

Veterinary Surgeons (Amendment) Bill

NOTES ON CLAUSES

Clause 1 contains the usual citation and commencement provisions.

Clause 2 amends section 1 of the Principal Act by inserting a new entry in the list of Parts.

Clause 3 inserts section 6A in the Principal Act. The new section authorizes the payment to members of the Veterinary Board of Victoria of such fees and travelling expenses as are fixed by the Governor in Council.

Clause 4 amends section 15 of the Principal Act by making some procedural amendments and inserting two new sub-sections.

The proposed new sub-section (4) prohibits any person who is not a registered veterinary surgeon from using a title or a description which consists of the word "veterinary" and any other word or words except with the written approval of the Veterinary Board of Victoria. The aim is to prevent lay people from adopting titles such as veterinary dentist, veterinary attendant and so on.

The proposed new sub-section (5) allows the Board to withdraw approval if it thinks fit.

Clause 5 inserts section 15A in the Principal Act.

The proposed new sub-section (1) prohibits any body corporate or unincorporate from providing a veterinary service, except a body recognized under the provisions of the proposed new section. A maximum penalty of \$1000 is provided. The prohibition will not affect partnerships.

Proposed new sub-section (2) allows the Governor in Council to declare any body corporate or unincorporate to be a recognized body, providing that the principal object of the body is the promotion of the welfare of animals.

Proposed new sub-section (3) provides that the Veterinary School of the University of Melbourne is to be deemed to be a recognized body.

Proposed new sub-section (4) provides for applications for recognition to be made in writing to the Veterinary Board of Victoria.

Proposed new sub-section (5) provides that before making a recommendation to the Governor in Council, the Board is to notify the public by means of a notice published in the *Government Gazette*, inviting any interested person to make a written submission to the Board within 28 days.

Proposed new sub-section (6) requires the Order in Council to specify the address at which the body may provide veterinary services and the name under which that body may provide those services. The Order in Council may also prescribe the requirements relating to advertising in relation to veterinary services and, by like order, may be amended, varied or revoked.

Proposed new sub-section (7) provides that veterinary services are to be provided only by registered veterinary surgeons.

Proposed new sub-section (8) defines "veterinary service".

Clause 6 is a consequential amendment which authorizes recognized bodies to recover fees in a court of law.

Clause 7 amends section 19A (4) (b) of the Principal Act so as to allow the penalty fee for late applications for renewal to be prescribed by Regulations. At the present time this fee is specified in the Act although the initial registration fee and the annual renewal fee are both prescribed in Regulations.

Clause 8 inserts a new Part after Part II., consisting of seven new sections, which relate to the registration of specialists.

Proposed new section 24A provides for the appointment by the Governor in Council of a Veterinary Specialists Qualification Committee consisting of three persons as follows:

1. President of the Veterinary Board of Victoria;
2. A member of the Veterinary Board of Victoria; and
3. A person appointed from a panel of three names submitted by the Victorian Division of the Australian Veterinary Association.

The Committee is authorized to co-opt the services of not more than two persons practising in a special branch of veterinary science. Provision is made for the Governor in Council to proceed with an appointment if a panel of names is not received within 28 days of the request being made by the Minister. Members of the Committee are to hold office for not more than three years and the Governor in Council may at any time remove a member of the Committee.

Proposed new section 24B provides for the appointment of qualified persons for the unexpired portion of a term of office in the event of a position becoming vacant.

Proposed new section 24C provides for the appointment of an acting member in the event of any member of the Committee being unable to perform the duties of his office.

Proposed new section 24D provides that a quorum of the Committee is to consist of all the members of the Committee. "Member" includes acting member. Any question arising at a meeting of the Committee is to be determined by a majority of votes. Provision is made to ensure the decisions of the Committee are not invalidated due to any defect in connexion with the appointment of a member or acting member. Provision is also made for the Committee to regulate its own proceedings and for the members and co-opted members to receive such travelling expenses as are approved by the Governor in Council.

Proposed new section 24E provides that the function of the Specialist Registration Committee is to determine whether any applicant is practising in one of the following branches of veterinary science:

Veterinary Anaesthesiology

Veterinary Medicine

Veterinary Ophthalmology

Veterinary Pathobiology

Veterinary Radiology

Veterinary Reproduction

Veterinary Surgery

A registered veterinary surgeon who wishes to apply for registration as a specialist is to make written application to the Board in the prescribed form accompanied by the prescribed fee. The Board is to forward the application to the Committee and, if satisfied that the veterinary surgeon possesses a qualification recognized by the Committee and has been engaged in the practice of the special branch of veterinary science under conditions that warrant his being regarded as a specialist veterinary surgeon, the Board may, on the recommendation of the Committee, issue a certificate in the prescribed form.

Proposed new section 24F requires the Board to keep a register of specialist veterinary surgeons and provides that removal of a name from the Veterinary Register of Victoria is sufficient to authorize the removal of that name from the register of specialist veterinary surgeons. The name of a specialist veterinary surgeon may also be removed from the Register at his own request, or by the Board, if, after due inquiry, the Board considers that he is no longer carrying out the functions of a specialist veterinary surgeon. Provision is made for the Board to publish the Register in the *Government Gazette*.

Proposed new section 24G prohibits a person from calling himself a specialist veterinary surgeon in one of the nominated branches of veterinary science, unless he is so registered with the Board.

