

Legislative Council

Veterinary Practice Bill

Schedule of amendments agreed to in Committee of the Whole
on Tuesday 12 November 2003

U Page 2, clause 2, line 6. Omit “This”. Insert instead “Subject to subsection (2), this”.

U Page 2, clause 2. Insert after line 7:

- (2) A day may not be appointed under subsection (1) that commences section 14 (5) (a) earlier than 12 months after the date of assent to this Act.

CDP Page 10. Insert after line 38:

15 Prohibition against directing or inciting misconduct

- (1) This section applies to the provision of veterinary services by a corporation or firm whose principal business is the supply of goods or materials used in connection with agriculture.
- (2) A person (~~the employer~~) who employs a veterinary practitioner to assist in the provision of veterinary services to which this section applies must not direct or incite the veterinary practitioner to engage in conduct in the course of professional practice that would constitute unsatisfactory professional conduct or professional misconduct. Maximum penalty: 50 penalty units in the case of an individual and 100 penalty units in the case of a corporation.
- (3) For the purposes of this section, any actions of an agent or employee of the employer are taken to be actions of the employer unless the employer establishes:
 - (a) that the employer had no knowledge of those actions, and
 - (b) that the employer could not, by the exercise of due diligence, have prevented those actions.
- (4) When a veterinary practitioner is employed by a corporation, each of the following persons is for the purposes of this section also considered to be the employer of the veterinary practitioner (in addition to the corporation):
 - (a) a person who is a director, secretary or executive officer (as defined in the *Corporations Act 2001* of the Commonwealth) of the corporation or is concerned in the management of the corporation,
 - (b) any other employee of the corporation in accordance with whose directions the veterinary practitioner is required or expected to act.