

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives.

17th August, 1920.

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Hon. Mr. Parr.

MASSEURS REGISTRATION.

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A BILL INTITULED

AN ACT to provide for the Registration of Masseurs.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Masseurs Registration Act, 1920, and shall commence on the first day of January, nineteen hundred and *twenty-one*.
2. In this Act—
- 10 “Masseur” includes a masseuse :  
“Registrar” means the Inspector-General of Hospitals.
3. (1.) For the purposes of this Act there shall be appointed a Board to be called the Masseurs Registration Board.
- 15 (2.) The Masseurs Registration Board shall consist of—  
(a.) The Registrar ;  
(b.) A person engaged in the practice of massage in New Zealand ; and  
(c.) A registered medical practitioner.
- 20 (3.) The members of the Masseurs Registration Board other than the Registrar shall be appointed by the Governor-General for a period of three years, save that any such member may be reappointed or may be at any time removed from office by the Governor-General for disability, insolvency, neglect of duty, or misconduct, or may at any time resign his office by writing addressed to the Registrar.

Short Title and commencement.

Interpretation.

Masseurs Registration Board.

(4.) The members of the Board other than the Registrar shall be paid such allowances as may be lawfully appointed and all travelling-expenses reasonably incurred by them in respect of their attendance at meetings of the Board.

(5.) In the absence of the Registrar from any meeting of the Board, any registered medical practitioner, being an officer of the Public Health Department, may be appointed by the Registrar to act as his deputy, and while so acting shall, for the purposes of this Act, have all the powers of the Registrar. 5

Meetings of Board.

4. (1.) The Registrar shall be the Chairman of the Masseurs Registration Board. 10

(2.) Meetings of the Board shall be held at such times and places as the Board or the Chairman may appoint.

(3.) The Board may regulate its procedure in such manner as it thinks fit. 15

Register of Masseurs.

5. The Registrar shall keep in his office a book to be called the Register of Masseurs, in which shall be entered the names of all persons registered as masseurs under this Act, together with such other particulars in relation thereto as may from time to time be prescribed. 20

Qualifications required by applicants for registration.

6. (1.) Every person, on payment of the prescribed fee, is entitled to be registered as a masseur under this Act who satisfies the Masseurs Registration Board that *he is of good character and repute, and that—*

(a.) He is competent to perform the duties of a masseur 25

provided that if any applicant for registration has been actively engaged, whether on his own account or otherwise, in the practice of massage in New Zealand for not less than three years during the five years immediately preceding the commencement of this Act such applicant shall be deemed competent within this subsection and shall be ~~ipso facto admitted to registration provided that he bears a good character~~ *for the purposes of this section be deemed competent to perform the duties of a masseur; or* 30

(b.) He has received satisfactory training as a masseur and is 35

the holder of a certificate as a masseur granted after an examination in both theoretical and practical massage (including medical electricity, remedial exercises, and other branches of physio-therapy) and recognized by the Registrar pursuant to regulations in that behalf as a sufficient certificate for the purposes of this Act; or 40

(c.) He has passed an examination under this Act in both theoretical and practical massage after a course of—

(i.) Not less than six months' instruction in anatomy and physiology and theoretical massage (including medical electricity, remedial exercises, and other branches of physio-therapy) at a school for massage recognized for the purposes of this Act pursuant to regulations in that behalf; and 45

(ii.) Not less than six months' training in practical massage (including medical electricity, remedial exercises, and other branches of physio-therapy) at a public hospital or other institution approved for the purposes of this Act 50

pursuant to regulations in that behalf (in the case of persons registered under the Nurses Registration Act 1908), or not less than twelve months' such training in any other case.

5 (2.) No person shall be registered as a masseur under paragraph (a) of the *last preceding* subsection unless application for registration is made within *two* years after the commencement of this Act.

10 (3.) Every person who, within the five years immediately preceding the commencement of this Act, has been engaged in New Zealand in the practice of massage, shall, for the purposes of paragraph (a) of subsection *one* of this section, be entitled to count as part of the period of his practice in New Zealand any period during which he was engaged in the practice of massage with any portion of His Majesty's naval or military forces in connection with  
15 the war with Germany.

7. Every person registered as a masseur under this Act shall, on payment of the prescribed fee, be entitled to receive a certificate of registration under the hand of the Registrar.

Certificates of registration.

20 8. Every person who makes any false or fraudulent representation or produces to the Masseurs Registration Board or the Registrar any false certificate or testimonial for the purpose of securing his registration under this Act commits an offence and is liable to a fine not exceeding *fifty* pounds.

Penalty for wrongfully procuring registration.

25 9. The Masseurs Registration Board shall cause to be removed from the register the name of every registered masseur who has been registered in error, or who is convicted of any offence punishable by imprisonment and dishonouring him in the public estimation, or who has been guilty of such improper conduct as renders him in the opinion of the Board unfit to be registered under this Act.

Cancellation of registration.

30 10. (1.) Every person aggrieved by the refusal of the Masseurs Registration Board to enter his name in the register or by the removal of his name from the register may, within three months after notice of such refusal or removal has been communicated to him by the Registrar, appeal in the prescribed manner to a Board of Appeal, consisting of a Magistrate and two assessors, appointed  
35 in accordance with regulations under this Act.

Appeals from decisions of Registrar.

(2.) The Board of Appeal shall thereupon hear such appeal, and may either confirm the decision of the Masseurs Registration Board or order the registration of the appellant or the restoration of  
40 his name to the register, and the determination of the Board of Appeal shall be final and conclusive.

11. (1.) The Registrar shall, in the month of April in every year, cause a copy of the register, corrected to the thirty-first day of March then last past, to be published in the *Gazette*.

Copy of register to be gazetted.

45 (2.) The *Gazette* containing any such copy shall, unless the contrary is proved, be sufficient evidence in all judicial proceedings that, on the thirty-first day of March immediately preceding the date of the *Gazette*, every person whose name appears therein as a registered masseur was duly registered as such and that no person  
50 was so registered whose name does not appear therein as a registered masseur.

*Gazette* to be evidence of registration.

Offence of misleading public by person who is not a registered masseur.

12. Every person commits an offence and is liable to a fine not exceeding *twenty* pounds who, not being registered under this Act, *describes himself as a masseur or massage expert or who* uses or causes to be used in connection with his business, profession, or calling any written words, initials, or abbreviations of words intended or likely to cause any person to believe that he is registered under this Act. 5

*New.*

Unregistered masseurs not entitled to recover fees for services.

12A. No person other than a person registered under this Act, or a medical practitioner, shall be entitled to recover any fee or charge in any Court of law for massage operations or advice. 10

Application of fees, &c.

13. All fees and other moneys paid under this Act shall be paid into the Public Account, and shall form part of the Consolidated Fund, and all expenses incurred in respect of the administration of this Act shall be paid out of moneys to be from time to time appropriated by Parliament for the purpose. 15

Unregistered persons not to be employed as masseurs in hospitals after two years from commencement of Act. Regulations.

14. After the expiration of two years from the commencement of this Act no person shall be employed or shall continue to be employed as a masseur in any public hospital or other public institution unless he is registered as a masseur under this Act. 20

15. The Governor-General may from time to time, by Order in Council gazetted, make regulations—

- (a.) Prescribing forms of application for and certificates of registration under this Act;
- (b.) Prescribing the fees payable in respect of examination and of registration under this Act, not exceeding *two* pounds in any case; and also prescribing fees for the issue of certificates of registration, not exceeding *one* pound;
- (c.) Prescribing courses of instruction and examination in both practical and theoretical massage for the purposes of this Act, or recognizing for such purposes examinations conducted by any University or other institution or person;
- (d.) Prescribing the form of the register to be kept and the particulars to be entered therein;
- (e.) Providing for the appointment of assessors and the conduct of appeals under section *ten* hereof; and
- (f.) Generally providing for such other matters as, in the opinion of the Governor-General in Council, are necessary or expedient for the effective administration of this Act. 40