

No. 53 of 1981

## AN ORDINANCE

### To amend the *Veterinary Surgeons Registration Ordinance 1965*

I, THE GOVERNOR-GENERAL 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 this third day of December 1981.

ZELMAN COWEN  
Governor-General

By His Excellency's Command,

MICHAEL MACKELLAR  
Minister of State for Health

### VETERINARY SURGEONS REGISTRATION (AMENDMENT) ORDINANCE 1981

1. This Ordinance may be cited as the *Veterinary Surgeons Registration (Amendment) Ordinance 1981*.<sup>\*</sup> Short title
2. This Ordinance shall come into operation on such date as is fixed by the Minister of State for the Capital Territory by notice in the *Gazette*. Commencement
3. In this Ordinance, "Principal Ordinance" means the *Veterinary Surgeons Registration Ordinance 1965*.<sup>†</sup> Principal Ordinance
4. Section 4 of the Principal Ordinance is amended— Interpretation
  - (a) by omitting the definition of "the Election Ordinance"; and
  - (b) by inserting after the definition of "the Register" the following definition:

"the Tribunal" means the Administrative Appeals Tribunal established by the *Administrative Appeals Tribunal Act 1975*;

<sup>\*</sup> Notified in the *Commonwealth of Australia Gazette* on 9 December 1981.

<sup>†</sup> Ordinance No. 3, 1965 as amended by No. 19, 1966; No. 17, 1967; No. 39, 1970; No. 65, 1977; No. 46, 1978; No. 26, 1979; and No. 52, 1980.

The  
Veterinary  
Surgeons  
Board

5. Section 5 of the Principal Ordinance is amended by omitting sub-sections (2), (3) and (4).

Constitution  
of Board

6. Section 6 of the Principal Ordinance is amended—

(a) by omitting sub-section (1) and substituting the following sub-section:

“ (1) The Board shall consist of—

(a) an officer of the Australian Public Service appointed in accordance with the *Health Professions Boards (Procedures) Ordinance 1981*;

(b) 2 other members appointed in accordance with that Ordinance; and

(c) 2 members elected, as occasion requires, in accordance with the *Health Professions Boards (Elections) Ordinance 1980*.”; and

(b) by omitting sub-sections (5) and (6).

Term of  
office of  
Chairman

7. Section 7 of the Principal Ordinance is amended by omitting sub-sections (2) and (3).

Repeal

8. Sections 7A, 8, 9 and 10 of the Principal Ordinance are repealed.

Repeal

9. Section 16 of the Principal Ordinance is repealed.

Inquiry to  
be held

10. Section 22 of the Principal Ordinance is amended by omitting sub-sections (2), (3) and (4).

Repeal

11. Section 23 of the Principal Ordinance is repealed.

12. Section 26 of the Principal Ordinance is repealed and the following section substituted:

Publication  
of notice of  
decision of  
Board or  
Tribunal

“ 26. (1) The Minister may, if he thinks fit, cause a notice of a decision of the Board or of the Tribunal on application for review of a decision of the Board—

(a) removing the name of a person from the Register;

(b) reprimanding a person; or

(c) suspending the registration of a person,

and the reasons for the decision, including the findings on material questions of fact, to be published in the *Gazette*.

“ (2) A notice of a decision shall not be published under sub-section (1) until—

(a) the period within which an application may be made to the Tribunal for review of the decision has expired; and

- (b) if an application for review of the decision is made, the Tribunal has given its decision on the application.”.

**13.** Section 28 of the Principal Ordinance is repealed and the following section substituted:

“ 28. Application may be made to the Tribunal for a review of a Appeal decision of the Board—

- (a) refusing to register, or to re-register, a person;
- (b) removing the name of a person from the Register;
- (c) reprimanding a person; or
- (d) suspending the registration of a person.”.

**14.** Sections 34 to 42 (inclusive) of the Principal Ordinance are Repeal repealed.

**15.** (1) The person who was, immediately before the commencement of this Ordinance, the Chairman of the Board continues to be the Transitional Chairman of the Board as if he had been appointed as the Chairman under the Principal Ordinance as amended by this Ordinance and holds office subject to the Principal Ordinance as so amended and the *Health Professions Boards (Procedures) Ordinance 1981*.

(2) The person who was, immediately before the commencement of this Ordinance, the Deputy Chairman of the Board continues to be the Deputy Chairman of the Board as if he had been elected as the Deputy Chairman under the *Health Professions Boards (Procedures) Ordinance 1981* and holds office subject to that Ordinance.

(3) A person who was, immediately before the commencement of this Ordinance, a member of the Board continues to be a member of the Board as if he had been appointed or elected as a member under the Principal Ordinance as amended by this Ordinance and holds office subject to the *Health Professions Boards (Procedures) Ordinance 1981*.

(4) An expression in this section that is defined in the Principal Ordinance as amended by this Ordinance has the same meaning for the purposes of this section as it has in the Principal Ordinance as so amended.