

Regulations 1985 No. 14<sup>1</sup>

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## Medical Practitioners (Advertising) Regulations

I, NEAL BLEWETT, the Minister of State for Health, hereby make the following Regulations under the *Medical Practitioners Registration Ordinance 1930*.

Dated 17 June 1985.

NEAL BLEWETT  
Minister of State for Health

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### Citation

1. These Regulations may be cited as the Medical Practitioners (Advertising) Regulations.

### Interpretation

2. In these Regulations, unless the contrary intention appears—

“Act” means the *Health Insurance Act 1973*;

“medicare benefit” has the same meaning as in the Act;

“patient”, in relation to a registered medical practitioner, means a person to whom the practitioner has rendered a medical service;

“practice”, in relation to a registered medical practitioner, means his practice as a registered medical practitioner;

“registered qualifications”, in relation to a registered medical practitioner, means the qualifications particulars of which are entered in the Register pursuant to sub-section 23 (1) of the *Medical Practitioners Registration Ordinance 1930*.

### Particulars relating to practitioners

3. (1) In these Regulations, a reference to prescribed particulars in relation to a registered medical practitioner shall be read as a reference to any or all of the following particulars:

- (a) the practitioner's name;
- (b) the practitioner's registered qualifications;
- (c) words indicating that the practitioner is—
  - (i) a medical practitioner;
  - (ii) a general practitioner;
  - (iii) a family practitioner;
  - (iv) a family doctor; or

- (v) a specialist in the specialty in relation to which he has been recognized as a consultant physician or specialist in accordance with section 61 of the Act,

as the case may be;

- (d) the address of the premises from which the practitioner conducts his practice;
- (e) the practitioner's telephone number or numbers;
- (f) the hours during which the practitioner conducts his practice;
- (g) arrangements made for the provision of medical services to the practitioner's patients at times when he is not available;
- (h) the language or languages spoken fluently by the practitioner or a member of his staff;
- (j) the fees charged by the practitioner for his services;
- (k) the circumstances in which the practitioner will accept an assignment of a medicare benefit in payment of his fees in respect of his services;
- (l) the practitioner's appointment, if any, as a visiting practitioner or employee of a hospital in the Territory.

(2) A reference in paragraph (1) (k) to an assignment of a medicare benefit in relation to a registered medical practitioner shall be read as a reference to an assignment of a medicare benefit made pursuant to an agreement entered into by the practitioner in accordance with section 20A of the Act.

### **Professional stationery**

4. Prescribed particulars may appear on an appointment card, business card, letter head, memorandum or account form used in relation to the practice of a registered medical practitioner.

### **Telephone or business directory**

5. (1) Prescribed particulars may appear in an entry or advertisement in relation to a registered medical practitioner in a telephone directory or a business directory.

(2) Prescribed particulars appearing in a directory pursuant to sub-regulation (1) shall not appear in a size or style of type or lay-out that is prominent or distinctive when compared with other entries in the directory.

(3) The space occupied by an entry or advertisement referred to in sub-regulation (1), including any border or space surrounding the particulars appearing in the entry or advertisement, shall not exceed 2 columns of the directory in width nor 5 centimetres in length.

### **Notices**

6. (1) A notice bearing prescribed particulars in relation to a registered medical practitioner may be displayed—

- (a) in a pharmacy or public library, or on premises occupied by a consumer protection organization or used for the provision of health facilities; and

- (b) inside or on the outside of premises from which the practitioner conducts his practice.

(2) A notice displayed in a place referred to in paragraph (1) (a) shall not exceed 8 centimetres in width nor 8 centimetres in length.

- (3) A notice displayed in a place referred to in paragraph (1) (b)—

- (a) shall be rectangular in shape;
- (b) shall not exceed 75 centimetres in width nor 45 centimetres in length;
- (c) shall not contain lettering exceeding 6 centimetres in height; and
- (d) shall not be illuminated otherwise than by means of a single non-intermittent light.

### **Newspaper advertisements**

7. (1) Prescribed particulars in relation to a registered medical practitioner may appear in an advertisement in a newspaper.

(2) The space occupied by an advertisement referred to in sub-regulation (1), including any border or space surrounding the particulars appearing in the advertisement, shall not exceed 2 columns of the newspaper in width nor 5 centimetres in length.

### **Change of practice**

8. (1) Where a registered medical practitioner—

- (a) has commenced or intends to commence practice;
- (b) has resumed or intends to resume practice;
- (c) has bought or intends to buy a practice; or
- (d) has changed or intends to change the address from which he conducts his practice,

he may publish a notice in a newspaper and by means of a letter or circular, and may display a notice inside the premises from which he conducts his practice.

(2) A notice referred to in sub-regulation (1) may contain—

- (a) a statement of such of the facts referred to in paragraphs (1) (a) to (1) (d) (inclusive) as are applicable to the registered medical practitioner;
- (b) prescribed particulars in relation to the practitioner;
- (c) the address of the premises from which he intends to conduct his practice; and
- (d) where the practitioner has changed or intends to change the address from which he conducts his practice—the address of the premises from which he is or was conducting his practice before the change or proposed change of address.

(3) A notice referred to in sub-regulation (1) that is published in a newspaper—

- (a) shall not be published on more than 2 occasions, but may be published in more than one newspaper on each of those occasions; and

(b) shall not occupy a space exceeding 2 columns of the newspaper in width nor 5 centimetres in length.

(4) A letter or circular referred to in sub-regulation (1)—

(a) shall not be given to a person other than—

(i) a patient of the registered medical practitioner; or

(ii) another registered medical practitioner; and

(b) shall not exceed 21 centimetres in width nor 35 centimetres in length.

(5) A notice referred to in sub-regulation (1) that is displayed inside the premises from which the registered medical practitioner conducts his practice shall not exceed 21 centimetres in width nor 35 centimetres in length.

### **Bold type**

9. Except for the name of a registered medical practitioner, particulars or statements in relation to the practitioner appearing in a directory, notice, advertisement, letter or circular shall not be printed in bold type.

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### **NOTE**

1. Notified in the *Commonwealth of Australia Gazette* on 1 July 1985.