Australian Capital Territory

# Veterinary Practice Act 2018

**A2018-32**

**Republication No 9**

**Effective: 26 November 2025**

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Last amendment made by A2025-29

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

## About this republication

### The republished law

This is a republication of the *Veterinary Practice Act 2018* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 26 November 2025. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 26 November 2025.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register (www.legislation.act.gov.au). For more information, see the home page for this law on the register.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is $160 for an individual and $810 for a corporation (see *Legislation Act 2001*, s 133).

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Australian Capital Territory

# Veterinary Practice Act 2018

An Act to regulate veterinary practitioners, veterinary premises, and for other purposes



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# Part 1 Preliminary

## 1 Name of Act

This Act is the *Veterinary Practice Act 2018*.

## 3 Dictionary

The dictionary at the end of this Act is part of this Act.

*Note 1* The dictionary at the end of this Act defines certain terms used in this Act, and includes references (***signpost definitions***) to other terms defined elsewhere in this Act.

For example, the signpost definition '***veterinary science***—see section 8.' means that the term 'veterinary science' is defined in that section.

*Note 2* A definition in the dictionary (including a signpost definition) applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see Legislation Act, s 155 and s 156 (1)).

## 4 Notes

A note included in this Act is explanatory and is not part of this Act.

*Note* See the Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

## 5 Offences against Act—application of Criminal Code etc

Other legislation applies in relation to offences against this Act.

*Note 1* *Criminal Code*

The Criminal Code, ch 2 applies to all offences against this Act (see Code, pt 2.1).

The chapter sets out the general principles of criminal responsibility (including burdens of proof and general defences), and defines terms used for offences to which the Code applies (eg ***conduct***, ***intention***, ***recklessness*** and ***strict liability***).

*Note 2* *Penalty units*

The Legislation Act, s 133 deals with the meaning of offence penalties that are expressed in penalty units.



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## 6 Objects of Act

The object of this Act is to regulate the provision of veterinary services to ensure the following:

(a) the provision of veterinary services is focussed on the welfare and protection of animals;

(b) veterinary practitioners provide veterinary services professionally and competently;

(c) premises at which veterinary services are provided are of an acceptable standard;

(d) veterinary services provided in the ACT comply with standards that—

(i) are acceptable to the community; and

(ii) meet national and international trade requirements;

(e) consumers of veterinary services—

(i) are well informed about the competencies required of veterinary practitioners; and

(ii) have confidence in accessing veterinary services from veterinary practitioners;

(f) the protection of the health and welfare of people.



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# Part 2 Practice of veterinary science

## 7 Meaning of *restricted act of veterinary science*

(1) In this Act:

***restricted act of veterinary science*** means an act of veterinary science prescribed by regulation.

(2) Before an act of veterinary science is prescribed under subsection (1), the Minister must ask the board to advise the Minister whether the act should be prescribed.

(3) The board must not advise the Minister that an act of veterinary science be prescribed under subsection (1) unless the board considers the act, if carried out on an animal, is likely to—

(a) cause unacceptable harm or suffering to the animal; or

(b) adversely affect human health; or

(c) adversely affect domestic or international trade.

(4) The Minister must consider the board's advice in recommending that an act of veterinary science be prescribed under subsection (1).

(5) A regulation must not prescribe an act of veterinary science mentioned in schedule 2 (an ***unrestricted act of veterinary science***) as a restricted act of veterinary science.

## 8 Meaning of *veterinary science*

In this Act:

***veterinary science*** means any branch of the science or art of veterinary medicine or veterinary surgery and includes the following:

(a) examining or attending to an animal to diagnose the physiological or pathological condition of the animal;

(b) giving anaesthetic to, or performing an operation on an animal;



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(c) diagnosing pregnancy in an animal;

(d) carrying out an artificial breeding procedure on an animal that involves surgery;

(e) de-antlering deer;

(f) anything else prescribed by regulation.

## 9 Meaning of *registered veterinary practitioner*

In this Act:

***registered veterinary practitioner*** means a veterinary practitioner registered under this Act other than a veterinary practitioner whose registration is suspended.

## 10 Carrying out restricted act of veterinary science without authority

(1) A person commits an offence if—

(a) the person carries out a restricted act of veterinary science on an animal; and

(b) the person is not a registered veterinary practitioner with—

(i) general registration; or

(ii) specialist registration.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

(2) Strict liability applies to subsection (1) (b).



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(3) This section does not apply if—

(a) the person—

(i) is a student enrolled in a course of education in veterinary surgery or veterinary science offered by an Australian, New Zealand or other foreign institution that is accredited by AVBC or approved by the board; and

*Note* ***AVBC***—see the dictionary.

(ii) is carrying out the restricted act of veterinary science—

(A) as part of the course of education; and

(B) under the direct supervision of a registered veterinary practitioner; or

(b) the restricted act of veterinary science is necessary because the animal is in urgent need of veterinary treatment and a registered veterinary practitioner holding general registration or specialist registration is unavailable; or

(c) the person is a prescribed person or the restricted act of veterinary science is done in a prescribed circumstance.

*Note* Other laws apply to a person who is the owner of an animal (for example, the *Animal Welfare Act 1992*, s 6B, s 9C and s 19).

(4) In this section:

***prescribed circumstance*** means a circumstance prescribed by regulation.

***prescribed person*** means a person prescribed by regulation.



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## 11 Person pretending to be registered veterinary practitioner

(1) A person commits an offence if—

(a) the person pretends to be a registered veterinary practitioner; and

(b) the person is not a registered veterinary practitioner.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

(2) Strict liability applies to subsection (1) (b).

## 12 False representation of person as veterinary practitioner or specialist

A person commits an offence if—

(a) the person represents that a person—

(i) is a registered veterinary practitioner; or

(ii) holds a specialist registration; and

(b) the representation is false.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

**Examples—par (a) (i)**

using the following title or description in relation to the person:

- animal doctor
- vet
- veterinary
- veterinary practice
- veterinary practitioner
- veterinary surgeon

**Example—par (a) (ii)**

using the title or description of 'specialist' in relation to the person



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## 13 Unqualified to practise as specialist

(1) A person commits an offence if—

(a) the person carries out a restricted act of veterinary science that requires specialist registration; and

(b) the person does not hold the required specialist registration.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

(2) Strict liability applies to subsection (1) (b).

## 14 Direction to engage in unprofessional conduct

(1) A person commits an offence if—

(a) the person employs a registered veterinary practitioner; and

(b) the person directs the veterinary practitioner to engage in conduct that, if engaged in, would be unsatisfactory professional conduct or professional misconduct.

Maximum penalty: 50 penalty units.

(2) For subsection (1), a direction by an agent or employee of the employer is taken to be a direction of the employer unless the employer proves that the employer—

(a) did not have knowledge of the direction; and

(b) exercised appropriate diligence to prevent the direction.



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## 15 Restriction on recovery of fees or charges if not registered

(1) This section applies if a person carries out a restricted act of veterinary science and the person is not—

(a) a registered veterinary practitioner holding—

(i) general registration; or

(ii) specialist registration; or

(b) the registration holder of registered veterinary premises.

(2) The person is not entitled to recover any fee or charge for doing the restricted act of veterinary science.



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# Part 3 Registration of veterinary practitioners

## Division 3.1 Application and decision

### 16 Application

(1) An individual may apply to the board—

(a) for general registration as a veterinary practitioner; or

(b) for specialist registration as a veterinary practitioner; or

(c) if the person does not intend to carry out a restricted act of veterinary science—for registration as a non-practising veterinary practitioner.

*Note* It is an offence for a person registered as a non-practising veterinary practitioner to carry out a restricted act of veterinary science (see s 10).

(2) An application must—

(a) be in writing; and

(b) state the name and address of the applicant; and

(c) state the class of registration applied for; and

(d) include complete details about the individual's qualifications for registration; and

(e) include complete details of suitability information about the individual; and

(f) for registration other than registration as a non-practising veterinary practitioner—include complete details of insurance held by the applicant required by regulation; and



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(g) for a specialist registration—

(i) state the branch of veterinary science the specialisation relates to; and

(ii) include the individual's qualifications for registration; and

(iii) state any relevant experience held by the applicant; and

(h) include anything else prescribed by regulation.

*Note 1* For qualifications to hold a registration—see div 3.2.

*Note 2* For suitability requirements to hold a registration—see div 3.3.

*Note 3* It is an offence to make a false or misleading statement, give false or misleading information or produce a false or misleading document (see Criminal Code, pt 3.4).

## 17 Withdrawal of application

(1) An applicant may withdraw an application at any time before the board decides the application.

(2) If the applicant withdraws the application under subsection (1), the board must refund the application fee (less any processing fee) to the applicant.

## 18 Board may ask for further information

(1) The board may, before deciding an application for registration, ask the applicant, in writing—

(a) for additional information in relation to the application; or

(b) to appear personally before the board to give information about the person's application.

*Note* The board may delegate its power to take information under par (b) (see s 108).

(2) Subsection (1) (b) does not apply if the application for registration is made under the *Mutual Recognition Act 1992* (Cwlth).



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(3) If the board asks an applicant to give information (whether in person or otherwise) to the board, the board may refuse to further consider the application for registration if the applicant does not give the information.

## 19 Decision on application

(1) On application by a person under section 16, the board must—

(a) register the person; or

(b) refuse to register the person.

(2) The board is taken to have refused to register the person if the board fails to decide the application within 40 days after the day the board—

(a) received the application; or

(b) received the information requested under section 18.

(3) The board must only register the person if—

(a) the board is satisfied—

(i) if the person is applying for registration other than as a non-practising veterinary practitioner—the person is covered by the insurance required by regulation; and

(ii) the person is qualified to hold the registration of the kind applied for; and

(b) the person is a suitable person to be registered as a veterinary practitioner; and

(c) the person satisfies any other prescribed requirement for registration as a veterinary practitioner.

*Note 1* A person may apply for general registration, specialist registration or registration as a non-practising veterinary practitioner—see s 16.

*Note 2* For qualifications to hold a registration—see div 3.2.

*Note 3* For suitability requirements to hold a registration—see div 3.3.



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(4) The board may refuse to register the person if the person's registration as a veterinary practitioner has been suspended or cancelled in another jurisdiction, whether before or after the person applies for registration in the ACT.

(5) The board must, within 7 days after the day it decides the application—

(a) tell the person its decision; and

(b) if it registers the person—enter the registration details for the person in the register and give the person a registration document.

(6) In this section:

***registration details***, for a person—see section 124 (2).

## 20 Refund of application fees

If the board refuses an application for registration under section 19, the board must refund the application fee (less any processing fee) to the applicant.

## 21 Conditions of registration

(1) A veterinary practitioner's registration is subject to the following conditions:

(a) the practitioner undertakes continuing professional development;

(b) any other condition the board may impose at any time.

**Example—par (b)**

restriction on prescription of a therapeutic drug

(2) The board may impose a condition under subsection (1) (b) only if satisfied that the condition is justified having regard to the following:

(a) the provisions of any law of an Australian jurisdiction affecting veterinary practitioners or the practice of veterinary science;



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(b) the safety or health of people;

(c) the health or welfare of animals or a kind of animal;

(d) damage to the reputation of Australia in relation to animal exports, animal welfare, animal produce or sporting events;

(e) any condition imposed on the veterinary practitioner's authority to practise veterinary science in a State or another jurisdiction prescribed by regulation;

(f) any impairment suffered by the veterinary practitioner.

(3) Without limiting subsection (2), a condition imposed on registration may require the registered veterinary practitioner to do either or both of the following within a stated time:

(a) undertake and successfully complete an additional academic or practical training course;

(b) demonstrate to the satisfaction of the board—

(i) a knowledge of the law and ethics relating to the practice of veterinary science generally; and

(ii) in particular, a knowledge of the law and ethics concerning the supply, dispensing, storage and use of poisons and therapeutic substances that are relevant to the practice of veterinary science.

## 22 Amendment of registration by board on its own initiative

(1) The board may, at any time and on its own initiative, amend a registration (including by imposing a condition on, or amending an existing condition of, the registration).

(2) However, the board may amend the registration only if—

(a) the board has given the registered veterinary practitioner written notice of the proposed amendment; and



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(b) the notice states that written comments on the proposal may be given to the board before the end of a stated period of at least 14 days after the day the notice is given to the registered veterinary practitioner; and

(c) the board has considered any comments received by the board before the end of the stated period.

(3) Subsection (2) does not apply if the person holding the registration applied for, or agreed in writing to, the amendment.

## 23 Amendment of registration on application

(1) A registered veterinary practitioner may apply to the board to amend the practitioner's registration (including by removing or amending a condition of the registration).

(2) The board may, in writing, require the applicant to give the board additional information or documents that the board reasonably needs to decide the application.

(3) If the applicant does not comply with a requirement under subsection (2), the board may refuse to consider the application.

(4) In deciding whether to amend the registration, the board may consider anything the board may consider under section 19 in relation to an application for registration.

(5) On application by a registered veterinary practitioner to amend the practitioner's registration, the board must—

(a) amend the registration in the way applied for; or

(b) refuse to amend the registration.



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## 24 Annual renewal of registration

(1) A registered veterinary practitioner may apply to the board for renewal of the applicant's registration as a veterinary practitioner at any time within 8 weeks before the day the registration ends.

*Note* It is an offence to make a false or misleading statement, give false or misleading information or produce a false or misleading document (see Criminal Code, pt 3.4).

(2) An application must—

(a) be in writing; and

(b) include complete details of suitability information about the practitioner; and

(c) include a statement about the continuing professional development undertaken by the practitioner.

(3) The board must—

(a) renew the registration if satisfied the person—

(i) is a suitable person; and

(ii) has completed the requirements for continuing professional development; or

(b) refuse to renew the registration.

*Note* For suitability requirements to hold a registration—see div 3.3.

(4) The board must, within 7 days after the day it decides the application—

(a) tell the person its decision; and

(b) if it registers the person—give the person a registration document.



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## 25 Renewal out of time

(1) This section applies if—

(a) a person was a registered veterinary practitioner; and

(b) the person's registration as a veterinary practitioner (the ***previous registration***) was not renewed under section 24; and

(c) not more than 3 months has passed since the previous registration ended.

(2) The person may apply to the board to renew the person's previous registration by giving the board an application (an ***out of time application***) that includes the same matters as an application under section 24 (2).

(3) The board must deal with the out of time application in the same manner as an application made under section 24.

## 26 Term of registration

A person's registration as a veterinary practitioner—

(a) in the case of registration under section 19—

(i) commences—

(A) on the day the board issues the registration document; or

(B) on the date stated in the registration document; and

(ii) continues in force for the period of up to 12 months stated in the registration document unless the registration is suspended or cancelled before the end of that period; and

(b) in the case of registration under section 24 or section 25—

(i) commences on the day after the day the registration that it renews ended; and



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(ii) continues in force for a period of 12 months unless the registration is suspended or cancelled before the end of that period.

### 27 Surrender

(1) A registered veterinary practitioner may surrender the practitioner's registration by giving written notice (a ***surrender notice***) of the surrender to the board.

(2) The surrender notice must be accompanied by—

(a) the registration document; or

(b) if the registration document has been lost, stolen or destroyed—a statement verifying that the registration document has been lost, stolen or destroyed.

(3) The registered veterinary practitioner's registration is taken to be cancelled if the registration is surrendered under this section.

## Division 3.2 Qualifications for registration

### 28 Qualification for general or non-practising registration

A person is qualified to hold a general registration or non-practising registration as a veterinary practitioner if the person—

(a) is a graduate of a course of education in veterinary surgery or veterinary science offered by an Australian, New Zealand or other foreign institution that is accredited by AVBC or approved by the board; or

(b) has—

(i) completed a course of education in veterinary surgery or veterinary science outside Australia and New Zealand; and



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(ii) passed an examination held by AVBC.

### 29 Qualification for specialist registration

For this Act, a person is qualified to hold a specialist registration as a veterinary practitioner if the person—

(a) holds or is eligible to hold general registration as a veterinary practitioner; and

(b) has, to the board's satisfaction, the necessary qualifications and experience to hold the specialist registration.

## Division 3.3 Suitability of people to be registered veterinary practitioners

### 30 Meaning of *suitable person*

(1) In this Act:

***suitable person***, to be a registered veterinary practitioner, means a person who the board is satisfied is a suitable person to be registered as a veterinary practitioner.

(2) In deciding whether a person is a suitable person to be a registered veterinary practitioner, the board must consider the suitability information about the person.

### 31 Meaning of *suitability information*

(1) In this Act:

***suitability information***, about a person, means information about the following:

(a) any conviction of, or finding of guilt against, the person for an offence against 1 or more of the following:

(i) this Act;



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(ii) a law of another jurisdiction corresponding, or substantially corresponding, to this Act;

(iii) the *Crimes Act 1900*;

(iv) the Criminal Code;

(v) the *Crimes Act 1914* (Cwlth);

(vi) the Commonwealth Criminal Code;

(vii) an animal welfare law;

(viii) a consumer law;

(ix) a law of the ACT with a maximum penalty of imprisonment for 1 year or more;

(x) a law elsewhere that, if the offence were committed in the ACT, would have a maximum penalty of imprisonment for 1 year or more;

*Note* A reference to an Act (including a Commonwealth Act) includes a reference to the statutory instruments made or in force under the Act, including any regulation (see Legislation Act, s 104).

(b) any impairment suffered by the person that would prevent the person from doing a restricted act of veterinary science;

(c) any finding of professional misconduct or unsatisfactory professional conduct;

(d) any refusal of an application by the person for registration (however described) in relation to the practice of veterinary science;

(e) whether the person is, or during the previous 5 years was—

(i) bankrupt or personally insolvent; or



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(ii) involved in the management of a corporation when the corporation was insolvent.

*Note* ***Bankrupt or personally insolvent***—see the Legislation Act, dict, pt 1.

(2) In this section:

***animal welfare law*** means any of the following:

(a) the *Animal Welfare Act 1992*;

(b) the *Domestic Animals Act 2000*;

(c) the *Export Control Act 1982* (Cwlth);

(d) the *Medicines, Poisons and Therapeutic Goods Act 2008*;

(e) the *Stock Act 2005*;

(f) a law of another jurisdiction corresponding, or substantially corresponding, to an Act mentioned in paragraph (a), (b), (d) or (e).

***consumer law*** means any of the following:

(a) the *Australian Consumer Law (ACT)* or a corresponding law of a State;

(b) the *Competition and Consumer Act 2010* (Cwlth);

(c) the *Fair Trading (Australian Consumer Law) Act 1992*.

***insolvent***—a corporation is taken to be ***insolvent*** if the corporation—

(a) is being wound up; or

(b) has had a receiver or other controller appointed; or

(c) has entered into a deed of company arrangement with its creditors; or

(d) is otherwise under external administration under the Corporations Act, chapter 5.



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# Division 3.4 Registration and removal from register

*Note* Part 9 sets out requirements for the board in keeping a register under this Act.

## 32 Removal of veterinary practitioner from register

(1) The board must remove a veterinary practitioner from the register if—

(a) the veterinary practitioner has died; or

(b) the veterinary practitioner has requested the board to remove the practitioner's name from the register; or

(c) the veterinary practitioner has failed to renew the practitioner's registration under section 24; or

(d) the ACAT has ordered that the veterinary practitioner's registration be cancelled.

(2) The board may remove a veterinary practitioner from the register if—

(a) the veterinary practitioner does not hold the qualification required for the registration the veterinary practitioner holds; or

(b) the veterinary practitioner has failed to meet the continuous professional development requirements prescribed by regulation; or

(c) the veterinary practitioner's authority to practise veterinary science has been suspended or cancelled in another jurisdiction; or

(d) the veterinary practitioner has failed to pay a fee or fine under this Act.



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(3) The board must not remove a veterinary practitioner from the register under subsection (2) unless the board has—

(a) given written notice to the veterinary practitioner of the board's intention to remove the record; and

(b) given the veterinary practitioner at least 28 days after the day the notice was given under paragraph (a) to make written submissions in relation to the proposed removal; and

(c) taken into consideration any submission made under paragraph (b).



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# Part 4 Recognition of veterinary practitioners from other jurisdictions

## 33 Definitions—Act

In this Act:

***another jurisdiction*** means a State or jurisdiction prescribed by regulation.

*Note* ***State*** includes the Northern Territory (see Legislation Act, dict, pt 1).

***deemed registration***—see section 34 (1).

## 34 Recognition of veterinary practitioners registered in other jurisdictions

(1) A person who practises as a veterinary practitioner in the ACT is taken to be registered as a veterinary practitioner under this Act (***deemed registration***) if—

(a) the person's principal place of residence is in another jurisdiction; and

(b) the person is registered as a veterinary practitioner in the other jurisdiction; and

(c) the person is not registered as a veterinary practitioner in the ACT.

**Example**

Selina lives in NSW but commutes to the ACT to work as a vet in a veterinary practice. Selina is registered as a veterinary practitioner in NSW but not in the ACT. Selina is deemed to be a registered veterinary practitioner under this Act.

(2) If the person has specialist registration in a branch of veterinary science (however described) in the jurisdiction in which the person is registered, the person's deemed registration is taken to be a specialist registration in that branch.



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## 35 Application of Act to veterinary practitioners with deemed registration

(1) A person who has deemed registration is taken to be a registered veterinary practitioner for this Act and any other territory law.

(2) However, part 3 (Registration of veterinary practitioners) does not apply to a person who has deemed registration.

(3) A reference in this Act to the suspension or cancellation of a veterinary practitioner's registration is, for a person who has deemed registration, taken to be a reference to the suspension or cancellation of the person's deemed registration.

## 36 Condition of deemed registration

(1) If a person's registration as a veterinary practitioner in another jurisdiction is subject to a condition, the person's deemed registration is subject to the same condition.

(2) The board may—

(a) on application by the person, waive or vary a condition of the person's deemed registration if it considers it appropriate in the circumstances; or

(b) on its own initiative, by written notice given to the person, vary or impose a condition on the person's deemed registration.

(3) The board may vary or impose a condition on the person's deemed registration under subsection (2) (b) only if it considers it necessary to ensure that the authority conferred by the person's deemed registration is substantially the same as the authority conferred by the person's registration in the other jurisdiction.



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## 37 Suspension and cancellation of deemed registration

If a person's registration as a veterinary practitioner in another jurisdiction (including deemed registration, however described) is suspended or cancelled, the board may suspend or cancel the person's deemed registration in the ACT without further investigation or hearing, on the ground on which the registration in the other jurisdiction was suspended or cancelled.

## 38 ACT becomes principal residence

(1) A veterinary practitioner must, within 3 months after the ACT becomes the practitioner's principal place of residence, apply for registration as a veterinary practitioner under this Act.

(2) If the veterinary practitioner has deemed registration under this Act, the veterinary practitioner's deemed registration continues until the board—

(a) decides the veterinary practitioner's application; and

(b) notifies the veterinary practitioner of its decision.



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# Part 5 Complaints and disciplinary proceedings

## Division 5.1 Definitions and code of professional conduct

### 39 Meaning of *veterinary practitioner*—pt 5

In this part:

***veterinary practitioner*** means—

(a) a registered veterinary practitioner; or

(b) a person who was, but is no longer, a registered veterinary practitioner; or

(c) a person whose registration as a veterinary practitioner is suspended.

### 40 Meaning of *professional misconduct*

For this Act, ***professional misconduct*** means—

(a) unsatisfactory professional conduct, or a pattern of unsatisfactory professional conduct, of a sufficiently serious nature to justify the suspension or cancellation of a veterinary practitioner's registration; or

(b) any other conduct prescribed by regulation.



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## 41 Meaning of *unsatisfactory professional conduct*

For this Act, ***unsatisfactory professional conduct***, in relation to a veterinary practitioner means any of the following:

(a) engaging in conduct in the veterinary practitioner's professional capacity that, if repeated or continued, is likely to do any of the following:

(i) cause unnecessary suffering to an animal;

(ii) cause the inappropriate death of an animal;

(iii) adversely affect the safety or health of any person;

(iv) damage the international reputation of Australia in relation to animal exports, animal welfare, animal produce or sporting events;

(b) contravening a condition of the veterinary practitioner's registration;

(c) failing to comply with the veterinary practitioners code of professional conduct;

*Note* The veterinary practitioners code of professional conduct is established under section 42.

(d) providing information relating to the veterinary practitioner's qualifications for registration knowing the information to be false or misleading in a material particular;

(e) failing to supervise a person adequately in doing an act if supervision by a veterinary practitioner is required by law and the veterinary practitioner agreed to provide that supervision;

(f) failing to comply with this Act;



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(g) engaging in conduct that demonstrates the veterinary practitioner—

(i) is incompetent to practise veterinary science; or

(ii) lacks adequate knowledge, skill, judgment or care to practise veterinary science; or

(iii) is not fit to practise veterinary science because the veterinary practitioner suffers from an impairment;

(h) engaging in improper or unethical conduct in the course of practising veterinary science;

(i) engaging in any other prescribed conduct.

## 42 Veterinary practitioners code of professional conduct

(1) The board must establish a code of conduct for veterinary practitioners (a ***veterinary practitioners code of professional conduct***) setting out the standards of conduct for veterinary practitioners carrying on the practice of veterinary science.

(2) A veterinary practitioners code of professional conduct may apply, adopt or incorporate an instrument as in force from time to time.

(3) A veterinary practitioners code of conduct may include requirements for continuing professional development of registered veterinary practitioners.

(4) A veterinary practitioners code of professional conduct is a notifiable instrument.

(5) The Legislation Act, section 47 (6) does not apply to an instrument applied, adopted or incorporated under subsection (2).



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# Division 5.2 Complaints

## 43 Who may complain

(1) Any person may make a complaint about a veterinary practitioner on any 1 or more of the following grounds:

(a) the veterinary practitioner has, or may have, engaged in unsatisfactory professional conduct;

(b) the veterinary practitioner has, or may have, engaged in professional misconduct;

(c) the veterinary practitioner has, or may have, an impairment that means the veterinary practitioner is not fit to practise a restricted act of veterinary science;

(d) the veterinary practitioner has, or may have, contravened this Act;

(e) the veterinary practitioner has, or may have, contravened a condition of the veterinary practitioner's registration or an undertaking given by the veterinary practitioner to the board;

(f) the veterinary practitioner's registration was, or may have been, improperly obtained because the veterinary practitioner or someone else gave the board information or a document that was false or misleading in a material particular;



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(g) if the veterinary practitioner is the superintendent of registered veterinary premises—the veterinary practitioner has failed to maintain the premises in compliance with a veterinary premises standard.

**Examples—people who may make complaint**

- a member of the public
- a member of the veterinary profession

*Note* A person may also make a complaint to the commission (see *Human Rights Commission Act 2005*, s 39).

(2) If a person makes a complaint under subsection (1)—

(a) making the complaint is not a breach of—

(i) confidence; or

(ii) professional etiquette; or

(iii) professional ethics; or

(iv) a rule of professional conduct; and

(b) no civil or criminal liability is incurred only because of the making of the complaint.

(3) Subsection (2) (b) does not apply to a complaint that the person knows is false or misleading.

## 44 Consideration without complaint or appropriate complaint

(1) The board may, on its own initiative, consider in relation to a veterinary practitioner—

(a) an act or service by the practitioner that appears to the board to be an act or service about which a person could make, but has not made, a complaint under this Act; or

(b) any other matter related to the registration of the veterinary practitioner.



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(2) A board-initiated consideration must, as far as practicable, be conducted as if it were a consideration of a complaint.

## 45 False or misleading complaint

A person must not make a complaint that is materially false or misleading.

Maximum penalty: 30 penalty units.

## 46 Time limit for making complaints

(1) A person may make a complaint about the conduct of a veterinary practitioner whenever the conduct is alleged to have happened.

(2) However, the board is not required to investigate a complaint if the complaint is made more than 3 years after the conduct is alleged to have happened, unless the board decides it is just and fair to investigate the complaint having regard to the delay and the reasons for the delay.

## 47 How complaints are made

(1) A complaint made under this Act must—

(a) be given to the board; and

(b) be in writing; and

(c) include the person's name and contact details.

(2) A person is entitled to reasonable assistance from the registrar to put the complaint in writing.

**Examples—when assistance would be reasonable**

1 the person cannot put the complaint in writing

2 the person has difficulty putting the complaint in writing

*Note* A person may also make a complaint to the commission (see *Human Rights Commission Act 2005*, s 39).



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(3) However, a complaint may—

(a) be made orally if the board is satisfied on reasonable grounds that exceptional circumstances justify action without a written complaint; and

**Example—exceptional circumstances**

Waiting until the complaint is put in writing would make action in response to the complaint impossible or impractical.

(b) need not include the complainant's name and contact details if the board is satisfied on reasonable grounds that exceptional circumstances justify action without the complainant's name and address.

## 48 Withdrawal of complaints

(1) A complainant may at any time withdraw the complaint by written notice to the board.

(2) If the complainant withdraws the complaint the board may continue to consider the complaint as a board-initiated consideration under section 44.

## 49 Further information about complaint etc

(1) The board may require the complainant to give the board—

(a) further information about the complaint; or

(b) a statement verifying all or part of the complaint.

*Note* It is an offence to make a false or misleading statement, give false or misleading information or produce a false or misleading document (see Criminal Code, pt 3.4).

(2) When making a requirement under this section, the board must set a reasonable period of time within which the requirement is to be satisfied, and may extend that period, whether before, on or after its expiry.



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(3) If the person fails to give a statement verifying all or part of the complaint—

(a) the failure does not affect the making of the complaint; but

(b) the board need not take any further action on the complaint.

## 50 Notice to veterinary practitioner complained about

(1) On receiving a complaint under section 43, the board must, in writing, tell the registered veterinary practitioner—

(a) that a complaint has been made about the veterinary practitioner; and

(b) that the complaint is to be considered by the board; and

(c) what the complaint is about; and

(d) unless section 134 (Nondisclosure of complaints) prevents the disclosure—the name of the person making the complaint; and

(e) that the veterinary practitioner may make written representations in relation to the complaint within a stated period after receiving notice of the complaint.

*Note* Section 134 prevents the disclosure of information if there is reason to believe the disclosure would put someone's health or safety at risk, cause someone to receive a lowered standard of service or prejudice the management of the report or its consideration.

(2) The period mentioned in subsection (1) (e) must not be less than 7 days.



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# Division 5.3 Dealing with complaints

## Subdivision 5.3.1 Immediate action

### 51 Meaning of *immediate action*—sdiv 5.3.1

In this subdivision—

***immediate action***, in relation to a registered veterinary practitioner means—

(a) the suspension of, or imposition of a condition on, the veterinary practitioner's registration; or

(b) accepting an undertaking from the veterinary practitioner; or

(c) accepting the surrender of the veterinary practitioner's registration.

### 52 Power to take immediate action

(1) The board may take immediate action in relation to a registered veterinary practitioner if—

(a) the board reasonably believes that—

(i) because of the practitioner's conduct, performance or health, the practitioner poses a serious risk to people or animals; and

(ii) it is necessary to take immediate action to protect public health or safety or the safety of animals; or

(b) the practitioner's registration was improperly obtained because the practitioner or someone else gave the board information or a document that was false or misleading in a material particular; or

(c) the practitioner's registration has been cancelled or suspended under the law of another jurisdiction.



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(2) However, the board may take immediate action that consists of suspending, or imposing a condition on, the veterinary practitioner's registration only if the board has complied with section 53.

## 53 Show cause process

(1) If the board is proposing to suspend, or impose a condition on, a registered veterinary practitioner's registration under section 52, the board must—

(a) give the practitioner notice of the proposed suspension or condition; and

(b) invite the practitioner to make a submission to the board, within the time stated in the notice about the proposed suspension or condition.

(2) A notice given to a registered veterinary practitioner under subsection (1), and any submissions made by the veterinary practitioner in accordance with the notice, may be written or oral.

(3) The board must have regard to any submissions made by the registered veterinary practitioner in accordance with this section in deciding whether to suspend or impose conditions on the veterinary practitioner's registration.

## 54 Notice to be given to registered veterinary practitioner about immediate action

(1) Immediately after deciding to take immediate action in relation to a registered veterinary practitioner, the board must—

(a) give written notice of the board's decision to the practitioner; and

(b) take the further action under this part the board considers appropriate, including, for example, investigating the practitioner or requiring the practitioner to undergo a health or performance assessment.



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(2) The notice must state—

(a) the immediate action the board has decided to take; and

(b) the reasons for the decision to take the immediate action; and

(c) the further action the board proposes to take under this part in relation to the registered veterinary practitioner; and

(d) that the practitioner may appeal against the decision to take the immediate action if the action is to suspend, or impose a condition on, the practitioner's registration; and

(e) how an application for appeal may be made and the period within which the application must be made.

## 55 Period of immediate action

(1) A decision by the board to take immediate action in relation to a registered veterinary practitioner takes effect on—

(a) the day the notice is given to the veterinary practitioner; or

(b) if a later day is stated in the notice—the later day.

(2) The decision continues to have effect until the earlier of the following:

(a) the decision is set aside on appeal;

(b) if the immediate action taken is the suspension of, or imposition of a condition on, the registered veterinary practitioner's registration—the suspension is revoked, or the condition is removed, by the board;

(c) if the immediate action taken is the acceptance of an undertaking—the board and the registered veterinary practitioner agree to end the undertaking.



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## Subdivision 5.3.2 Investigation

### 56 Investigation of complaints

(1) The board must conduct an investigation into a complaint in consultation with the commission.

(2) The board may deal with 1 or more complaints about a veterinary practitioner in an investigation.

(3) If, during an investigation, it appears to the board that there is a matter in relation to which another complaint could have been made against the veterinary practitioner concerned, the board may deal with the matter in its investigation as if a complaint had been made about the matter.

(4) For subsection (3), the board may deal with the matter—

(a) whether the complaint could have been made instead of or in addition to any complaint that was made; and

(b) whether or not the complaint could have been made by the same complainant.

(5) If an additional complaint is identified under subsection (3), the board must give notice of the complaint to the veterinary practitioner complained about under section 50.

### 57 Investigation procedure

(1) An investigation into a complaint must be conducted with as little formality and technicality as a proper consideration of the matter permits.

(2) An investigation need not involve a hearing (whether public or private).

(3) If the board appoints a committee to undertake the investigation, the committee must have at least 3 members including—

(a) 1 member representing the commission; and



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(b) 1 member representing the board.

(4) An investigation must be conducted in accordance with any applicable code of practice.

(5) For the purposes of an investigation, the board—

(a) is not bound by the rules of evidence; but

(b) must observe the rules of natural justice.

(6) A person appearing for the purposes of an investigation may be represented by any other person, subject to any applicable code of practice.

## 58 People to give information, provide documents or answer questions

For an investigation into a complaint, the board may—

(a) require a person to appear and give evidence; or

(b) require a person to answer any relevant question; or

(c) take evidence on oath or by affirmation; or

(d) require a person to take an oath or to make an affirmation; or

(e) take statements and receive affidavits; or

(f) require the production of any relevant document, including clinical records.

*Note* It is an offence to make a false or misleading statement, give false or misleading information or produce a false or misleading document (see Criminal Code, pt 3.4).

## 59 Person failing to comply with direction

A person commits an offence if—

(a) the person is required to do something under section 58; and



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(b) the person fails, without reasonable excuse, to comply with the direction.

Maximum penalty: 20 penalty units.

## 60 Board may dismiss certain complaints

(1) The board may dismiss a complaint against a veterinary practitioner if satisfied that the complaint is—

(a) frivolous, vexatious or otherwise lacking in merit; or

(b) a complaint that has already been dealt with under this part; or

(c) trivial in nature.

(2) The board may dismiss the complaint—

(a) without investigating the complaint; or

(b) without completing an investigation of the complaint.

(3) The board is not required to investigate a complaint that has been dismissed under this section.

(4) The board must tell the veterinary practitioner and complainant about the dismissal of the complaint.

(5) The board, in dismissing the complaint, may also tell the veterinary practitioner details about the complaint.

## 61 Decision on completion of investigation

(1) On completion of an investigation under this division—

(a) if the board is satisfied that the veterinary practitioner has engaged in professional misconduct—the board must apply to the ACAT for an occupational disciplinary finding against the veterinary practitioner; or



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(b) if the board is satisfied that the veterinary practitioner has engaged in unsatisfactory professional conduct but not professional misconduct—the board may do any of the following:

(i) reprimand or caution the veterinary practitioner;

(ii) impose a penalty on the veterinary practitioner not exceeding $1 000;

(iii) impose a condition on the veterinary practitioner's registration;

(iv) require the veterinary practitioner to complete a course of training;

(v) require the veterinary practitioner to take part in a review of the practitioner's professional practice;

(vi) require the veterinary practitioner to report on the practitioner's practice at stated times, in the way stated and to a named person;

(vii) require the veterinary practitioner to seek and take advice from a stated entity about the management of the practitioner's practice;

(viii) require the supervision, monitoring or reporting about the effect of something the veterinary practitioner is required to do by the board;

(ix) refer the complaint to the commission;

(c) in any other case—the board must dismiss the complaint and tell the veterinary practitioner and the complainant about the dismissal.

(2) However, if the board takes action under section 62, the board need not comply with this section.



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## 62 Indication that offence committed

(1) This section applies if a complaint against a veterinary practitioner indicates that the veterinary practitioner may have committed, or be committing, an offence against a territory law.

(2) The board may give the chief police officer a copy of the complaint and any other information the board has in relation to the complaint.

## 63 Board's obligation to keep complainant informed

(1) The board must give a complainant—

(a) a written report about the progress of the complainant's complaint (a ***progress report***)—

(i) within 6 weeks after the day the complaint was received by the board; and

(ii) not later than 6 weeks after the day the board last gave the complainant a progress report; and

(b) if the board decides to dismiss the complaint without investigation under section 60 (Board may dismiss certain complaints)—written notice that the complaint has been dismissed.

(2) However, if the latest progress report includes a statement to the effect that, for stated reasons, a further progress report will not be provided until a stated time or event, the board need not provide a progress report until that time or event.

**Example**

A complainant tells the board the complainant is going overseas for 4 months. The board may tell the complainant that the next progress report will not be given until the complainant returns from overseas and notifies the board.



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# Division 5.4 Occupational discipline

## 64 Grounds for occupational discipline

(1) For this Act, each of the following is a ***ground for occupational discipline*** in relation to a veterinary practitioner:

(a) the veterinary practitioner has, or may have, engaged in professional misconduct;

(b) the veterinary practitioner is not a suitable person to be a registered veterinary practitioner.

(2) A ground for occupational discipline applies to a veterinary practitioner who is no longer registered if the ground applied to the veterinary practitioner while registered.

(3) In this section:

***suitable person***—see section 30.

## 65 Application to ACAT for occupational discipline

If the board believes on reasonable grounds that a ground for occupational discipline exists in relation to a veterinary practitioner, the board may apply to the ACAT for an occupational discipline order in relation to the practitioner.

## 66 Considerations before making occupational discipline orders—suspension or cancellation of registration

(1) This section applies if the ACAT is considering an application for occupational discipline to suspend or cancel a veterinary practitioner's registration.

(2) The ACAT must consider the following:

(a) whether the veterinary practitioner has contravened this Act or the veterinary practitioners code of professional conduct;



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(b) whether the veterinary practitioner has put, or is putting, public safety or the safety of animals at risk.

*Note* The *ACT Civil and Administrative Tribunal Act 2008*, s 65 sets out considerations for the ACAT when considering what other occupational discipline orders to make.

## 67 Occupational discipline orders

(1) This section applies if the ACAT may make an order for occupational discipline in relation to a veterinary practitioner.

(2) In addition to any other occupational discipline order the ACAT may make, the ACAT may make 1 or more of the following orders for occupational discipline in relation to the veterinary practitioner:

(a) require the veterinary practitioner to undergo a stated medical, psychiatric or psychological assessment, counselling or both;

(b) require the veterinary practitioner to take part in a review of the practitioner's professional practice;

(c) require the veterinary practitioner to report on the practitioner's practice at stated times, in the way stated and to a named person;

(d) require the veterinary practitioner to seek and take advice from a stated entity about the management of the practitioner's practice;

(e) require the supervision, monitoring or reporting about the effect of something the veterinary practitioner is required to do by the ACAT;

(f) if the veterinary practitioner is not registered—declare that, if the practitioner had been registered, the ACAT would have found that the practitioner had contravened the required standard of practice or did not satisfy the suitability to practise requirements.

*Note* The *ACT Civil and Administrative Tribunal Act 2008*, s 66 sets out other occupational discipline orders the ACAT may make.



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## 68 Interim suspension of registration

(1) This section applies if the board—

(a) has applied to the ACAT for occupational discipline (the ***occupational discipline application***) in relation to a registered veterinary practitioner; and

(b) believes on reasonable grounds that it is in the public interest to suspend the veterinary practitioner's registration before the ACAT hears the occupational discipline application.

(2) The board may apply to the ACAT for an interim order to suspend the registration of the veterinary practitioner.

(3) The ACAT may make an order suspending the veterinary practitioner's registration if the ACAT considers the interim order appropriate to protect the public interest until the hearing of the occupational discipline application.

(4) An interim order under this section has effect as an interim order made under the *ACT Civil and Administrative Tribunal Act 2008*, section 53 (Interim orders).

## 69 Giving registering authority in other jurisdictions information about cancelling or suspending registration

(1) This section applies if the ACAT suspends or cancels a veterinary practitioner's registration or disqualifies a veterinary practitioner from applying for registration.

(2) The board must give the registering authority in each other jurisdiction the following information about the veterinary practitioner:

(a) the name and any other identifying details of the veterinary practitioner;

(b) a short description of the ground for occupational discipline on which the occupational discipline order was based;



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(c) whether the registration has been suspended or cancelled or the veterinary practitioner disqualified;

(d) if the registration has been suspended—the period of suspension;

(e) if the veterinary practitioner has been disqualified—the period of disqualification.

(3) This section does not limit any other requirement or power, under this Act or another law in force in the ACT, to give information to a registering authority in another jurisdiction.

*Note* ***Another jurisdiction***—see s 33.

## Division 5.5 Joint consideration with commission

### 70 Interaction with commission

(1) The board must—

(a) give the commission a copy of all documents in its possession that relate to a complaint or occupational discipline matter; and

(b) consult with the commission when it is considering what to do in relation to a complaint or occupational discipline matter to which this part applies; and

(c) attempt to agree with the commission about the action to be taken in relation to the complaint or occupational discipline matter.

(2) The commission must consult with the board in relation to a complaint made to the commission under the *Human Rights Commission Act 2005* relating to a veterinary practitioner.

(3) If the board and the commission cannot agree about the action to be taken in relation to a complaint or occupational discipline matter, the most serious action chosen by the board or commission prevails.



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(4) The action that may be taken in relation to a complaint or occupational discipline matter, from most serious to least serious, is as follows:

(a) if the veterinary practitioner is a registered veterinary practitioner—immediate action in relation to the veterinary practitioner's registration under subdivision 5.3.1 (Immediate action);

(b) apply to the ACAT for an occupational discipline order;

(c) apply to the ACAT for an interim suspension of registration;

(d) refer the complaint or occupational discipline matter to the health complaints entity to be considered under the *Human Rights Commission Act 2005*;

(e) any of the actions mentioned in section 61 (1) (b) (Decision on completion of investigation);

(f) refuse to investigate the complaint further.

(5) Also, the board must take action under section 62 (Indication that offence committed) if, after consultation with the commission, either the board, the commission or both consider that the section applies to the complaint or occupational discipline matter.



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# Part 6 Registration of veterinary premises

## Division 6.1 Preliminary

### 71 Definitions—pt 6

(1) In this part:

***registered***, in relation to veterinary premises, means registered under this part.

***registration***, in relation to veterinary premises, means registration under this part.

***registration holder***, of registered veterinary premises, means the person who holds the registration for the premises.

***superintendent***, of registered veterinary premises, means the manager of the premises appointed by the registration holder of the premises.

***veterinary premises*** means any of the following:

(a) mobile veterinary clinic;

(b) mobile veterinary hospital;

(c) veterinary clinic;

(d) veterinary consulting room;

(e) veterinary hospital.

***veterinary premises standard*** means a standard made by the board under section 72.



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(2) In this section:

***major veterinary surgery*** means a restricted act of veterinary science that—

(a) includes the carrying out of a procedure that—

(i) according to current standards of veterinary practice, should not be undertaken without the administration of an anaesthetic (other than a local anaesthetic); or

(ii) involves a spinal anaesthetic; or

(b) is prescribed by regulation.

***mobile veterinary clinic*** means a vehicle, including a trailer, that—

(a) may be moved from 1 location to another; and

(b) is modified to operate as a veterinary clinic.

***mobile veterinary hospital*** means a vehicle, including a trailer, that—

(a) may be moved from 1 location to another; and

(b) is modified to operate as a veterinary hospital.

***veterinary clinic*** means premises where a restricted act of veterinary science, including major veterinary surgery, may be carried out.

***veterinary consulting room*** means premises where a restricted act of veterinary science (other than major veterinary surgery or emergency care) may be carried out.

***veterinary hospital*** means premises where—

(a) a restricted act of veterinary science, including major veterinary surgery and emergency care, may be carried out; and

(b) a higher level of diagnostic facilities than are available at a veterinary clinic are provided.



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### 72 Board may make veterinary premises standard

(1) The board may make a standard relating to requirements for veterinary premises (a ***veterinary premises standard***).

(2) A veterinary premises standard may apply, adopt or incorporate an instrument as in force from time to time.

(3) A veterinary premises standard is a notifiable instrument.

## Division 6.2 Application and decision

### 73 Application for registration of veterinary premises

(1) A person may apply to the board for veterinary premises to be registered.

(2) The application must—

(a) be in writing; and

(b) state the name and address of the applicant; and

(c) state the kind of veterinary premises to be registered; and

(d) state the business name for the veterinary premises; and

(e) state the address of the veterinary premises to be registered; and

(f) state the nature of the veterinary services to be provided at the veterinary premises; and

(g) state the name of the superintendent for the veterinary premises; and

(h) anything else prescribed by regulation.

*Note* It is an offence to make a false or misleading statement, give false or misleading information or produce a false or misleading document (see Criminal Code, pt 3.4).



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## 74 Board may ask for further information

(1) The board may, before deciding an application for registration, ask the applicant, in writing, for additional information in relation to the application.

(2) If the board asks an applicant to give information to the board, the board may refuse to consider the application for registration further if the applicant does not give the information.

## 75 Decision on application to register veterinary premises

(1) On application by a person for registration of veterinary premises, the board must—

(a) register the premises; or

(b) refuse to register the premises.

(2) The board is taken to have refused to register the veterinary premises if the board fails to decide the application within 40 days after the day the board—

(a) received the application; or

(b) received the information requested under section 74.

(3) In deciding whether to register the veterinary premises, the board must consider any criteria prescribed by regulation.

(4) Subsection (3) does not limit the matters that the board may consider.

(5) The board must, within 7 days after the day it decides the application—

(a) tell the person its decision; and

(b) if it registers the veterinary premises—give the person a registration document.



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## 76 Conditions on registration of veterinary premises

Registration of veterinary premises is subject to—

(a) a condition that the premises are maintained in compliance with a veterinary premises standard; and

(b) a condition that the registration holder notify the board, within 14 days of the change, of any change to the following:

(i) the holder's name or address;

(ii) if the premises are a veterinary hospital—the nature of the veterinary services provided at the hospital; and

(c) any other condition imposed by the board.

**Examples—conditions that may be imposed on a registration**

1 that particular procedures about inspection and reporting must be complied with

2 that particular security procedures must be complied with

*Note 1* The board may amend a registration (including by imposing a condition on, or amending an existing condition of, the registration) at any time (see div 6.3).

*Note 2* ***Veterinary premises standard***—see s 72.

## 77 Term of registration for veterinary premises

(1) The registration of veterinary premises comes into force on the later of—

(a) the day the registration document for the veterinary premises is issued; and

(b) the date stated in the registration document for the veterinary premises.

(2) A registration remains in force until it is cancelled.

(3) A registration is not in force if it is suspended.



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### 78 Refund of application fees

If the board refuses an application for registration under section 75, the board must refund the application fee (less any processing fee) to the applicant.

### 79 Annual registration fee

(1) The registration holder of registered veterinary premises must pay an annual registration fee to the board for each financial year, or part of a financial year, in which the registration is in force.

(2) The annual registration fee is payable in relation to registered veterinary premises even if the registration of the premises is suspended.

(3) The registration holder must pay the annual registration fee to the board before the start of the financial year to which the fee relates.

(4) The board may cancel the registration if the annual registration fee is not paid.

## Division 6.3 Amendment of registration

### 80 Amendment of registration by board on its own initiative

(1) The board may, at any time and on its own initiative, amend the registration of veterinary premises (including by imposing a condition on, or amending an existing condition of, the registration).

(2) However, the board may amend the registration of veterinary premises only if—

(a) the board has given the registration holder of the veterinary premises written notice of the proposed amendment; and

(b) the notice states that written comments on the proposal may be made to the board before the end of a stated period of at least 14 days after the day the notice is given to the registration holder; and



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(c) the board has considered any comments made before the end of the stated period.

(3) Subsection (2) does not apply if the registration holder applied for, or agreed in writing to, the amendment.

### 81 Amendment of registration on application

(1) The registration holder of veterinary premises may apply to the board to amend the registration (including by removing or amending a condition of the registration).

(2) The board may, in writing, require the applicant to give the board additional information or documents that the board reasonably needs to decide the application.

(3) If the applicant does not comply with a requirement under subsection (2), the board may refuse to consider the application.

(4) In deciding whether to amend the registration, the board must consider anything the board must consider under section 75 in relation to an application for registration of veterinary premises.

(5) On an application by the registration holder of veterinary premises to amend the registration of the premises, the board must—

(a) amend the registration in the way applied for; or

(b) refuse to amend the registration.

## Division 6.4 Suspending or ending registration

### 82 Surrender of registration

(1) The registration holder of registered veterinary premises may surrender the registration by giving written notice of the surrender to the board.

(2) The notice must be accompanied by—

(a) the registration document; or



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(b) if the registration document has been lost, stolen or destroyed—a statement verifying that the document has been lost, stolen or destroyed.

(3) The registration of veterinary premises is taken to be cancelled if the registration is surrendered under this section.

## 83 Cancellation of registration—death or winding-up of registration holder

(1) The board must cancel the registration of veterinary premises if—

(a) if the registration holder is an individual—the individual dies; or

(b) if the registration holder is a corporation—the corporation is wound up.

(2) For subsection (1) (a), the cancellation takes effect on the earlier of—

(a) the day the board approves an application for registration of the veterinary premises by someone else; or

(b) 3 months after the registration holder died.

(3) For subsection (1) (b), the cancellation takes effect on the earlier of—

(a) the day the board approves an application for registration of the veterinary premises by someone else; or

(b) the day the corporation is deregistered.

## 84 Cancellation or suspension of registration by ACAT

(1) The board may apply to the ACAT for an order to suspend or cancel the registration of veterinary premises if—

(a) the premises are in a condition that could cause harm or suffering to an animal or affect public safety; or

(b) the registration holder is convicted of an offence under this Act; or



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(c) if the registration holder is a corporation—an executive officer of the corporation has committed an offence against this Act; or

(d) a condition of the registration is breached.

*Note* Requirements for applications to the ACAT are set out in the *ACT Civil and Administrative Tribunal Act 2008*, s 10.

(2) The ACAT may make an order to suspend or cancel the registration if satisfied it is in the public interest for the order to be made.

## Division 6.5 Offences—registered veterinary premises

### 85 Veterinary practice to be conducted at registered veterinary premises

A veterinary practitioner commits an offence if—

(a) the veterinary practitioner conducts a veterinary practice at premises; and

(b) the premises are not registered veterinary premises.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

### 86 Unauthorised restricted act of veterinary science carried out at registered veterinary premises

(1) A person commits an offence if—

(a) the person carries out a restricted act of veterinary science on an animal at registered veterinary premises; and

(b) the registration of the premises does not authorise the act of veterinary science to be carried out at the premises.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.



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(2) It is a defence to a prosecution for an offence against this section if the defendant proves that it was necessary to carry out the restricted act of veterinary science on the animal at the premises because—

(a) the act was carried out in an emergency and there was no time to move the animal to registered veterinary premises where the act was authorised to be carried out; or

(b) it was not practical to move the animal to registered veterinary premises where the act was authorised to be carried out because of the size of the animal or the kind of animal; or

(c) it was dangerous to the health of the animal to move it to registered veterinary premises where the act was authorised to be carried out.

## 87 False representation of premises as registered veterinary premises

A person commits an offence if—

(a) the person represents that premises are registered veterinary premises; and

(b) the representation is false.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

## 88 Superintendent of registered veterinary premises

(1) The registration holder of registered veterinary premises must—

(a) appoint a registered veterinary practitioner as superintendent of the premises; and

(b) tell the board the name of the superintendent of the premises, before the superintendent starts duty as superintendent.



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(2) The registration holder commits an offence if the registration holder fails to comply with subsection (1).

Maximum penalty: 50 penalty units.

## 89 Failure to display sign about registered veterinary premises

(1) A person commits an offence if—

(a) the person is—

(i) the registration holder of registered veterinary premises; or

(ii) the superintendent of registered veterinary premises; and

(b) the person fails to display at the registered veterinary premises a sign displaying registration information about the premises.

Maximum penalty: 20 penalty units.

(2) A person commits an offence if—

(a) the person is—

(i) the registration holder of registered veterinary premises; or

(ii) the superintendent of registered veterinary premises; and

(b) the registered veterinary premises are—

(i) a mobile veterinary clinic; or

(ii) a mobile veterinary hospital; and

(c) the person fails to produce registration information about the premises to a person using, or proposing to use, the registered veterinary premises when requested to do so.

Maximum penalty: 20 penalty units.

(3) An offence against this section is a strict liability offence.



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(4) In this section:

***registration information***, about registered veterinary premises, means—

(a) the kind of major veterinary surgery that is authorised to be carried out at premises; and

(b) proof that the premises are registered veterinary premises.



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# Part 7 Veterinary practitioners board

## Division 7.1 Establishment and functions of board

### 90 Veterinary practitioners board—establishment

(1) The ACT Veterinary Practitioners Board (the ***board***) is established.

(2) The board—

(a) is a body corporate; and

(b) must have a seal; and

(c) may sue and be sued, and hold property, in its corporate name.

### 91 Board—functions

(1) The board has the following functions:

(a) registering veterinary practitioners and veterinary premises;

(b) ensuring the professional development of veterinary practitioners, including by determining requirements for continuing professional development of veterinary practitioners;

(c) approving educational and training courses related to professional qualifications for veterinary practitioners;

(d) developing codes of professional conduct for veterinary practitioners;

(e) setting standards for premises;

(f) cooperating with other jurisdictions in Australia and New Zealand to further a common and harmonious approach to the administration of legislation relating to veterinary practitioners;

(g) giving general advice to consumers of veterinary services in relation to the ethics and standards of professional competence generally expected of veterinary practitioners;



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(h) giving advice to the Minister in relation to any other matter related to the administration of this Act;

(i) liaising with, and if the board considers it appropriate, becoming a member of, professional organisations concerned with veterinary science;

(j) investigating complaints against veterinary practitioners;

(k) conducting, on the board's own initiative, investigations of veterinary practitioners;

(l) giving information to the veterinary profession relating to continuing education issues, developments in the field of veterinary science and disciplinary matters;

(m) taking disciplinary action against veterinary practitioners;

(n) enforcing this Act, including taking proceedings for offences against this Act.

(2) The board may exercise any other function given to the board under this Act or any other territory law.

*Note* A provision of a law that gives an entity (including a person) a function also gives the entity powers necessary and convenient to exercise the function (see Legislation Act, s 196 and dict, pt 1, def ***entity***).

## 92 Annual general meeting of veterinary profession

(1) The board must hold an annual general meeting of the veterinary profession.

(2) Every registered veterinary practitioner is entitled to attend a meeting under this section.



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# Division 7.2 Board members

## 93 Board membership

(1) The board has the following members:

(a) president;

(b) 4 members who—

(i) are registered veterinary practitioners; and

(ii) have been registered for a continuous period of at least 3 years immediately before the day of appointment;

(c) 1 member who is not a veterinary practitioner, to represent community interests;

(d) 1 member who is not a veterinary practitioner.

(2) The Minister must appoint the board members.

*Note 1* For the making of appointments (including acting appointments), see the Legislation Act, pt 19.3.

*Note 2* In particular, an appointment may be made by naming a person or nominating the occupant of a position (see Legislation Act, s 207).

*Note 3* Certain Ministerial appointments require consultation with an Assembly committee and are disallowable (see Legislation Act, div 19.3.3).

(3) The Minister may appoint a person as a community representative to the board only if satisfied that the person has interests, skills or qualifications that will help the board in carrying out the objects of this Act.

(4) The members mentioned in subsection (1) (c) and (d) must live in the ACT or surrounding region.



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## 94 Term of appointment

A board member must not be appointed for longer than 3 years.

*Note* A person may be reappointed to a position if the person is eligible to be appointed to the position (see Legislation Act, s 208 and dict, pt 1, def ***appoint***).

## 95 President and deputy president of board

(1) The president must not be a person who—

(a) works in a veterinary practice; or

(b) has a material interest in a veterinary practice.

(2) The deputy president must be a board member who is a registered veterinary practitioner and elected by the board.

(3) The deputy president may exercise a function of the president at any time when the president cannot for any reason exercise the function.

(4) The deputy president is elected for 1 year, but may be re-elected if still eligible to be elected.

(5) The deputy president may resign as deputy president by written notice given to the president or, if there is no president, the board.

(6) In this section:

***material interest***—see section 97 (4).

*Note* ***Veterinary practice***—see the dictionary.



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## 96 Consultation about appointment to board

(1) Before appointing someone, other than a community representative, to the board the Minister must consult the board.

(2) The Minister must also seek advice, and nominations, from declared professional bodies and any other entities the Minister considers suitable to give advice, and make nominations, in relation to the board.

**Examples—entities suitable to give advice**

- academic institutions
- industry representatives

(3) Subsection (1) does not apply if the board is suspended.

(4) The Minister may declare an entity to be a professional body for subsection (2).

(5) A declaration is a disallowable instrument.

## 97 Disclosure of interests by board members

(1) If a board member has a material interest in an issue being considered, or about to be considered, by the board, the member must disclose the nature of the interest at a board meeting as soon as practicable after the relevant facts come to the member's knowledge.

(2) The disclosure must be recorded in the board's minutes and, unless the board otherwise decides, the member must not—

(a) be present when the board considers the issue; or

(b) take part in a decision of the board on the issue.



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**Example**

Albert, Boris and Chloe are members of the board. They have an interest in an issue being considered at a board meeting and they disclose the interest as soon as they become aware of it. Albert's and Boris's interests are minor but Chloe has a direct financial interest in the issue.

The board considers the disclosures and decides that because of the nature of the interests—

(a) Albert may be present when the board considers the issue but not take part in the decision; and

(b) Boris may be present for the consideration and take part in the decision.

The board does not make a decision allowing Chloe to be present or take part in the board's decision. Accordingly, since Chloe has a material interest she cannot be present for the consideration of the issue or take part in the decision.

(3) Any other board member who also has a material interest in the issue must not be present when the board is considering its decision under subsection (2).

(4) In this section:

***associate***, of a person, means—

(a) the person's business partner; or

(b) a close friend of the person; or

(c) a family member of the person.

***indirect interest***—without limiting the kinds of indirect interests a person may have, a person has an ***indirect interest*** in an issue if any of the following has an interest in the issue:

(a) an associate of the person;

(b) a corporation if the corporation has not more than 100 members and the person, or an associate of the person, is a member of the corporation;

(c) a subsidiary of a corporation mentioned in paragraph (b);

(d) a corporation if the person, or an associate of the person, is an executive officer of the corporation;



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(e) the trustee of a trust if the person, or an associate of the person, is a beneficiary of the trust;

(f) a member of a firm or partnership if the person, or an associate of the person, is a member of the firm or partnership;

(g) someone else carrying on a business if the person, or an associate of the person, has a direct or indirect right to participate in the profits of the business.

***material interest***—a board member has a ***material interest*** in an issue if the member has a direct or indirect—

(a) financial interest in the issue; or

(b) interest of any other kind if the interest could conflict with the proper exercise of the member's functions in relation to the board's consideration of the issue.

## 98 Conditions of board appointment generally

(1) The Minister may, conditionally or unconditionally, allow the president to take leave.

(2) The president may, conditionally or unconditionally, allow a board member (other than the president) to take leave for not longer than 1 year.

*Note 1* The deputy president is a board member and so can be given leave under s (2).

*Note 2* The Minister may appoint a person to act in the position of someone on leave (see Legislation Act, s 209).

(3) The board may decide, in writing, the allowances to be paid to board members.

(4) However, if the remuneration tribunal sets a maximum amount of allowances for board members, the board must not pay its members more than that amount.



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(5) The board may pay anyone who helps the board.

**Examples**

- someone who provides an expert opinion to the ACAT in relation to a report about a veterinary practitioner
- someone who provides legal advice, or other services, to the board
- someone who serves on a panel or committee established by the board

(6) The board must, if practicable, seek the Minister's approval before taking action under this Act that the board considers is likely to incur an extraordinary liability.

(7) The board may apply to the Minister for financial assistance if the board believes on reasonable grounds that it is likely to incur extraordinary expenses in relation to legal fees or damages because of the administration of this Act.

## Division 7.3 Board meetings

### 99 Board procedures

(1) The president presides at meetings of the board.

(2) However, if the president is absent from a meeting, the deputy president presides at the meeting.

(3) A question arising at a meeting may be decided by a majority of the votes of members present and voting.

(4) If the votes of the board on a question are equally divided, the decision of the member presiding is the decision of the board on the question.

(5) The board may decide its own procedure in relation to anything for which a procedure is not provided under this Act.

(6) The board must keep minutes of its meetings.



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## 100 Quorum at board meetings

(1) Business may be carried on at a meeting of the board only if—

(a) at least 4 members are present; and

(b) at least 1 of the 4 members mentioned in paragraph (a) is the president or deputy president.

(2) However, a quorum may still be formed if—

(a) neither the president nor deputy president is present; and

(b) at least 4 members are present; and

(c) the members present agree to appoint a member to preside over the meeting.

**Examples—par (a)**

- both the president and deputy president are on leave
- the president cannot be present because of a conflict of interest and the deputy president is on leave

## 101 Reporting on exercise of functions

(1) The Minister may, in writing, ask for a written report from the board about the exercise of its functions.

(2) The request may be for a general report or a report in relation to stated criteria or a stated matter.

(3) The board must provide a report under subsection (2) within the time the Minister reasonably requires.



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# Division 7.4 Board misconduct

## 102 Failure by board to exercise functions diligently

(1) If the Minister is not satisfied that the board is exercising its functions diligently, the Minister may, in writing—

(a) tell the board that the Minister is not satisfied that the board is exercising its functions diligently; and

(b) give the board reasons why the Minister is not satisfied; and

(c) give the board at least 14 days after the day the notice is given to the board to make representations to the Minister about the matter.

*Note* The functions of the board are set out in s 91.

(2) If, after considering any representations made by the board within the time set out in the notice, the Minister is not satisfied that the board is exercising its functions diligently, the Minister may, in writing, tell the board what it must do for the Minister to be satisfied.

(3) A regulation may prescribe matters that the Minister must or may take into consideration in deciding for this section whether the board is exercising its functions diligently.

*Note* The power of appointment includes the power to suspend or end the appointment (see Legislation Act, s 208).

# Division 7.5 Board administration

*Note* The board is a territory authority and as such is subject to separate financial and governance requirements under the *Financial Management Act 1996*, pt 8 and pt 9.

## 103 Offence—prohibition on business

A member of the board must not authorise the board to carry on business except in the exercise of its functions.

Maximum penalty: 50 penalty units.



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## 104 Appointment of registrar

The board must appoint a person as registrar for the board.

*Note 1* For the making of appointments (including acting appointments), see the Legislation Act, pt 19.3.

*Note 2* In particular, an appointment may be made by naming a person or nominating the occupant of a position (see Legislation Act, s 207).

## 105 Registrar—functions

(1) The registrar—

(a) is responsible for the management of the board's affairs, subject to any direction given by the board; and

(b) must advise the board; and

(c) has any other function given to the registrar under a territory law.

(2) The registrar may delegate a function given to the registrar under a territory law to a public servant.

*Note* For the making of delegations and the exercise of delegated functions, see the Legislation Act, pt 19.4.

## 106 Employment of staff etc

(1) The board may engage the people, or buy the services, that are necessary or desirable to help it to exercise its functions.

(2) Without limiting subsection (1), the board may engage a person on a fee or contractual basis to provide advice or other assistance.

*Note* ***Person*** includes a corporation (see Legislation Act, dict, pt 1).

## 107 Committees

(1) The board may establish 1 or more committees to assist it to exercise its functions.

(2) Not all members of the board need be members of a committee.



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(3) The board or the committee may decide—

(a) how the committee is to exercise its functions; and

(b) the procedure to be followed for meetings of the committee.

## 108 Delegation by board

(1) The board may delegate a function to—

(a) a board member; or

(b) the registrar; or

(c) a committee of the board; or

(d) anyone else the board considers appropriate.

*Note* For the making of delegations and the exercise of delegated functions, see the Legislation Act, pt 19.4.

(2) The board must not delegate the board's decision-making power under any of the following:

(a) section 60 (Board may dismiss certain complaints);

(b) section 61 (Decision on completion of investigation);

(c) section 62 (Indication that offence committed);

(d) section 65 (Application to ACAT for occupational discipline).



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# Part 8 Enforcement

## Division 8.1 Inspectors

### 109 Inspectors

The board may appoint an individual as an inspector.

*Note 1* For the making of appointments (including acting appointments), see the Legislation Act, pt 19.3.

*Note 2* In particular, an appointment may be made by naming a person or nominating the occupant of a position (see Legislation Act, s 207).

### 110 Identity cards

(1) The registrar must give an inspector an identity card stating the person's name and position.

(2) The identity card must show—

(a) a recent photograph of the person; and

(b) the card's date of issue and expiry; and

(c) anything else prescribed by regulation.

(3) A person commits an offence if—

(a) the person stops being an inspector; and

(b) the person does not return the person's identity card to the board as soon as practicable, but not later than 7 days after the day the person stops being an inspector.

Maximum penalty: 1 penalty unit.

(4) An offence against this section is a strict liability offence.



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## Division 8.2 Powers of inspectors

### 111 Meaning of *premises*—div 8.2

In this division:

***premises*** includes land, structure, vehicle or boat.

### 112 Powers of entry and search

(1) For this Act, an inspector may enter premises—

(a) if the premises are premises that the public is entitled to use or that are open to the public (whether or not on payment of money)—at any reasonable time; or

(b) at any time when premises are open for business; or

(c) at any time when there are reasonable grounds for suspecting that veterinary science is being practised at the premises; or

(d) at any time with the occupier's consent; or

(e) in accordance with a registration condition; or

(f) in accordance with a search warrant; or

(g) if the inspector believes on reasonable grounds that the circumstances are so serious and urgent that immediate entry to the premises without the authority of a search warrant is necessary—at any time.

(2) However, subsection (1) (a), (b) and (c) do not authorise entry into a part of premises that is being used only for residential purposes.

(3) An inspector may, without the consent of the occupier of premises, enter land around the premises to ask for consent to enter the premises.

(4) To remove any doubt, an inspector may enter premises under subsection (1) without payment of an entry fee or other charge.



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(5) In this section:

***at any reasonable time*** includes at any time when the public is entitled to use the premises, or when the premises are open to or used by the public (whether or not on payment of money).

## 113 Production of identity card

An inspector must not remain at premises entered under this part if the inspector does not produce the inspector's identity card when asked by the occupier.

## 114 Consent to entry

(1) When seeking the consent of an occupier of premises to enter premises under section 112 (1) (d), an inspector must—

(a) produce the inspector's identity card; and

(b) tell the occupier—

(i) the purpose of the entry; and

(ii) that anything found and seized under this part may be used in evidence in a court or tribunal; and

(iii) that consent may be refused.

(2) If the occupier consents, the inspector must ask the occupier to sign a written acknowledgment (an ***acknowledgment of consent***)—

(a) that the occupier was told—

(i) that anything found and seized under this part may be used in evidence in court; and

(ii) that consent may be refused; and

(b) that the occupier consented to the entry; and

(c) stating the time and date when consent was given.



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(3) If the occupier signs an acknowledgment of consent, the inspector must immediately give a copy to the occupier.

(4) A court must find that the occupier did not consent to entry to the premises by the inspector under this part if—

(a) the question arises in a proceeding in the court whether the occupier consented to the entry; and

(b) an acknowledgment of consent is not produced in evidence; and

(c) it is not proved that the occupier consented to the entry.

## 115 Powers of inspectors

(1) An inspector who enters premises in accordance with section 112 may, if the inspector believes it is reasonably necessary for this Act—

(a) examine any animal in or on the premises; or

(b) give assistance to any animal on the premises; or

(c) take measurements or conduct tests; or

(d) take samples; or

(e) inspect the premises and anything in or on the premises (including a document); or

(f) take copies of, or extracts from, any document in or on the premises; or

(g) take photographs or make films or videotapes of the premises or any animal or thing in or on the premises; or

(h) seize anything (including a document), that the inspector believes on reasonable grounds to be connected with an offence; or

(i) require any person in or on the premises to give the inspector such assistance as is reasonable to enable the inspector to exercise the inspector's powers under this section; or



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(j) ask questions of any person in or on the premises where the inspector considers it reasonable to enable the inspector to exercise powers under this section.

(2) An inspector must not—

(a) give a document seized under subsection (1) to someone else (other than the board); or

(b) give a copy of a document inspected or seized under subsection (1) to someone else (other than the board); or

(c) communicate to someone else (other than the board) the contents of a document inspected or seized under subsection (1).

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

(3) Subsection (2) does not apply if the document or copy is given, or the communication is made for the purposes of the investigation or prosecution of an offence.

(4) A person must take reasonable steps to comply with a requirement made of the person under subsection (1) (i).

Maximum penalty: 20 penalty units.

## 116 Direction to give name and address—inspector

(1) This section applies if an inspector believes on reasonable grounds that a person—

(a) has committed, is committing or is about to commit an offence against this Act; or

(b) may be able to assist in the investigation of an offence against this Act.

*Note* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation (see Legislation Act, s 104).



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(2) The inspector may direct the person to give the inspector, immediately, any of the following personal details:

(a) the person's full name;

(b) the person's home address.

(3) The person may ask the inspector to produce the inspector's identity card for inspection by the person.

(4) If the inspector believes on reasonable grounds that a personal detail given by a person in response to a direction under subsection (2) is false or misleading, the inspector may direct the person to produce evidence immediately of the correctness of the detail.

(5) If an inspector gives a direction under this section to a person, the inspector must tell the person that it is an offence if the person fails to comply with the direction.

## 117 Offence—fail to comply with inspector's direction to give name and address

(1) A person commits an offence if the person—

(a) is subject to a direction under section 116 (2); and

(b) fails to comply with the direction.

Maximum penalty: 5 penalty units.

*Note* It is an offence to make a false or misleading statement, give false or misleading information or produce a false or misleading document (see Criminal Code, pt 3.4).

(2) An offence against this section is a strict liability offence.

(3) This section does not apply to a person if the inspector did not produce the inspector's identity card for inspection by the person if asked.



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(4) This section does not apply to a person if the inspector did not, before giving the direction, warn the person that failure to comply with the direction is an offence.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (3) and s (4) (see Criminal Code, s 58).

## 118 Warrants generally

(1) An inspector may apply to a magistrate for a warrant to enter premises.

(2) The application must be sworn and state the grounds on which the warrant is sought.

(3) The magistrate may refuse to consider the application until the inspector gives the magistrate all the information the magistrate requires about the application in the way the magistrate requires.

(4) The magistrate may issue a warrant only if satisfied there are reasonable grounds for suspecting—

(a) there is a particular thing or activity connected with an offence against this Act; and

(b) the thing or activity—

(i) is, or is being engaged in, at the premises; or

(ii) may be, or may be engaged in, at the premises within the next 7 days.

(5) The warrant must state—

(a) that an inspector may, with any necessary assistance and force, enter the premises and exercise the inspector's powers under this part; and

(b) the offence for which the warrant is issued; and

(c) the things that may be seized under the warrant; and

(d) the hours when the premises may be entered; and



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(e) the date, within 7 days after the day of the warrant's issue, the warrant ends.

## 119 Warrants—application made other than in person

(1) An inspector may apply for a warrant by phone, email, radio or other form of communication if the inspector considers it necessary because of—

(a) urgent circumstances; or

(b) other special circumstances.

(2) Before applying for the warrant, the inspector must prepare an application stating the grounds on which the warrant is sought.

(3) The inspector may apply for the warrant before the application is sworn.

(4) After issuing the warrant, the magistrate must immediately email a copy to the inspector if it is practicable to do so.

(5) If it is not practicable to email a copy to the inspector—

(a) the magistrate must tell the inspector—

(i) the terms of the warrant; and

(ii) the date and time the warrant was issued; and

(b) the inspector must complete a form of warrant (the ***warrant form***) and write on it—

(i) the magistrate's name; and

(ii) the date and time the magistrate issued the warrant; and

(iii) the warrant's terms.

(6) The emailed copy of the warrant, or the warrant form properly completed by the inspector, authorises the entry and the exercise of the inspector's powers under this part.



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(7) The inspector must, at the first reasonable opportunity, send to the magistrate—

(a) the sworn application; and

(b) if the inspector completed a warrant form—the completed warrant form.

(8) On receiving the documents, the magistrate must attach them to the warrant.

(9) A court must find that a power exercised by the inspector was not authorised by a warrant under this section if—

(a) the question arises in a proceeding in the court whether the exercise of power was authorised by a warrant; and

(b) the warrant is not produced in evidence; and

(c) it is not proved that the exercise of power was authorised by a warrant under this section.

## 120 Search warrants—announcement before entry

(1) An inspector must, before anyone enters premises under a search warrant—

(a) announce that the inspector is authorised to enter the premises; and

(b) give anyone at the premises an opportunity to allow entry to the premises; and

(c) if the occupier of the premises, or someone else who apparently represents the occupier, is present at the premises—show the person the inspector's identity card.



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(2) The inspector is not required to comply with subsection (1) if the inspector believes on reasonable grounds that immediate entry to the premises is required to ensure—

(a) the safety of anyone (including the inspector or any person assisting); or

(b) that the effective execution of the warrant is not frustrated.

## 121 Details of search warrant to be given to occupier etc

If the occupier of premises, or someone else who apparently represents the occupier, is present at the premises while a search warrant is being executed, the inspector or a person assisting must make available to the person—

(a) a copy of the warrant; and

(b) a document setting out the rights and obligations of the person in relation to the search warrant.

## 122 Occupier entitled to be present during search etc

(1) If the occupier of premises, or someone else who apparently represents the occupier, is present at the premises while a search warrant is being executed, the person is entitled to observe the search being conducted.

(2) However, the person is not entitled to observe the search if—

(a) to do so would impede the search; or

(b) the person is under arrest, and allowing the person to observe the search being conducted would interfere with the objectives of the search.

(3) This section does not prevent 2 or more areas of the premises being searched at the same time.



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# Part 9 Register and dealing with information

## Division 9.1 Register

### 123 Board to maintain register of veterinary practitioners and veterinary premises

(1) The board must keep a register of—

(a) veterinary practitioners registered under this Act; and

(b) veterinary premises registered under this Act.

(2) The register may be kept in the form of 1 or more registers, or 1 or more parts, as long as the register complies with this Act.

(3) The board must ensure that the information in the register is as accurate and current as practicable.

(4) The board must on application, and may on its own initiative, make the changes necessary to the register to give effect to subsection (3).

(5) If a court or the ACAT orders the board to make a change to the register, the board must make the change.

### 124 Contents of register—practitioners

(1) For veterinary practitioners, the register must contain—

(a) the registration details for each person registered as a veterinary practitioner; and

(b) any other information in relation to a registered veterinary practitioner that the board considers necessary or desirable.

(2) In this section:

***registration details***, for a person, means the following:

(a) the name of the person;



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(b) the address of the person;

(c) the qualifications held by the person;

(d) the provision under which the person was registered;

(e) the registration number given to the person;

(f) the specialist registration held by the veterinary practitioner (if any);

(g) the registration date;

(h) the place at which the veterinary practitioner practises (if any);

(i) any condition on registration;

(j) if the person's registration is suspended—the date the suspension began and is to end;

(k) anything else prescribed by regulation.

## 125 Contents of register—premises

(1) For veterinary premises, the register must contain—

(a) the registration details for each premises; and

(b) any other information in relation to a registered veterinary premises that the board considers necessary or desirable.

(2) In this section:

***registration details***, for premises, means the following:

(a) the name and address of the registration holder;

(b) the business name of the premises;

(c) the address of the premises;

(d) any other registration or licence that relates to the premises or veterinary services provided at the premises;



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(e) state the nature of the veterinary services to be provided at the veterinary premises;

(f) the registration number of the premises;

(g) the provision of this Act under which the premises are registered;

(h) the registration date;

(i) any condition on registration;

(j) the name of the superintendent for the premises;

(k) anything else prescribed by regulation.

**Example—par (d)**
a licence to deal with a regulated radiation source

## 126 Information in register to be accessible and extractable

The register must be kept in a way that allows the information about a registered veterinary practitioner or registered premises to be readily reproduced in an easily readable form.

## 127 Registration documents

(1) The board may issue a registration document to—

(a) a registered veterinary practitioner; and

(b) the registration holder of registered veterinary premises.

(2) A registration document may contain such registration details as the board considers necessary.

(3) A registration document is evidence of the matters stated in the document.



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## 128 Registrar responsible for register

(1) The registrar must keep the register on behalf of the board.

(2) Without limiting how the registrar may keep the register, the registrar may do the following in relation to the register:

(a) add the details of a newly registered veterinary practitioner;

(b) add the details of newly registered veterinary premises;

(c) remove the details of a veterinary practitioner who is no longer registered;

(d) remove the details of veterinary premises that are no longer registered;

(e) correct information in the register that is not, or is no longer, accurate.

(3) To remove any doubt, the removal of details from the register does not prevent the registrar from keeping a record of details removed.

## 129 Access to register

(1) The register must be open for inspection by the public at reasonable times.

(2) However, information that is not required to be included in the register under section 124 (Contents of register—practitioners) or section 125 (Contents of register—premises) need not be available to the public.

(3) Also, the board need not allow public inspection of a condition on the registration of a veterinary practitioner if—

(a) the condition contains information about someone other than the veterinary practitioner that the board is satisfied is, or may be, confidential; or



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(b) in the board's opinion, the benefit to the public of knowing the condition is outweighed by the personal or prejudicial nature of the condition.

(4) The board may, if asked, give someone a copy of, or extract from, the register.

## 130 Requests for changes of details in register

(1) A registered veterinary practitioner or registration holder may apply to the board to change information in the register—

(a) in the case of a practitioner—about the practitioner; or

(b) in the case of the registration holder—about the registered premises.

(2) If the board receives an application under subsection (1), the board must consider whether the change is necessary and tell the applicant, in writing, whether the board considers the change necessary.

*Note* Because the board is required to keep the register current and accurate, if the board considers the change necessary the board must make the change under s 123 (4).

(3) The board may, before deciding an application, ask the applicant, in writing, for additional information in relation to the application.

## 131 When board must not charge fees etc for register corrections

The board may not charge a fee, or must refund any fee paid, on application for a change in the register if the change is necessary because of a mistake of the board.

## 132 Evidentiary certificate—contents of register

In any proceedings in a court, a certificate purporting to be signed by the president stating that, on a stated date or during a stated period, the particulars contained in the register as to stated matters were as so stated, is evidence as to the matters stated in the certificate.



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## Division 9.2 Dealing with information

### 133 Meaning of *information holder*

In this Act:

***information holder*** means—

(a) a person who is or has been a member of the board; or

(b) anyone else who exercises or has exercised a function under this Act.

### 134 Nondisclosure of complaints

(1) This section applies in relation to a complaint made about a veterinary practitioner.

(2) An information holder must not disclose information to the veterinary practitioner that allows the person who made the complaint (the ***complainant***) to be identified if the information holder has reason to believe that the disclosure would, directly or indirectly—

(a) put the health or safety of anyone at risk; or

(b) cause anyone to receive a lower standard of service than the person would have received if the complainant had not been identified; or

(c) prejudice the management of the complaint or its consideration by the board or the commission.

Maximum penalty: 20 penalty units.

### 135 Use and disclosure of protected information

(1) An information holder commits an offence if—

(a) the information holder uses information; and

(b) the information is protected information about someone else (the ***protected person***); and



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(c) the information holder is reckless about whether the information is protected information about the protected person.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

(2) An information holder commits an offence if—

(a) the information holder does something that discloses information; and

(b) the information is protected information about a protected person; and

(c) the information holder is reckless about whether—

(i) the information is protected information about the protected person; and

(ii) doing the thing would result in the information being disclosed to someone else.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

(3) Subsections (1) and (2) do not apply if the information holder uses or discloses protected information about the protected person—

(a) under this Act or another territory law; or

(b) in relation to the exercise of a function, as an information holder, under this Act or another territory law; or

(c) in a court proceeding; or

(d) with the protected person's consent.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (3) (see Criminal Code, s 58).



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(4) An information holder need not disclose protected information to a court, or produce a document containing protected information to a court, unless it is necessary to do so for this Act or another territory law.

(5) In this section:

***court*** includes a tribunal, authority or person having power to require the production of documents or the answering of questions.

***disclose*** includes—

(a) communicate; or

(b) publish.

***information*** means information, whether true or not, in any form and includes an opinion and advice.

***produce*** includes allow access to.

***protected information*** means information about a person that is disclosed to, or obtained by, an information holder because of the exercise of a function under this Act by the information holder or someone else.

***use***, in relation to information, includes make a record of the information.



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# Part 10 Notification and review of decisions

## 136 Meaning of *reviewable decision*—pt 10

In this part:

***reviewable decision*** means a decision mentioned in schedule 1, column 3 under a provision of this Act mentioned in column 2 in relation to the decision.

## 137 Reviewable decision notices

If a person makes a reviewable decision, the person must give a reviewable decision notice to each entity mentioned in schedule 1, column 4 in relation to the decision.

*Note* The person must also take reasonable steps to give a reviewable decision notice to any other person whose interests are affected by the decision (see *ACT Civil and Administrative Tribunal Act 2008*, s 67A).

## 138 Applications for review

The following may apply to the ACAT for review of a reviewable decision:

(a) an entity mentioned in schedule 1, column 4 in relation to the decision;

(b) any other person whose interests are affected by the decision.



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# Part 11 Miscellaneous

## 139 Information sharing

(1) The board may disclose to a relevant authority information about—

(a) a contravention of this Act or an animal welfare law; or

(b) any other information prescribed by regulation.

(2) In this section:

***animal welfare law*** means the following:

(a) the *Animal Welfare Act 1992*;

(b) the *Domestic Animals Act 2000*;

(c) in relation to a State—a law of the State relating to animal welfare.

*Note* ***State*** includes the Northern Territory (see Legislation Act, dict, pt 1).

***corresponding law***—

(a) means a law of a State that provides for the regulation of veterinary services; and

(b) includes a law of a State prescribed by regulation.

***relevant authority*** means—

(a) an entity responsible for the administration of an animal welfare law in the Territory; or

(b) an inspector or authorised officer under the *Animal Welfare Act 1992*; or

(c) an authorised person under the *Domestic Animals Act 2000*; or

(d) an entity of a State responsible for the administration of a corresponding law; or

(e) any other entity prescribed by regulation.



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## 140 Protection of participants

(1) This section applies to a person who is or has been a participant in a proceeding about a complaint, or a review of conditions imposed on a registered veterinary practitioner, before the board.

(2) An action or proceeding does not lie against a person to whom this section applies in relation to an act done, or omitted to be done, honestly in that capacity.

## 141 Protection of informed people

(1) An information holder is not civilly liable for conduct engaged in honestly and without recklessness—

(a) in the exercise of a function under this Act; or

(b) in the reasonable belief that the conduct was in the exercise of a function under this Act.

(2) An information holder is, in any legal proceeding, competent but not compellable to give evidence or produce documents in relation to any matter in which the person was involved in the course of exercising the person's functions.

*Note* ***Information holder***—see s 133.

## 142 Exemptions from Act

(1) The Minister may exempt a veterinary practitioner from a provision of this Act if satisfied that it is in the public interest to do so.

(2) An exemption is a disallowable instrument.

(3) An exemption must be made in accordance with the guidelines (if any) made under subsection (4).

(4) The Minister may make guidelines for the giving of exemptions under subsection (1).

(5) A guideline is a disallowable instrument.



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## 144 Determination of fees by board

(1) The board may determine fees for this Act.

(2) A determination is a disallowable instrument.

(3) A regulation may prescribe when fees may not be charged.

## 145 Determination of fees by Minister

(1) The Minister may determine fees for this Act.

(2) A determination is a disallowable instrument.

## 146 Fee waiver

(1) A person required to pay a fee under this Act may apply to the board for waiver of the fee.

(2) The board may waive the fee if the board considers it appropriate.

## 147 Regulation-making power

(1) The Executive may make regulations for this Act.

(2) A regulation may impose conditions, including restrictions, on the practice of veterinary science to protect animal welfare, the public or the public interest.

(3) A regulation may prescribe—

(a) what an application for registration may require and how it must be made; and

(b) when (in addition to the circumstances already prescribed under this Act) the board may apply for—

(i) the suspension or cancellation of registration; or

(ii) a declaration under section 67 (2) (f) (which is about a person who is not registered); and



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(c) requirements in relation to insurance to be held by a registered veterinary practitioner; and

(d) when a veterinary practitioner's registration may be renewed, including when it may be renewed retrospectively; and

(e) requirements in relation to annual general meetings under section 92 including the following:

(i) calling and giving of notice of a meeting;

(ii) information to be provided at a meeting;

(iii) procedures for conducting a meeting.

(4) Also, a regulation may apply, adopt or incorporate (with or without change) an instrument as in force at a particular time or from time to time.



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# Schedule 1 Reviewable decisions

(see s 136)

| column 1<br>item | column 2<br>section | column 3<br>decision | column 4<br>entity |
|---|---|---|---|
| 1 | 19 (1) (a) | register person | applicant for registration |
| 2 | 19 (1) (b) | refuse to register person | applicant for registration |
| 3 | 22 | board amend registration | registered veterinary practitioner |
| 4 | 23 (5) (b) | refuse to amend registration | applicant |
| 5 | 52 | take immediate action | veterinary practitioner subject to immediate action |
| 6 | 61 (1) (b) | take disciplinary action | veterinary practitioner subject to disciplinary action |
| 7 | 75 (1) (b) | refuse to register veterinary premises | applicant |
| 8 | 76 (b) | impose condition on registered veterinary premises | registration holder of veterinary premises |
| 9 | 80 (1) | board amend registration of premises | registration holder of veterinary premises |
| 10 | 81 (5) (b) | refuse to amend registration of veterinary premises | applicant |
| 11 | 130 | refuse to update register | applicant |



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# Schedule 2 Unrestricted acts of veterinary science

(see s 7 (5))

## 2.1 Unrestricted acts of veterinary science

(1) The following are unrestricted acts of veterinary science:

(a) de-worming an animal;

(b) performing Mules operation on sheep less than 12 months old;

(c) de-horning of—

(i) cattle less than 12 months old; or

(ii) goats less than 1 month old;

(d) horn tipping an animal;

(e) castrating—

(i) cattle, sheep or goats less than 6 months old; or

(ii) pigs less than 2 months old;

(f) tailing sheep less than 6 months old;

(g) artificial breeding of any animal other than a horse if the procedure does not involve surgery;

(h) determining the sex of a chicken;

(i) administration of an anaesthetic to an animal if the administration is done under the immediate and direct supervision of a veterinary practitioner;

(j) diagnosing pregnancy in sheep by ultrasonic techniques in a way prescribed by regulation.



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(2) In this section:

***de-horn*** means remove the horn of an animal by methods which destroy or remove the keratin producing cells and structures at the base of the horn, but does not include horn tipping.

***horn tip*** means remove the insensitive part of the horn of an animal.



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# Dictionary

(see s 3)

*Note 1* The Legislation Act contains definitions and other provisions relevant to this Act.

*Note 2* For example, the Legislation Act, dict, pt 1, defines the following terms:

- ACAT
- appoint
- bankrupt
- chief police officer
- Commonwealth Criminal Code
- Corporations Act
- Criminal Code
- disallowable instrument (see s 9)
- entity
- Executive
- exercise
- financial year
- function
- Legislative Assembly
- Minister (see s 162)
- notifiable instrument (see s 10)
- occupational discipline order
- penalty unit (see s 133)
- person (see s 160)
- police officer
- reviewable decision notice
- Self-Government Act
- State
- territory law
- the Territory
- under.



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***annual registration fee*** means the annual registration fee payable under section 79.

***another jurisdiction***—see section 33.

***application***, for registration, includes an application for renewal of registration.

***AVBC*** means the Australasian Veterinary Boards Council Inc (ABN 49 337 540 469).

***board*** means the ACT Veterinary Practitioners Board established under section 90.

***business name***—see the *Business Names Registration Act 2011* (Cwlth).

***commission*** means the human rights commission.

***complainant*** means the person who made the complaint under division 5.2.

***complaint*** means a complaint made under section 43 (Who may complain).

***corresponding law***, of another jurisdiction, means a law of that jurisdiction that corresponds to this Act.

***deemed registration***—see section 34.

***deputy president*** means the person elected deputy president under section 95 (2).

***executive officer***, of a corporation, means a person, however described and whether or not the person is a director of the corporation, who is concerned with, or takes part in, the corporation's management.

***general registration*** means registration as a veterinary practitioner permitted to carry out a restricted act of veterinary science other than an act that requires specialist registration.



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***ground for occupational discipline***, in relation to a veterinary practitioner—see section 64.

***immediate action***, in relation to a registered veterinary practitioner, for subdivision 5.3.1 (Immediate action)—see section 51.

***information*** includes documents.

***information holder***—see section 133.

***non-practising veterinary practitioner*** means a veterinary practitioner registered as a non-practising veterinary practitioner.

***premises***, for division 8.2 (Powers of inspectors)—see section 111.

***president*** means the president of the board under section 93 (1) (a).

***professional misconduct***—see section 40.

***qualified to hold***—

(a) a general registration as a veterinary practitioner—see section 28; and

(b) a specialist registration as a veterinary practitioner—see section 29.

***register*** means the register of veterinary practitioners and veterinary premises under section 123.

***registered***, in relation to veterinary premises, for part 6 (Registration of veterinary premises)—see section 71.

***registered veterinary practitioner***—see section 9.

***registrar***, for the board, means the registrar appointed by the board under section 104.

***registration document***—see section 127.

***registration***, in relation to veterinary premises, for part 6 (Registration of veterinary premises)—see section 71.

***registration holder***, of registered veterinary premises, for part 6 (Registration of veterinary premises)—see section 71.



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***restricted act of veterinary science***—see section 7.

***reviewable decision***, for part 10 (Notification and review of decisions)—see section 136.

***specialist registration*** means registration of a veterinary practitioner that authorises the practitioner to carry out a stated restricted act of veterinary science.

***suitability information***, about a person—see section 31.

***suitable person***, to be registered as a veterinary practitioner—see section 30.

***superintendent***, of registered veterinary premises, for part 6 (Registration of veterinary premises)—see section 71.

***unrestricted act of veterinary science***—see section 7 (5).

***unsatisfactory professional conduct***—see section 41.

***veterinary practice*** means a business that supplies veterinary science services.

***veterinary practitioners code of professional conduct***—see section 42.

***veterinary practitioner***, for part 5 (Complaints and disciplinary proceedings)—see section 39.

***veterinary premises***, for part 6 (Registration of veterinary premises)—see section 71.

***veterinary premises standard***, for part 6 (Registration of veterinary premises)—see section 72.

***veterinary science***—see section 8.



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# Endnotes

## 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

## 2 Abbreviation key

A = Act
AF = Approved form
am = amended
amdt = amendment
AR = Assembly resolution
ch = chapter
CN = Commencement notice
def = definition
DI = Disallowable instrument
dict = dictionary
disallowed = disallowed by the Legislative Assembly
div = division
exp = expires/expired
Gaz = gazette
hdg = heading
IA = Interpretation Act 1967
ins = inserted/added
LA = Legislation Act 2001
LR = legislation register
LRA = Legislation (Republication) Act 1996
mod = modified/modification
NI = Notifiable instrument
o = order
om = omitted/repealed
ord = ordinance
orig = original
par = paragraph/subparagraph
pres = present
prev = previous
(prev...) = previously
pt = part
r = rule/subrule
reloc = relocated
renum = renumbered
R[X] = Republication No
RI = reissue
s = section/subsection
sch = schedule
sdiv = subdivision
SL = Subordinate law
sub = substituted
underlining = whole or part not commenced or to be expired



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## 3 Legislation history

**Veterinary Practice Act 2018 A2018-32**
notified LR 30 August 2018
s 1, s 2 commenced 30 August 2018 (LA s 75 (1))
remainder commenced 21 December 2018 (s 2 and CN2018-12)

as amended by

**Statute Law Amendment Act 2019 A2019-42 sch 3 pt 3.24**
notified LR 31 October 2019
s 1, s 2 commenced 31 October 2019 (LA s 75 (1))
sch 3 pt 3.24 commenced 14 November 2019 (s 2 (1))

**Statute Law Amendment Act 2021 A2021-12 sch 3 pt 3.62**
notified LR 9 June 2021
s 1, s 2 commenced 9 June 2021 (LA s 75 (1))
sch 3 pt 3.62 commenced 23 June 2021 (s 2 (1))

**Statute Law Amendment Act 2022 A2022-14 sch 3 pt 3.41**
notified LR 10 August 2022
s 1, s 2 commenced 10 August 2022 (LA s 75 (1))
sch 3 pt 3.41 commenced 24 August 2022 (s 2)

**Transport Canberra and City Services Legislation Amendment Act 2023 A2023-27 pt 5**
notified LR 7 July 2023
s 1, s 2 commenced 7 July 2023 (LA s 75 (1))
pt 5 commenced 14 July 2023 (s 2)

**Veterinary Practice Amendment Act 2025 A2025-20 pt 2**
notified LR 2 July 2025
s 1, s 2 commenced 2 July 2025 (LA s 75 (1))
pt 2 commenced 16 July 2025 (s 2 (1))

**Statute Law Amendment Act 2025 A2025-29 sch 3 pt 3.99, sch 4 pt 4.187**
notified LR 6 November 2025
s 1, s 2 commenced 6 November 2025 (LA s 75 (1))
sch 3 pt 3.99, sch 4 pt 4.187 commenced 26 November 2025 (s 2 (3), (9))



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# 4 Amendment history

**Commencement**
s 2 om LA s 89 (4)

**Objects of Act**
s 6 am A2025-20 s 5

**Application and decision**
div 3.1 hdg note om A2022-14 amdt 3.216

**Application**
s 16 am A2019-42 amdt 3.105; A2025-29 amdt 4.190

**Amendment of registration on application**
s 23 am A2025-29 amdt 4.190

**Annual renewal of registration**
s 24 am A2025-29 amdt 4.190

**Qualification for general or non-practising registration**
s 28 am A2025-20 s 6

**Meaning of *suitability information***
s 31 am A2025-29 amdt 3.356

**Removal of veterinary practitioner from register**
s 32 am A2025-20 s 7; pars renum R8 LA

**Veterinary practitioners code of professional conduct**
s 42 am A2025-29 amdt 4.190

**Considerations before making occupational discipline orders—suspension or cancellation of registration**
s 66 am A2025-20 s 8

**Interaction with commission**
s 70 am A2025-20 s 9

**Board may make veterinary premises standard**
s 72 am A2025-29 amdt 4.190

**Application for registration of veterinary premises**
s 73 am A2025-29 amdt 4.190

**Annual registration fee**
s 79 am A2025-29 amdt 4.190

**Amendment of registration on application**
s 81 am A2025-29 amdt 4.190

**Cancellation or suspension of registration by ACAT**
s 84 am A2025-29 amdt 4.190



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**Board—functions**
s 91 am A2025-20 s 10

**Annual general meeting of veterinary profession**
s 92 am A2025-20 s 11

**Board membership**
s 93 am A2023-27 s 23

**Consultation about appointment to board**
s 96 am A2025-20 s 12

**Quorum at board meetings**
s 100 am A2023-27 s 24

**Appointment of registrar**
s 104 am A2021-12 amdt 3.177

**Direction to give name and address—inspector**
s 116 am A2025-29 amdt 4.190

**Access to register**
s 129 am A2025-29 amdt 4.190

**Reviewable decision notices**
s 137 am A2025-29 amdt 4.190

**Applications for review**
s 138 am A2025-29 amdt 4.190

**Exemptions from Act**
s 142 am A2021-12 amdt 3.178; A2025-29 amdt 4.190

**Declared professional bodies**
s 143 om A2025-20 s 13

**Determination of fees by board**
s 144 am A2021-12 amdt 3.178; A2025-29 amdt 4.190

**Determination of fees by Minister**
s 145 am A2021-12 amdt 3.178; A2025-29 amdt 4.190

**Declared professional bodies**
s 147 am A2025-20 ss 14-16; ss renum R8 LA

**Review of Act**
s 148 exp 21 December 2024 (s 148 (3))

**Repeals and consequential amendments**
pt 12 hdg om LA s 89 (3)

**Legislation repealed**
s 149 om LA s 89 (3)



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**Legislation amended—sch 3**
s 150 om LA s 89 (3)

**Transitional**
pt 20 hdg exp 21 December 2020 (s 212)

**Definitions—pt 20**
s 200 exp 21 December 2020 (s 212)
def ***commencement day*** exp 21 December 2020 (s 212)
def ***repealed Act*** exp 21 December 2020 (s 212)

**Veterinary surgeons—applications**
s 201 exp 21 December 2020 (s 212)

**Veterinary surgeons—registration**
s 202 exp 21 December 2020 (s 212)

**Veterinary surgeons—suspended registration**
s 203 exp 21 December 2020 (s 212)

**Veterinary surgeons—complaints**
s 204 exp 21 December 2020 (s 212)

**Veterinary surgeons board—agreements and undertakings**
s 205 exp 21 December 2020 (s 212)

**Members of board**
s 206 exp 21 December 2020 (s 212)

**Register**
s 207 exp 21 December 2020 (s 212)

**Grounds for occupational discipline**
s 208 exp 21 December 2020 (s 212)

**Occupational discipline applications before ACAT**
s 209 exp 21 December 2020 (s 212)

**Executive officer to be registrar**
s 210 exp 21 December 2020 (s 212)

**Transitional regulations**
s 211 exp 21 December 2020 (s 212)

**Expiry—pt 20**
s 212 exp 21 December 2020 (s 212)

**Consequential amendments**
sch 3 om LA s 89 (3)

**Dictionary**
dict am A2025-29 amdt 3.357
def ***declared professional body*** om A2025-20 s 17
def ***exempt entity*** om A2019-42 amdt 3.106



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## 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

| Republication No and date | Effective | Last amendment made by | Republication for |
|---|---|---|---|
| R1<br>21 Dec 2018 | 21 Dec 2018–<br>13 Nov 2019 | not amended | new Act |
| R2<br>14 Nov 2019 | 14 Nov 2019–<br>21 Dec 2020 | A2019-42 | amendments by A2019-42 |
| R3<br>22 Dec 2020 | 22 Dec2020–<br>22 June 2021 | A2019-42 | expiry of transitional provisions (pt 20) |
| R4<br>23 June 2021 | 23 June 2021–<br>23 Aug 2022 | A2021-12 | amendments by A2021-12 |
| R5<br>24 Aug 2022 | 24 Aug 2022–<br>13 July 2023 | A2022-14 | amendments by A2022-14 |
| R6<br>14 July 2023 | 14 July 2023–<br>21 Dec 2024 | A2023-27 | amendments by A2023-27 |
| R7<br>22 Dec 2024 | 22 Dec 2024–<br>15 July 2025 | A2023-27 | expiry of provision (s 148) |
| R8<br>16 July 2025 | 16 July 2025–<br>25 Nov 2025 | A2025-20 | amendments by A2025-20 |



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## 6 Expired transitional or validating provisions

This Act may be affected by transitional or validating provisions that have expired. The expiry does not affect any continuing operation of the provisions (see *Legislation Act 2001*, s 88 (1)).

Expired provisions are removed from the republished law when the expiry takes effect and are listed in the amendment history using the abbreviation 'exp' followed by the date of the expiry.

To find the expired provisions see the version of this Act before the expiry took effect. The ACT legislation register has point-in-time versions of this Act.

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