


ANNO VICESIMO PRIMO & VICESIMO SECUNDO

# VICTORIÆ REGINÆ.

**********************************************************

## CAP. XC.

## An Act to regulate the Qualifications of Practitioners in Medicine and Surgery.

[2d *August* 1858.]

WHEREAS it is expedient that Persons requiring Medical Aid should be enabled to distinguish qualified from unqualified Practitioners: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. This Act may for all Purposes be cited as "The Medical Act."

Commencement of Act.

II. This Act shall commence and take effect from the First Day of *October* One thousand eight hundred and fifty-eight.

Medical Council.

III. A Council which shall be styled "The General Council of Medical Education and Registration of the United Kingdom," hereinafter referred to as the General Council, shall be established, and Branch Councils for *England*, *Scotland*, and *Ireland* respectively formed thereout as herein-after mentioned.



IV. The

Members of Council.

IV. The General Council shall consist of One Person chosen from Time to Time by each of the following Bodies; (that is to say,)

The Royal College of Physicians:
The Royal College of Surgeons of *England*:
The Apothecaries Society of *London*:
The University of *Oxford*:
The University of *Cambridge*:
The University of *Durham*:
The University of *London*:
The College of Physicians of *Edinburgh*:
The College of Surgeons of *Edinburgh*:
The Faculty of Physicians and Surgeons of *Glasgow*

One Person chosen from Time to Time by the University *Edinburgh* and the Two Universities of *Aberdeen* collectively

One Person chosen from Time to Time by the University of *Glasgow* and the University of *Saint Andrew's* collectively:

One Person chosen from Time to Time by each of the following Bodies:

The King and Queen's College of Physicians in *Ireland*:
The Royal College of Surgeons in *Ireland*:
The Apothecaries Hall of *Ireland*:
The University of *Dublin*:
The Queen's University in *Ireland*:

And Six Persons to be nominated by Her Majesty with the Advice of Her Privy Council, Four of whom shall be appointed for *England*, One for *Scotland*, and One for *Ireland*; and of a President, to be elected by the General Council.

Provision in case the Universities of Glasgow, Aberdeen, and Saint Andrew's fail to appoint a Person to represent them.

V. If the said Universities of *Edinburgh* and *Aberdeen*, of *Glasgow* and *Saint Andrew's* respectively, shall not be able to agree upon some One Person to represent them in the Council, it shall be lawful for each One of the said Universities to select One Person; and thereupon it shall be lawful for Her Majesty, with the Advice of Her Privy Council, to appoint One of the Persons so selected to be a Member of the said Council for the said Universities.

Branches of the Council for England, Scotland, and Ireland.

VI. The Members chosen by the Medical Corporations and Universities of *England*, *Scotland*, and *Ireland* respectively, and the Members nominated by Her Majesty, with the Advice of Her Privy Council, for such Parts respectively of the United Kingdom, shall be the Branch Councils for such Parts respectively of the United Kingdom, to which Branch Councils shall be delegated such of the Powers and Duties

Duties vested in the Council as the Council may see fit other than the Power to make Representations to Her Majesty in Council as herein-after mentioned: The President shall be a Member of all the Branch Councils.

Qualification.

VII. Members of the General Council representing the Medical Corporations must be qualified to be registered under this Act.

Resignation or Death of Member of General Council.

VIII. The Members of the General Council shall be chosen and nominated for a Term not exceeding Five Years, and shall be capable of Re-appointment, and any Member may at any Time resign his Appointment by Letter addressed to the President of the said Council, and upon the Death or Resignation of any Member of the said Council, some other Person shall be constituted a Member of the said Council in his Place in manner herein-before provided; but it shall be lawful for the Council during such Vacancy to exercise the Powers herein-after mentioned.

Time and Place of Meeting of the General Council.

IX. The General Council shall hold their First Meeting within Three Months from the Commencement of this Act, in such Place and at such Time as One of Her Majesty's Principal Secretaries of State shall appoint, and shall make such Rules and Regulations as to the Times and Places of the Meetings of the General Council, and the Mode of summoning the same, as to them shall seem expedient, which Rules and Regulations shall remain in force until altered at any subsequent Meeting; and in the Absence of any Rule or Regulation as to the summoning a Meeting of the General Council, it shall be lawful for the President to summon a Meeting at such Time and Place as to him shall seem expedient by Letter addressed to each Member; and at every Meeting, in the Absence of the President, some other Member to be chosen from the Members present shall act as President; and all Acts of the General Council shall be decided by the Votes of the Majority of the Members present at any Meeting, the whole Number present not being less than Eight, and at all such Meetings the President for the Time being shall, in addition to his Vote as a Member of the Council, have a Casting Vote, in case of an Equality of Votes; and the General Council shall have Power to appoint an Executive Committee out of their own Body, of which the Quorum shall not be less than Three, and to delegate to such Committee such of the Powers and Duties vested in the Council as the Council may see fit, other than the Power of making Representations to Her Majesty in Council as herein-after mentioned.

Appointment of Registrars

X. The General Council shall appoint a Registrar, who shall act as Secretary of the General Council, and who may also act as Treasurer,

and other Officers.

Treasurer, unless the Council shall appoint another Person or other Persons as Treasurer or Treasurers; and the Person or Persons so appointed shall likewise act as Registrar for *England*, and as Secretary and Treasurer or Treasurers, as the Case may be, for the Branch Council for *England*; the General Council and Branch Council for *England* shall also appoint so many Clerks and Servants as shall be necessary for the Purposes of this Act; and every Person so appointed by any Council shall be removable at the Pleasure of that Council, and shall be paid such Salary as the Council by which he was appointed shall think fit.

Appointment of Registrars and other Officers by Branch Councils.

XI. The Branch Councils for *Scotland* and *Ireland* shall each respectively in like Manner appoint a Registrar and other Officers and Clerks, who shall be paid such Salaries as such Branch Councils respectively shall think fit, and be removable at the Pleasure of the Council by which they were appointed; and the Person appointed Registrar shall also act as Secretary to the Branch Council, and may also act as Treasurer, unless the Council shall appoint some other Person or Persons as Treasurer or Treasurers.

Fees for Attendance at Councils.

XII. There shall be paid to the Members of the Councils such Fees for Attendance and such reasonable Travelling Expenses as shall from Time to Time be allowed by the General Council and approved by the Commissioners of Her Majesty's Treasury.

Expenses of the Councils.

XIII. All Monies payable to the respective Councils shall be paid to the Treasurers of such Councils respectively, and shall be applied to defray the Expenses of carrying this Act into execution in manner following; that is to say, separate Accounts shall be kept of the Expenses of the General Council, and of those of the Branch Councils; and the Expenses of the General Council, including those of keeping, printing, and publishing the Register for the United Kingdom, shall be defrayed, under the Direction of the General Council, by means of an equal Per-centage Rate upon all Monies received by the several Branch Councils; Returns shall be made by the Treasurers of the respective Branch Councils, at such Times as the General Council shall direct, of all Monies received by them; and the necessary Per-centage having been computed by the General Council, the respective Contributions shall be paid by the Treasurers of such Branch Councils to the Treasurer or Treasurers of the General Council; and the Expenses of the Branch Councils shall be defrayed, under the Direction of those Councils respectively, out of the Residue of the Monies so received as aforesaid.

XIV. It

Duty of Registrar to keep the Register correct.

XIV. It shall be the Duty of the Registrars to keep their respective Registers correct in accordance with the Provisions of this Act, and the Orders and Regulations of the General Council, and to erase the Names of all registered Persons who shall have died, and shall from Time to Time make the necessary Alterations in the Addresses or Qualifications of the Persons registered under this Act; and to enable the respective Registrars duly to fulfil the Duties imposed upon them it shall be lawful for the Registrar to write a Letter to any registered Person, addressed to him according to his Address on the Register, to inquire 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 Six Months from the sending of the Letter it shall be lawful to erase the Name of such Person from the Register; provided always, that the same may be restored by Direction of the General Council should they think fit to make an Order to that Effect.

Registration of Persons now qualified, and of Persons hereafter becoming qualified.

XV. Every Person now possessed, and (subject to the Provisions herein-after contained) every Person hereafter becoming possessed, of any One or more of the Qualifications described in the Schedule (A.) to this Act, shall, on Payment of a Fee, not exceeding Two Pounds, in respect of Qualifications obtained before the First Day of *January* One thousand eight hundred and fifty-nine, and not exceeding Five Pounds in respect of Qualifications obtained on or after that Day, be entitled to be registered on producing to the Registrar of the Branch Council for *England*, *Scotland*, or *Ireland* the Document conferring or evidencing the Qualification or each of the Qualifications in respect whereof he seeks to be so registered, or upon transmitting by Post to such Registrar Information of his Name and Address, and Evidence of the Qualification or Qualifications in respect whereof he seeks to be registered, and of the Time or Times at which the same was or were respectively obtained: Provided always, that it shall be lawful for the several Colleges and other Bodies mentioned in the said Schedule (A.) to transmit from Time to Time to the said Registrar Lists certified under their respective Seals of the several Persons who, in respect of Qualifications granted by such Colleges and Bodies respectively, are for the Time being entitled to be registered under this Act, stating the respective Qualifications and Places of Residence of such Persons; and it shall be lawful for the Registrar thereupon, and upon Payment of such Fee as aforesaid in respect of each Person to be registered, to enter in the Register the Persons mentioned in such Lists, with their Qualifications and Places of Residence as therein dated, without other Application in relation thereto.

Council to make Orders for regulating Registers to be kept.

XVI. The General Council shall, with all convenient Speed after the passing of this Act, and from Time to Time as Occasion may require, make Orders for regulating the Registers to be kept under this Act as nearly as conveniently may be in accordance with the Form set forth in Schedule (D.) to this Act, or to the like Effect.

Persons practising in England before 1st August 1815 entitled to be registered.

XVII. Any Person who was actually practising Medicine in *England* before the First Day of *August* One thousand eight hundred and fifteen shall, on Payment of a Fee to be fixed by the General Council, be entitled to be registered on producing to the Registrar of the Branch Council for *England*, *Scotland*, or *Ireland* a Declaration according to the Form in the Schedule (B.) to this Act signed by him, or upon transmitting to such Registrar Information of his Name and Address, and enclosing such Declaration as aforesaid.

Council may require Information as to Course of Study, &c., required for obtaining Qualifications.

XVIII. The several Colleges and Bodies in the United Kingdom mentioned in Schedule (A.) to this Act shall from Time to Time, when required by the General Council, furnish such Council with such Information as they may require as to the Courses of Study and Examinations to be gone through in order to obtain the respective Qualifications mentioned in Schedule (A.) to this Act, and the Ages at which such Courses of Study and Examination are required to be gone through, and such Qualifications are conferred, and generally as to the Requisites for obtaining such Qualifications; and any Member or Members of the General Council, or any Person or Persons deputed for this Purpose by such Council, or by any Branch Council, may attend and be present at any such Examinations.

Colleges may unite in conducting Examinations.

XIX. Any Two or more of the Colleges and Bodies in the United Kingdom mentioned in Schedule (A.) to this Act may, with the Sanction and under the Directions of the General Council, unite or co-operate in conducting the Examinations required for Qualifications to be registered under this Act.

Defects in the Course of Study or Examinations may be represented by General Council to Privy Council.

XX. In case it appear to the General Council that the Course of Study and Examinations to be gone through in order to obtain any such Qualification from any such College or Body are not such as to secure the Possession by Persons obtaining such Qualification of the requisite Knowledge and Skill for the efficient Practice of their Profession, it shall be lawful for such General Council

Council to represent the same to Her Majesty's Most Honourable Privy Council.

Privy Council may suspend the Right of Registration in respect of Qualifications granted by College, &c. in default but may be revoked.

XXI. It shall be lawful for the Privy Council, upon any such Representation as aforesaid, if it see fit, to order that any Qualification granted by such College or Body, after such Time as may be mentioned in the Order, shall not confer any Right to be registered under this Act: Provided always, that it shall be lawful for Her Majesty, with the Advice of Her Privy Council, when it is made to appear to Her, upon further Representation from the General Council or otherwise, that such College or Body has made effectual Provision, to the Satisfaction of such General Council, for the Improvement of such Course of Study or Examinations, or the Mode of conducting such Examinations, to revoke any such Order.

Persons not to be registered in respect of Qualifications granted by the College Body before Revocation.

XXII. After the Time mentioned in this Behalf in any such Order in Council no Person shall be entitled to be registered under this Act in respect of any such Qualification as in such Order mentioned, granted by the College or Body to which such Order relates, after the Time therein mentioned, and the Revocation of any such Order shall not entitle any Person to be registered in respect of any Qualification granted before such Revocation.

Privy Council may prohibit Attempts to impose Restrictions as to any Theory of Medicine or Surgery by Bodies entitled to grant Certificates.

XXIII. In case it shall appear to the General Council that an Attempt has been made by any Body, entitled under this Act to grant Qualifications, to impose upon any Candidate offering himself for Examination an Obligation to adopt or refrain from adopting the Practice of any particular Theory of Medicine or Surgery, as a Test or Condition of admitting him to Examination or of granting a Certificate, it shall be lawful for the said Council to represent the same to Her Majesty's most Honourable Privy Council, and the said Privy Council may thereupon issue an Injunction to such Body so acting, directing them to desist from such Practice; and in the event of their not complying therewith, then to order that such Body shall cease to have the Power of conferring any Right to be registered under this Act so long as they shall continue such Practice.

As to the making and Authentication of Orders, &c.

XXIV. All Powers vested in the Privy Council by this Act may be exercised by any Three or more of the Lords and others of the Privy Council, the Vice-President of the Committee of the said Privy Council on Education being One of them; and all Orders and Acts of the Privy Council under this Act shall be sufficiently made and signified by a written or printed Document, signed by One of the Clerks of the Privy Council, or such Officer as may be appointed by

by the Privy Council in this Behalf; and all Orders and Acts made or signified by any written or printed Document purporting to be so signed shall be deemed to have been duly made, issued, and done by the Privy Council; and every such Document shall be received in Evidence in all Courts, and before all Justices and others, without Proof of the Authority or Signature of such Clerk or other Officer or other Proof whatsoever, until it be shown that such Document was not duly signed by the Authority of the Privy Council.

As to Registration by Branch Registrars.

XXV. Where any Person entitled to be registered under this Act applies to the Registrar of any of the said Branch Councils for that Purpose, such Registrar shall forthwith enter in a Local Register in the Form set forth in Schedule (D.) to this Act, or to the like Effect, to be kept by him for that Purpose, the Name and Place of Residence, and the Qualification or several Qualifications in respect of which the Person is so entitled, and the Date of the Registration, and shall, in the Case of the Registrar of the Branch Council for *Scotland* or *Ireland*, with all convenient Speed send to the Registrar of the General Council a Copy, certified under the Hand of the Registrar, of the Entry so made, and the Registrar of the General Council shall forthwith cause the same to be entered in the General Register; and such Registrar shall also forthwith cause all Entries made in the Local Register for *England* to be entered in the General Register; and the Entry on the General Register shall bear Date from the Local Register.

Evidence of Qualification to be given before Registration.

XXVI. No Qualification shall be entered on the Register, either on the First Registration or by way of Addition to a registered Name, unless the Registrar be satisfied by the proper Evidence that the Person claiming is entitled to it; and any Appeal from the Decision of the Registrar may be decided by the General Council, or by the Council for *England*, *Scotland*, or *Ireland* (as the Case may be); and any Entry which shall be proved to the Satisfaction of such General Council or Branch Council to have been fraudulently or incorrectly made may be erased from the Register by Order in Writing of such General Council or Branch Council.

Register to be published.

XXVII. The Registrar of the General Council shall in every Year cause to be printed, published, and sold, under the Direction of such Council, a correct Register of the Names in alphabetical Order according to the Surnames, with the respective Residences, in the Form set forth in Schedule (D.) to this Act, or to the like Effect, and Medical Titles, Diplomas, and Qualifications conferred by any Corporation

Corporation or University, or by Doctorate of the Archbishop of *Canterbury*, with the Dates thereof, of all Persons appearing on the General Register as existing on the First Day of *January* in every Year; and such Register shall be called "The Medical Register;" and a Copy of the Medical Register for the Time being, purporting to be so printed and published as aforesaid, shall be Evidence in all Courts and before all Justices of the Peace and others that the Persons therein specified are registered according to the Provisions of this Act; and the Absence of the Name of any Person from such Copy shall be Evidence, until the contrary be made to appear, 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 such Copy, a certified Copy, under the Hand of the Registrar of the General Council or of any Branch Council, of the Entry of the Name of such Person on the General or Local Register shall be Evidence that such Person is registered under the Provisions of this Act.

Names of Members struck off from List of College, &c. to be signified to General Council.

XXVIII. If any of the said Colleges or the said Bodies at any Time exercise any Power they possess by Law of striking off from the List of such College or Body the Name of any One of their Members, such College or Body shall signify to the General Council the Name of the Member so struck off; and the General Council may, if they see fit, direct the Registrar to erase forthwith from the Register the Qualification derived from such College or Body in respect of which such Member was registered, and the Registrar shall note the same therein: Provided always, that the Name of no Person shall be erased from the Register on the Ground of his having adopted any Theory of Medicine or Surgery.

Medical Practitioners convicted of Felony may be struck off the Register.

XXIX. If any registered Medical Practitioner shall be convicted in *England* or *Ireland* of any Felony or Misdemeanor, or in *Scotland* of any Crime or Offence, or shall after due Inquiry be judged by the General Council to have been guilty of infamous Conduct in any professional Respect, the General Council may, if they see fit, direct the Registrar to erase the Name of such Medical Practitioner from the Register.

Registered Persons may have subsequent Qualifications inserted in the Register.

XXX. Every Person registered under this Act who may have obtained any higher Degree or any Qualification other than the Qualification in respect of which he may have been registered, shall be entitled to have such higher Degree or additional Qualification inserted in the Register in substitution for or in addition to the Qualification previously registered, on Payment of such Fee as the Council may appoint.



XXXI. Every

Privileges of registered Persons.

XXXI. Every Person registered under this Act shall be entitled according to his Qualification or Qualifications to practise Medicine or Surgery, or Medicine and Surgery, as the Case may be, in any Part of Her Majesty's Dominions, and to demand and recover in any Court of Law, with full Costs of Suit, reasonable Charges for professional Aid, Advice, and Visits, and the Cost of any Medicines or other Medical or Surgical Appliances rendered or supplied by him to his Patients: Provided always, that it shall be lawful for any College of Physicians to pass a Byelaw to the effect that no one of their Fellows or Members shall be entitled to sue in manner aforesaid in any Court of Law, and thereupon such Byelaw may be pleaded in bar to any Action for the Purposes aforesaid commenced by any Fellow or Member of such College.

None but registered Persons to recover Charges.

XXXII. After the First Day of *January* One thousand eight hundred and fifty-nine, no Person shall be entitled to recover any Charge in any Court of Law for any Medical or Surgical Advice, 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 is registered under this Act.

Poor Law Medical Officers not disqualified if registered within Six Months of passing of Act.

XXXIII. Provided also, That no Person who on the First of *October* One thousand eight hundred and fifty-eight shall be acting as Medical Officer under an Order of the Poor Law Commissioners or Poor Law Board shall be disqualified to hold such Office by reason of his not being registered as herein required, unless he shall have failed to be registered within Six Months from the passing of this Act.

Meaning of Terms "legally qualified Medical Practitioner," &c.

XXXIV. After the First Day of *January* One thousand eight hundred and fifty-nine, the Word "legally qualified Medical Practitioner" or "duly qualified Medical Practitioner," or any Words importing a Person recognized by Law as a Medical Practitioner or Member of the Medical Profession, when used in any Act of Parliament, shall be construed to mean a Person registered under this Act.

Registered Persons exempted from serving on Juries, &c.

XXXV. Every Person who shall be registered under the Provisions of this Act shall be exempt, if he shall so desire, from serving on all Juries and Inquests whatsoever, and from serving all corporate, parochial, Ward, Hundred, and Township Offices, and from serving in the Militia, and the Name of such Person shall not be returned in any List of Persons liable to serve in the Militia, or in any such Office as aforesaid.

XXXVI. After

Unregistered Persons not to hold certain Appointments.

XXXVI. After the First Day of *January* One thousand eight hundred and fifty-nine, no Person shall hold any Appointment as a Physician, Surgeon, or other Medical Officer either in the Military or Naval Service, or in Emigrant or other Vessels, or in any Hospital, Infirmary, Dispensary, or Lying-in Hospital, not supported wholly by voluntary Contributions, or in any Lunatic Asylum, Gaol, Penitentiary, House of Correction, House of Industry, Parochial or Union Workhouse or Poorhouse, Parish Union, or other public Establishment, Body, or Institution, or to any Friendly or other Society for affording mutual Relief in Sickness, Infirmity, or old Age, or as a Medical Officer of Health, unless he be registered under this Act: Provided always, that nothing in this Act contained shall extend to repeal or alter any of the Provisions of the Passengers Act, 1855.

No Certificate to be valid unless Person signing be registered.

XXXVII. After the First Day of *January* One thousand eight hundred and fifty-nine, no Certificate required by any Act now in force, or that may hereafter be passed from any Physician, Surgeon, Licentiate in Medicine and Surgery, or other Medical Practitioner, shall be valid unless the Person signing the same be registered under this Act.

Penalty on wilful Falsification of Register.

XXXVIII. Any Registrar who shall wilfully make or cause to be made any Falsification in any Matters relating to the Register shall be deemed guilty of a Misdemeanor in *England* or *Ireland*, and in *Scotland* of a Crime or Offence punishable by Fine or Imprisonment, and shall, on Conviction thereof, be imprisoned for any Term not exceeding Twelve Months.

Penalty for obtaining Registration by false Representations.

XXXIX. If any Person shall wilfully procure or attempt to procure himself to be registered under this Act, 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 in *England* and *Ireland*, and in *Scotland* of a Crime or Offence punishable by Fine or Imprisonment, and shall, on Conviction thereof, be sentenced to be imprisoned for any Term not exceeding Twelve Months.

Penalty for falsely pretending to be a registered Person.

XL. Any Person who shall wilfully and falsely pretend to be or take or use 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 registered under this Act, or that he is recognized by Law as a Physician, or Surgeon, or Licentiate in Medicine

dicine and Surgery, or a Practitioner in Medicine, or an Apothecary, shall, upon a summary Conviction for any such Offence, pay a Sum not exceeding Twenty Pounds.

Recovery of Penalties.

XLI. Any Penalty to which under this Act any Person is liable on summary Conviction of any Offence may be recovered as follows; (that is to say,) in *England*, in manner directed by the Act of the Session holden in the Eleventh and Twelfth Years of Her Majesty, Chapter Forty-three, and in *Ireland* in manner directed by "The Petty Sessions (*Ireland*) Act, 1851," or any other Act for the Time being in force in *England* and *Ireland* respectively for the like Purposes; and any such Penalty may in *Scotland* be recovered by the Procurator Fiscal of the County, or by any other Person before the Sheriff or Two Justices, who may proceed in a summary Way and grant Warrant for bringing the Party complained against before him or them, or issue an Order requiring such Party to appear on a Day and at a Time and Place to be named in such Order, and every such Order shall be served on the Party by delivering to him in Person or by leaving at his usual Place of Abode a Copy of such Order and of the Complaint whereupon the same has proceeded, and upon the Appearance or Default to appear of the Party, it shall be lawful for the Sheriff or Justices to proceed to the hearing of the Complaint, and upon Proof on Oath or Confession of the Offence, the Sheriff or Justices shall without any written Pleadings or Record of Evidence commit the Offender and decern him to pay the Penalty named as well as such Expenses as the Sheriff or Justices shall think fit, and failing Payment shall grant Warrant for Recovery thereof by Poinding and Imprisonment, such Imprisonment to be for such Period as the Discretion of the Sheriff or Justices may direct, not exceeding Three Calendar Months, and to cease on Payment of the Penalty and Expenses.

Application of Penalties.

XLII. Any Sum or Sums of Money arising from Conviction and Recovery of Penalties as aforesaid shall be paid to the Treasurer of the General Council.

Application of Monies received by Treasurer.

XLIII. All Monies received by any Treasurer arising from Fees to be paid on Registration, from the Sale of Registers, from Penalties, or otherwise, shall be applied for Expenses of Registration and of the Execution of this Act.

Accounts to be published.

XLIV. The Treasurers of the General and Branch Councils shall enter in Books to be kept for that Purpose a true Account of all Sums of Money by them received and paid, and such Accounts shall be submitted by them to the respective General Council and Branch Councils at such Times as the Councils shall require; and the said Accounts

Accounts shall be published annually, and such Accounts shall be laid before both Houses in the Month of *March* in every Year, if Parliament be sitting, or, if Parliament be not sitting, then within One Month after the next Meeting of Parliament.

Notice of Death of Medical Practitioners to be given by Registrars.

XLV. Every Registrar of Deaths in the United Kingdom on receiving Notice of the Death of any Medical Practitioner shall forthwith transmit by Post to the Registrar of the General Council and to the Registrar of the Branch Council a Certificate under his own Hand of such Death, with the Particulars of Time and Place of Death, and may charge the Cost of such Certificate and Transmission as an Expense of his Office, and on the Receipt of such Certificate the Medical Registrar shall erase the Name of such deceased Medical Practitioner from the Register.

Provision for Persons practising in the Colonies and elsewhere, and for Students.

XLVI. It shall be lawful for the General Council by Special Orders to dispense with such Provisions of this Act or with such Part of any Regulations made by its Authority as to them shall seem fit, in favour of Persons now practising Medicine or Surgery in any Part of Her Majesty's Dominions other than *Great Britain* and *Ireland* by virtue of any of the Qualifications described in Schedule (A.); and also in favour of Persons practising Medicine or Surgery within the United Kingdom on foreign or colonial Diplomas or Degrees before the passing of this Act; and also in favour of any Persons who have held Appointments as Surgeons or Assistant Surgeons in the Army, Navy, or Militia, or in the Service of the *East India* Company, or are acting as Surgeons in the public Service, or in the Service of any Charitable Institutions, and also, so far as to the Council shall seem expedient, in favour of Medical Students who shall have commenced their professional Studies before the passing of this Act.

New Charter may be granted to the College of Physicians of London.

XLVII. It shall be lawful for Her Majesty to grant to the Corporation of the Royal College of Physicians of *London* a new Charter, and thereby to give to such Corporation the Name of "The Royal College of Physicians of *England*," and to make such Alterations in the Constitution of the same Corporation as to Her Majesty may seem expedient; and it shall be lawful for the said Corporation to accept such Charter under their Common Seal, and such Acceptance shall operate as a Surrender of all Charters heretofore granted to the said Corporation, except the Charter granted by King *Henry* the Eighth, and shall also operate as a Surrender of such Charter and of any Rights, Powers, or Privileges conferred by or enjoyed under an Act of the Session holden in the Fourteenth and Fifteenth Years of King *Henry* the Eighth, Chapter Five, confirming the same, as far

far as such Charter and Act respectively may be inconsistent with such new Charter: Provided nevertheless, that within Twelve Months after the granting of such Charter to the College of Physicians of *London*, any Fellow, Member, or Licentiate of the Royal College of Physicians of *Edinburgh*, or of the Queen's College of Physicians of *Ireland*, who may be in practice as a Physician in any Part of the United Kingdom called *England*, and who may be desirous of becoming a Member of such College of Physicians of *England*, shall be at liberty to do so, and be entitled to receive the Diploma of the said College, and to be admitted to all the Rights and Privileges thereunto appertaining, on the Payment of a Registration Fee of Two Pounds to the said College.

Her Majesty may grant Power to College of Surgeons to institute Examinations, &c. for Dentists.

XLVIII. It shall, notwithstanding anything herein contained, be lawful for Her Majesty, by Charter, to grant to the Royal College of Surgeons of *England* Power to institute and hold Examinations for the Purpose of testing the Fitness of Persons to practise as Dentists who may be desirous of being so examined, and to grant Certificates of such Fitness.

New Charter may be granted to College of Physicians of Edinburgh.

XLIX. It shall be lawful for Her Majesty to grant to the Corporation of the Royal College of Physicians of *Edinburgh* a new Charter, and thereby to give to the said College of Physicians the Name of "The Royal College of Physicians of *Scotland*," and it shall be lawful for the said Royal College of Physicians, under their Common Seal, to accept such new Charter, and such Acceptance shall operate as a Surrender of all Charters heretofore granted to the said Corporation.

The Faculty at Glasgow may be amalgamated.

L. If at any future Period the Royal College of Surgeons of *Edinburgh* and Faculty of Physicians and Surgeons of *Glasgow* agree to amalgamate, so as to form One united Corporation, under the Name of "The Royal College of Surgeons of *Scotland*," it shall be lawful for Her Majesty to grant, and for such College and Faculty under their respective Common Seals to accept, such new Charter or Charters as may be necessary for effecting such Union, and such Acceptance shall operate as a Surrender of all Charters heretofore granted to such College and Faculty; and in the event of such Union it shall be competent for the said College and Faculty to make such Arrangements as to the Time and Place of their Examinations as they may agree upon, these Arrangements being in conformity with the Provisions of this Act, and subject to the Approval of the General Council.

New Charter may be granted to

LI. It shall be lawful for Her Majesty to grant to the Corporation of the King and Queen's College of Physicians in *Ireland* a new

new Charter, and thereby to give to such Corporation the Name of "The Royal College of Physicians of *Ireland*," and to make such Alterations in the Constitution of the said Corporation as to Her Majesty may seem expedient; and it shall be lawful for the said Corporation to accept such Charter under their Common Seal, and such Acceptance shall operate as a Surrender of the Charter granted by King *William* and Queen *Mary*, so far as it may be inconsistent with such new Charter.

the King and Queen's College of Physicians in Ireland.

LII. Provided always, That nothing herein contained shall extend to authorize Her Majesty to create any new Restriction in the Practice of Medicine or Surgery, or to grant to any of the said Corporations any Powers or Privileges contrary to the Common Law of the Land or to the Provisions of this Act, and that no such new Charter shall in anywise prejudice, affect, or annul any of the existing Statutes or Byelaws of the Corporations to which the same shall be granted, further than shall be necessary for giving full Effect to the Alterations which shall be intended to be effected by such new Charters and by this Act in the Constitution of such Corporation.

Charters not to contain new Restrictions in the Practice of Medicine or Surgery.

LIII. The Enactments and Provisions of the University of *London* Medical Graduates Act, 1854, shall be deemed and construed to have applied and shall apply to the University of *London* for the Time being, notwithstanding the Surrender or Determination of the therein-recited Charter, and the granting or Acceptance of the now existing Charter of the University of *London*, or the future Determination of the present or any future Charter of the said University, and the granting of any new Charter to the said University; and that every Bachelor of Medicine and Doctor of Medicine of the University of *London* for the Time being shall be deemed to have been and to be entitled and shall be entitled to the Privileges conferred by the said Act, in the same Manner and to the same Extent as if the Charter recited in the said Act remained in force, subject nevertheless to the Provisions of this Act.

Provisions of 17 & 18 Vict. c. 114. as to University of London to continue in force.

LIV. The General Council shall cause to be published under their Direction a Book containing a List of Medicines and Compounds, and the Manner of preparing them, together with the true Weights and Measures by which they are to be prepared and mixed, and containing such other Matter and Things relating thereto as the General Council shall think fit, to be called "British Pharmacopœia;" and the General Council shall cause to be altered, amended, and republished such Pharmacopœia as often as they shall deem it necessary.

British Pharmacopœia to be published.

LV. Nothing

*Medical Practitioners.*

Chemists, &c. not to be affected.

LV. Nothing in this Act contained shall extend or be construed to extend to prejudice or in any way to affect the lawful Occupation, Trade, or Business of Chemists and Druggists and Dentists, or the Rights, Privileges, or Employment of duly licensed Apothecaries in *Ireland*, so far as the same extend to selling, compounding, or dispensing Medicines.

## SCHEDULE (A.)

1. Fellow, Licentiate, or Extra Licentiate of the Royal College of Physicians of London.
2. Fellow or Licentiate of the Royal College of Physicians of Edinburgh.
3. Fellow or Licentiate of the King's and Queen's College of Physicians of Ireland.
4. Fellow or Member or Licentiate in Midwifery of the Royal College of Surgeons of England.
5. Fellow or Licentiate of the Royal College of Surgeons of Edinburgh.
6. Fellow or Licentiate of the Faculty of Physicians and Surgeons of Glasgow.
7. Fellow or Licentiate of the Royal College of Surgeons in Ireland.
8. Licentiate of the Society of Apothecaries, London.
9. Licentiate of the Apothecaries Hall, Dublin.
10. Doctor, or Bachelor, or Licentiate of Medicine, or Master in Surgery of any University of the United Kingdom; or Doctor of Medicine by Doctorate granted prior to passing of this Act by the Archbishop of Canterbury.
11. Doctor of Medicine of any Foreign or Colonial University or College, practising as a Physician in the United Kingdom before the First Day of October 1858, who shall produce Certificates to the Satisfaction of the Council of his having taken his Degree of Doctor of Medicine after regular Examination, or who shall satisfy the Council, under Section Forty-five of this Act, that there is sufficient Reason for admitting him to be registered.

## SCHEDULE (B.)

DECLARATION required of a Person who claims to be registered as a Medical Practitioner, upon the Ground that he was in practice as a Medical Practitioner in England or Wales before the First Day of August 1815:

To the Registrar of the Medical Council.

I, residing at in the County of hereby declare that I was practising as a Medical Practitioner at in the County of before the First Day of August 1815.

(Signed) [*Name.*]

Dated this Day of 185 .

## SCHEDULE (D.)

| Name. | Residence. | Qualification. | Title. |
|---|---|---|---|
| A.B. - | London - - | Fellow of the Royal College of Physicians of | |
| C.D. - | Edinburgh - | Fellow and Member of the Royal College of Surgeons of | |
| E.F. - | Dublin - | Graduate in Medicine of University of | |
| G.H. - | Bristol - - | Licentiate of the Society of Apothecaries. | |
| I.K. - | London - - | Member of College of Surgeons and Licentiate of the Society of Apothecaries. | |

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1858.