No. 13, 1985.