

*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

W. S. MOWLE,  
*Clerk of the Legislative Assembly.*

*Legislative Assembly Chamber,  
Sydney, 29 November, 1923, A.M.*

## New South Wales.



ANNO QUARTO DECIMO

## GEORGI V REGIS.

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### Act No. 25, 1923.

An Act to provide for the regulation of the practice of veterinary science; and for purposes consequent thereon or incidental thereto.  
[Assented to, 5th December, 1923.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

#### PART I.

##### PRELIMINARY.

**1.** (1) This Act may be cited as the "Veterinary Short title. Surgeons Act, 1923."  
(2)

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

R. B. WALKER,  
*Chairman of Committees of the Legislative Assembly.*



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*Veterinary Surgeons.*

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Commence-  
ment

(2) This Act shall commence and come into operation on the first day of January, one thousand nine hundred and twenty-four.

Parts.

**2.** This Act is divided into Parts as follows :—

PART I.—PRELIMINARY—ss. 1-3.

PART II.—THE BOARD—ss. 4-8.

PART III.—REGISTER—ss. 9-11.

PART IV.—VETERINARY SURGEONS—ss. 12-24.

PART V.—MISCELLANEOUS—ss. 25-29.

Definitions.

**3.** In this Act, unless inconsistent with the context or subject-matter,—

“Board” means the Board of Veterinary Surgeons of New South Wales established by this Act.

“Member” means member of the board.

“Person” includes corporation, company, society, association, and firm.

“Practise” and similar expressions, in relation to veterinary science, refer to practising veterinary science for fee or reward.

“Prescribed” means prescribed by this Act or the regulations made thereunder.

“Registrar” means registrar of the board.

“Veterinary science” includes any branch of the science or art of veterinary medicine or of veterinary surgery.

“Veterinary surgeon” means a person registered as a veterinary surgeon under this Act.



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*Veterinary Surgeons.*

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PART II.

THE BOARD.

**4.** (1) A board, to be called the "Board of Veterinary Surgeons of New South Wales," is hereby established. Incorporation of board.

(2) The board shall be a body corporate with perpetual succession and a common seal, and may sue and be sued in its corporate name.

**5.** (1) The members of the first board shall be the chief veterinary surgeon of the Department of Agriculture, who will be president, two persons who hold the degree of Bachelor of Veterinary Science or the diploma of the Royal College of Veterinary Surgeons of Great Britain, and four other persons, of whom two shall be stockowners, the third shall be a person qualified for registration under subsection two of section thirteen, and the fourth shall be a person qualified under paragraph (f) of that subsection. Such members shall be appointed by the Governor. Constitution of board.

(2) The members of the first board shall hold office for three years, and thereafter the board shall consist of a president and four other members, all of whom shall be veterinary surgeons, and shall be appointed by the Governor and hold office for three years.

(3) The president and two other members shall be persons who hold a degree, diploma or license of competency as a veterinary surgeon from the University of Sydney, the Royal College of Veterinary Surgeons of Great Britain, or such other university, veterinary college, or school as may be prescribed.

**6.** (1) If the office of a member become vacant during the term for which he is appointed his successor shall be appointed for the remainder of such term. Vacancies and remuneration.

(2) If a member is likely from any cause to be absent from meetings of the board for more than three months the Governor may appoint a deputy to act for such member during his absence.

(3) A deputy shall have the same powers, rights, and duties as the member for whom he is appointed to act.

(4)



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*Veterinary Surgeons.*

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(4) Each member shall be paid a fee of one guinea for each meeting of the board which he attends, provided that the fees paid to any member during any year shall not exceed twenty-five guineas.

Vacancies.

**7.** (1) The office of a member shall be deemed to be vacant—

- (a) if he becomes bankrupt or compounds with his creditors ; or
- (b) if he is absent without leave of the board from three consecutive meetings of which due notice has been given to him either personally or by post ; or
- (c) if he resigns his office by writing under his own hand addressed to the Governor ; or
- (d) if he is removed from office by the Governor.

Validity of  
acts.

(2) The validity of any act or resolution of the board shall not be affected by any informality or irregularity in its constitution, and the fact that the office of any or every member is vacant shall not of itself operate to dissolve the corporation.

Registrar and  
other officers.

**8.** (1) The Governor may from time to time in accordance with the Public Service Act, 1902, or any Act amending the same, appoint a registrar and such other officers as the Governor may think fit for carrying out the provisions of this Act, and may at any time remove any person so appointed.

(2) The fees of members and the salaries and emoluments of the officers so appointed as aforesaid, and all other expenses of and incidental to the administration of this Act, shall be paid from funds provided by Parliament.



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*Veterinary Surgeons.*

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PART III.

REGISTER.

**9.** (1) There shall be a register of veterinary surgeons, Keeping. to be kept as prescribed.

(2) On payment of the prescribed fee, the registrar shall enter in the register—

- (a) the full names and addresses of all persons registered as veterinary surgeons;
- (b) the date and description of the qualification in respect of which such registration is granted;
- (c) such other particulars as may be prescribed.

**10.** (1) The registrar shall in the month of January Roll. in each year transmit a copy of the register certified to be correct up to the thirty-first day of December of the preceding year to the Minister, who shall thereupon cause the same to be published in the Gazette as the "Veterinary Surgeons Roll for the year", followed by the number of the year in which it is published.

(2) A copy of the Gazette shall be prima facie evidence in all legal proceedings that the persons mentioned in the roll, and no others, are registered as veterinary surgeons for the year in question.

**11.** (1) Every veterinary surgeon shall in or before Ro ee. the month of July in each year pay to the registrar the prescribed roll fee for the following year.

(2) If any veterinary surgeon does not pay the prescribed roll fee before or in the month of July in any year the board may cause his name to be removed from the register.

(3) If the name of any person is removed from the register under this section the board may restore his name to the register upon production of his certificate of registration or proof to the satisfaction of the board of his former registration and payment of the prescribed fee for restoration.



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*Veterinary Surgeons.*

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## PART IV.

## VETERINARY SURGEONS.

Good fame  
and character. **12.** No person shall be entitled to be registered as a  
veterinary surgeon unless he has attained the age of  
twenty-one years and satisfies the board that he is of  
good fame and character.

Qualifications  
for registra-  
tion. **13.** (1) Subject to the provisions of this Act, a  
person shall be entitled to be registered as a veterinary  
surgeon if he—

- (a) holds a degree in veterinary science, or a diploma or license of competency in veterinary surgery and medicine from the University of Sydney or the Royal College of Veterinary Surgeons of Great Britain, or such other university, college, or school as may from time to time be prescribed, provided that the courses of instruction in veterinary science of such other university, college, or school extend over at least four academic years, and are of a standard equivalent to that of the University of Sydney; or
- (b) has practised veterinary science in New South Wales for a period of not less than one year during the five years immediately preceding the commencement of this Act and holds a degree, diploma or license granted by some veterinary college or school which required attendance throughout a veterinary curriculum extending over at least two academic years, and satisfies the board that he possesses the requisite knowledge and skill for the efficient practice of veterinary science.

(2) Subject to the provisions of this Act, a person who does not hold the requisite academic qualifications for registration as a veterinary surgeon shall be entitled to be registered if he satisfies the board that he—

- (a) has for five years immediately preceding the commencement of this Act, and subsequent to his



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- his attaining the age of twenty-one years, attended and treated animals for disease or injury in New South Wales, as a sole or substantial source of livelihood ; or
- (b) has for not less than seven years immediately preceding the commencement of this Act, and subsequent to his attaining the age of twenty-one years, publicly attended and treated animals for disease or injury in New South Wales for fee or reward, on his own account, in a competent manner ;
  - (c) has for not less than four years immediately preceding the commencement of this Act, and subsequent to his attaining the age of twenty-one years, publicly attended and treated animals for disease or injury in New South Wales for fee or reward, and passes within one year from the commencement of this Act a written and practical examination in elementary veterinary science as prescribed ;
  - (d) has for not less than five years immediately prior to the commencement of this Act held the position of Superintendent of the abattoir area at Homebush, Broken Hill, or Newcastle in the State of New South Wales ;
  - (e) was, at or prior to the commencement of this Act, an articled pupil or an assistant to a person qualified to be registered as a veterinary surgeon under this Act, and has completed a term of not less than five years as such pupil or assistant whether to one or more such persons, and passes the prescribed examination ; or
  - (f) at the time of the passing of this Act holds the certificate of the Stock Board of Examiners issued under the provisions of the Pastures Protection Act, 1912 ;
  - (g) is registered as a veterinary surgeon under the provisions of any Act regulating the practice of veterinary surgeons in any other State or Territory of the Commonwealth :

Provided



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Provided that the board is of the opinion that the qualification in respect of which such registration was granted under such other Act is of a standard substantially equivalent to the qualifications prescribed under this Act and that a person registered under this Act is by virtue of such registration and without further examination entitled to be registered under the Act regulating the practice of veterinary surgeons in such State or Territory.

(3) No person shall be entitled to be registered under the provisions of paragraph (b), subsection one, or paragraphs (a), (b), (c), (d), (e), or (f) of subsection two of this section unless he applies to have his name recorded as a person entitled to the benefits of this section within six months from the commencement of this Act: Provided that the board, if satisfied that for some sufficient reason such person was unable to make such application within the said six months, may permit such application to be made at a later date.

(4) Notwithstanding any other provision of this section, all absences on active military or naval service by a British subject may be accounted as part of the periods of practice mentioned in this section: Provided that such British subject prior to enlistment practised veterinary science in this State.

Right of  
appeal.

**14.** If the application of any person to be registered as a veterinary surgeon is refused by the board upon any ground other than the ground that he has not passed the prescribed examination, such person shall have the right of appeal to the district court of the district in which the applicant resides, and such appeal shall be of the nature of a rehearing, and the decision of the court shall be final, and the board shall give effect thereto.

Application  
for registra-  
tion.

**15.** Application to the board for registration shall—

- (a) be made as prescribed;
- (b) be supported by such evidence as the board may require; and
- (c) be accompanied by the prescribed fee.

Registration  
certificate.

**16.** The board may issue certificates of registration as prescribed.

**17.**



*Veterinary Surgeons.*

**17.** The application of any person to be registered as a veterinary surgeon may be refused by the board if in the opinion of the board the applicant does not possess the qualification he claims to possess or if any ground exists on which his name, if it were on the register, might be removed therefrom. Refusal to register.

**18.** (1) The board may remove from the register the name of any person who— Removal from register.

- (a) has died ; or
- (b) does not possess the qualifications in respect of which he was registered ; or
- (c) is convicted of any felony or misdemeanour or of any offence which if committed within this State would be a felony or misdemeanour ; or
- (d) is guilty of misconduct in a professional respect.

(2) Any such person shall not have his name removed from the register—

- (a) until he has been called upon by the board in the prescribed manner to explain any objection raised against him ; or
- (b) on account of a conviction for an offence which, though within the provisions of this section, does not, either from the trivial nature of the offence or from the circumstances under which it was committed, render it expedient in the public interest that he should be debarred from practising veterinary science.

(3) In the case of a removal of any person's name from the register he shall have the right of an appeal to the district court of the district in which such person resides : such appeal shall be in the nature of a rehearing, and the decision of the court shall be final, and the board shall give effect thereto.

**19.** (1) Where the board removes the name of any person from the register, the name of that person shall not be again entered on the register except by direction of the board or by order of a court of competent jurisdiction. Restoration of name.

(2) The board may if it thinks fit in any case direct the registrar to restore to the register any name removed therefrom without payment of fee or on payment of such fee, not exceeding the registration fee, as the board may from time to time direct.



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Issuing  
certificates  
under other  
Acts.

**20.** No person other than a veterinary surgeon holding some one of the qualifications mentioned in subsection one of section thirteen of this Act shall sign any certificate prescribed by any Act which requires the signature of a veterinary surgeon in respect of the freedom from disease of any animal or animal product.

Prohibited  
practices.

**21.** (1) No person shall use or publish in connection with veterinary science, or the practice of veterinary science, any title, name, words, or letters which are capable of being understood to indicate qualification in veterinary science, or as a veterinary surgeon, or qualification for registration as a veterinary surgeon, other than such title, name, words, or letters as truly indicate the degree, diploma, license, certificate, or other qualification which he in fact holds or possesses, and unless he has proved to the satisfaction of the board that he is entitled to such name, letter, or description.

(2) No veterinary surgeon shall without the permission of the board practise except in his own name.

(3) No person other than a veterinary surgeon registered under this Act shall practise as a veterinary surgeon, or take or use the name "veterinary surgeon" or the term "veterinary" or any abbreviation thereof, either alone or in connection with any other name, title, or business:

Provided that this subsection shall not come into operation for six months after the coming into operation of this Act, nor shall this subsection prohibit persons from using the term "veterinary" only as indicating that they carry on the business of suppliers of wares or materials used in connection with veterinary science.

(4) Any person who contravenes any of the provisions of this section shall be liable for each offence to a penalty not exceeding twenty pounds and not less than two pounds, and if a veterinary surgeon shall be guilty of misconduct in a professional respect.

Continuation  
of name of  
deceased  
veterinary  
surgeon.

**22.** Notwithstanding any other provision of this Act, upon the death of a veterinary surgeon the board may abstain from removing his name from the register, and may authorise his executor, administrator, or trustee to carry on under the name of the deceased veterinary surgeon



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*Veterinary Surgeons.*

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surgeon the practice formerly carried on by him provided that the practice shall be carried on under the personal superintendence of a veterinary surgeon whose name shall be registered as superintendent of the practice.

**23.** (1) A veterinary surgeon shall be entitled to sue <sup>Suing for fees.</sup> in any court of competent jurisdiction for his fees or charges for veterinary services, attendance, or advice rendered, work done, or medicines supplied in connection with the practice of veterinary science.

(2) After the coming into operation of this Act no person shall be entitled to recover in any court of law any fee or charge for performing any veterinary operation or for giving any veterinary attendance or advice or practising in any manner as a veterinary surgeon or practitioner or for practising in any case veterinary science in respect of instructions received after the coming into operation of this Act unless he is registered as a veterinary surgeon under this Act.

**24.** Nothing in this Act shall prohibit any person <sup>Minor and urgent operations.</sup> from—

- (a) performing the operations of castrating, speying, dehorning, or inoculating any animal, or tailing of lambs;
- (b) attending and treating animals where a veterinary surgeon is not available, and making reasonable charges therefor.

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PART V.

MISCELLANEOUS.

**25.** (1) The board may for the purposes of this Act <sup>Power of board to examine on oath.</sup> examine any person on oath or take a statutory declaration from any person.

(2) If any such person wilfully makes any false statement or declaration, or utters or attempts to utter or put off as true before the board any false, forged or counterfeit certificate, diploma, license, letter, testimonial, or other document, he shall be liable to imprisonment for a term not exceeding twelve months.

**26.**



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*Veterinary Surgeons.*

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Power to  
summon  
witnesses.

**26.** (1) The president of the board or, with the consent of the majority of the members present at any meeting of the board, any member may in writing under his hand summon any person to attend before the board for the purpose of being examined with respect to any matter within the jurisdiction of the board.

(2) Every person duly summoned as aforesaid who does not attend after reasonable expenses have been paid or tendered to him, or refuses to be sworn or to make a statutory declaration, or to answer any lawful question, shall be liable to a penalty not exceeding twenty pounds.

Penalty for  
forging  
registration.

**27.** Any person who wilfully makes or causes to be made any false entry in or falsification of the register, and any person who wilfully procures or attempts to procure himself or any other person to be registered under this Act by making or producing, or causing to be made or produced, any false or fraudulent representation or declaration either verbally or in writing, and any person aiding or assisting therein shall be liable to imprisonment for a term not exceeding twelve months.

Fees payable  
to Treasury.

**28.** (1) The fees payable and all penalties recovered under this Act or any regulation made thereunder shall be paid to the registrar.

(2) The amount of such fees and penalties shall be paid by the registrar into the Treasury, and carried to the Consolidated Revenue Fund.

(3) The board shall, as soon as practicable after the thirtieth day of June in each year, publish in the Gazette a statement made up to that date showing the receipts and expenditure of the board during the preceding twelve months, certified as correct by the Auditor-General.

Regulations.

**29.** (1) The Governor, upon the recommendation of the board, may make regulations for carrying out the provisions of this Act, and in particular for—

- (a) regulating the proceedings and fixing the quorum of the board ;
- (b) regulating the duties of officers ;
- (c) prescribing what degrees, diplomas, licenses, or other documents shall be recognised by the board ;
- (d)



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*Veterinary Surgeons.*

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- (d) regulating the holding of examinations, and prescribing the subjects of and fees for such examinations ;
  - (e) regulating or prohibiting the employment of unregistered persons in private veterinary practice ;
  - (f) prescribing fees payable under this Act.
- (2) Such regulations may prescribe a penalty not exceeding twenty pounds for any breach thereof. Any such penalty may be recovered before a police or stipendiary magistrate or any two justices of the peace in petty sessions.
- (3) Such regulations shall—
- (a) be published in the Gazette ;
  - (b) take effect from the date of publication, or from a later date to be specified in such regulations ; and
  - (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

*In the name and on behalf of His Majesty I assent to this Act.*

W. P. CULLEN,  
*Lieutenant-Governor.*

*Government House,  
Sydney, 5th December, 1923.*







## VETERINARY SURGEONS BILL.

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*SCHEDULE showing the Legislative Assembly's disagreement from and amendments upon the Legislative Council's amendments, and Assembly's consequential amendment referred to in Message of 27 November, 1923.*

W. S. MOWLE,  
Clerk of the Legislative Assembly.

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- Page 7, clause 13, lines 3 and 4. Omit "main" reinsert "sole or partial"; but omit "partial" and insert "substantial"
- Page 7, clause 13, line 23. Omit "Chief Inspector at the abattoirs" insert "Superintendent of the abattoir area"
- Page 11, clause 24, line 20. After "from" insert "(a)"
- Page 11, clause 24, line 22. Omit "or from" insert "(b)"
- Page 11, clause 24, line 23. Omit "readily"
- Page 11, clause 24, line 23. Omit "from"
- Page 11. Clause 24 will then read as follows :—

**24.** Nothing in this Act shall prohibit any person from—

- (a) performing the operations of castrating, speying, dehorning, or inoculating any animal, or tailing of lambs;
- (b) attending and treating animals where a veterinary surgeon is not available, and making reasonable charges therefor.







## VETERINARY SURGEONS BILL.

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*SCHEDULE of Amendments referred to in Message of 25th October, 1923.*

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Page 7, clause 13, line 3. *Omit* "sole or partial" *insert* "main"

Page 7, clause 13. *After* paragraph (c) *insert* new paragraph (d)

Page 11, clause 24. At end of clause *add* "or from attending and treating animals  
"where a veterinary surgeon is not readily available, and from making  
"reasonable charges therefor."

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APPENDIX

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SCHEDULE OF WORK

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Page 1, clause 13, line 1. On the 1st day of January 1900, the  
Page 1, clause 13, line 2. On the 1st day of January 1900, the  
Page 1, clause 13, line 3. On the 1st day of January 1900, the  
Page 1, clause 13, line 4. On the 1st day of January 1900, the  
Page 1, clause 13, line 5. On the 1st day of January 1900, the

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*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*S. G. BOYDELL,  
Acting Clerk of the Legislative Assembly.  
Legislative Assembly Chamber,  
Sydney, 10 October, 1923.*

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.*

*W. L. S. COOPER,  
Clerk of the Parliaments.  
Legislative Council Chamber,  
Sydney, 25th October, 1923.*

## **New South Wales.**



ANNO QUARTO DECIMO

# GEORGII V REGIS.

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Act No. , 1923.

An Act to provide for the regulation of the practice of veterinary science; and for purposes consequent thereon or incidental thereto.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

### PART I.

#### PRELIMINARY.

1. (1) This Act may be cited as the "Veterinary Surgeons Act, 1923."

20527

65—A

(2)

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.



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*Veterinary Surgeons.*

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(2) This Act shall commence and come into operation on the first day of January, one thousand nine hundred and twenty-four. Commence-  
ment

**2.** This Act is divided into Parts as follows :— Parts.

5     PART I.—PRELIMINARY—ss. 1-3.

        PART II.—THE BOARD—ss. 4-8.

        PART III.—REGISTER—ss. 9-11.

        PART IV.—VETERINARY SURGEONS—ss. 12-24.

        PART V.—MISCELLANEOUS—ss. 25-29.

10   **3.** In this Act, unless inconsistent with the context or subject-matter,— Definitions.

        “Board ” means the Board of Veterinary Surgeons of New South Wales established by this Act.

        “Member ” means member of the board.

15   “Person ” includes corporation, company, society, association, and firm.

        “Practise ” and similar expressions, in relation to veterinary science, refer to practising veterinary science for fee or reward.

20   “Prescribed ” means prescribed by this Act or the regulations made thereunder.

        “Registrar ” means registrar of the board.

        “Veterinary science ” includes any branch of the science or art of veterinary medicine or of veterinary surgery.

25   “Veterinary surgeon ” means a person registered as a veterinary surgeon under this Act.



*Veterinary Surgeons.*

PART II.

THE BOARD.

**4.** (1) A board, to be called the "Board of Veterinary Surgeons of New South Wales," is hereby established. Incorporation of board.

**5** (2) The board shall be a body corporate with perpetual succession and a common seal, and may sue and be sued in its corporate name.

**5.** (1) The members of the first board shall be the chief veterinary surgeon of the Department of Agriculture, who will be president, two persons who hold the degree of Bachelor of Veterinary Science or the diploma of the Royal College of Veterinary Surgeons of Great Britain, and four other persons, of whom two shall be stockowners, the third shall be a person qualified for registration under subsection two of section thirteen, and the fourth shall be a person qualified under paragraph (e) of that subsection. Such members shall be appointed by the Governor. Constitution of board.

(2) The members of the first board shall hold office for three years, and thereafter the board shall consist of a president and four other members, all of whom shall be veterinary surgeons, and shall be appointed by the Governor and hold office for three years.

(3) The president and two other members shall be persons who hold a degree, diploma or license of competency as a veterinary surgeon from the University of Sydney, the Royal College of Veterinary Surgeons of Great Britain, or such other university, veterinary college, or school as may be prescribed.

**6.** (1) If the office of a member become vacant during the term for which he is appointed his successor shall be appointed for the remainder of such term. Vacancies and remuneration.

(2) If a member is likely from any cause to be absent from meetings of the board for more than three months the Governor may appoint a deputy to act for such member during his absence.

(3) A deputy shall have the same powers, rights, and duties as the member for whom he is appointed to act.

(4)



*Veterinary Surgeons.*

(4) Each member shall be paid a fee of one guinea for each meeting of the board which he attends, provided that the fees paid to any member during any year shall not exceed twenty-five guineas.

5 **7.** (1) The office of a member shall be deemed to be <sup>Vacancies.</sup> vacant—

- (a) if he becomes bankrupt or compounds with his creditors ; or
- 10 (b) if he is absent without leave of the board from three consecutive meetings of which due notice has been given to him either personally or by post ; or
- (c) if he resigns his office by writing under his own hand addressed to the Governor ; or
- 15 (d) if he is removed from office by the Governor.

(2) The validity of any act or resolution of the <sup>Validity of</sup> board shall not be affected by any informality or <sup>acts.</sup> irregularity in its constitution, and the fact that the office of any or every member is vacant shall not of itself  
20 operate to dissolve the corporation.

**8.** (1) The Governor may from time to time in accor- <sup>Registrar and</sup> dance with the Public Service Act, 1902, or any Act <sup>other officers.</sup> amending the same, appoint a registrar and such other officers as the Governor may think fit for carrying out  
25 the provisions of this Act, and may at any time remove any person so appointed.

(2) The fees of members and the salaries and emoluments of the officers so appointed as aforesaid, and all other expenses of and incidental to the  
30 administration of this Act, shall be paid from funds provided by Parliament.



*Veterinary Surgeons.*

PART III.

REGISTER.

- 9.** (1) There shall be a register of veterinary surgeons, Keeping.  
to be kept as prescribed.
- 5 (2) On payment of the prescribed fee, the registrar shall enter in the register—
- (a) the full names and addresses of all persons registered as veterinary surgeons;
- (b) the date and description of the qualification in  
10 respect of which such registration is granted;
- (c) such other particulars as may be prescribed.
- 10.** (1) The registrar shall in the month of January Roll.  
in each year transmit a copy of the register certified to  
be correct up to the thirty-first day of December of the  
15 preceding year to the Minister, who shall thereupon  
cause the same to be published in the Gazette as the  
“Veterinary Surgeons Roll for the year”,  
followed by the number of the year in which it is  
published.
- 20 (2) A copy of the Gazette shall be prima facie  
evidence in all legal proceedings that the persons  
mentioned in the roll, and no others, are registered as  
veterinary surgeons for the year in question.
- 11.** (1) Every veterinary surgeon shall in or before Roll fee.  
25 the month of July in each year pay to the registrar the  
prescribed roll fee for the following year.
- (2) If any veterinary surgeon does not pay the  
prescribed roll fee before or in the month of July in any  
year the board may cause his name to be removed from  
30 the register.
- (3) If the name of any person is removed from  
the register under this section the board may restore his  
name to the register upon production of his certificate  
of registration or proof to the satisfaction of the board  
35 of his former registration and payment of the prescribed  
fee for restoration.



*Veterinary Surgeons.*

PART IV.

VETERINARY SURGEONS.

**12.** No person shall be entitled to be registered as a <sup>Good fame</sup> <sup>and character.</sup> veterinary surgeon unless he has attained the age of <sup>5</sup> twenty-one years and satisfies the board that he is of good fame and character.

**13.** (1) Subject to the provisions of this Act, a <sup>Qualifications</sup> <sup>for registra-</sup> person shall be entitled to be registered as a veterinary <sup>tion.</sup> surgeon if he—

- 10 (a) holds a degree in veterinary science, or a diploma or license of competency in veterinary surgery and medicine from the University of Sydney or the Royal College of Veterinary Surgeons of Great Britain, or such other
- 15 university, college, or school as may from time to time be prescribed, provided that the courses of instruction in veterinary science of such other university, college, or school extend over at least four academic years, and are of a standard
- 20 equivalent to that of the University of Sydney; or
- (b) has practised veterinary science in New South Wales for a period of not less than one year during the five years immediately preceding the
- 25 commencement of this Act and holds a degree, diploma or license granted by some veterinary college or school which required attendance throughout a veterinary curriculum extending over at least two academic years, and satisfies
- 30 the board that he possesses the requisite knowledge and skill for the efficient practice of veterinary science.

(2) Subject to the provisions of this Act, a person who does not hold the requisite academic

35 qualifications for registration as a veterinary surgeon shall be entitled to be registered if he satisfies the board that he—

- (a) has for five years immediately preceding the commencement of this Act, and subsequent to his



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*Veterinary Surgeons.*

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- his attaining the age of twenty-one years, attended and treated animals for disease or injury in New South Wales, as a ~~sole or partial~~ **main source of livelihood** ; or
- 5 (b) has for not less than seven years immediately preceding the commencement of this Act, and subsequent to his attaining the age of twenty-one years, publicly attended and treated
- 10 animals for disease or injury in New South Wales for fee or reward, on his own account, in a competent manner ;
- (c) has for not less than four years immediately preceding the commencement of this Act, and subsequent to his attaining the age of twenty-
- 15 one years, publicly attended and treated animals for disease or injury in New South Wales for fee or reward, and passes within one year from the commencement of this Act a written and practical examination in
- 20 elementary veterinary science as prescribed ;
- (d) **has for not less than five years immediately prior to the commencement of this Act held the position of Chief Inspector at the abattoirs at Homebush, Broken Hill, or Newcastle in the State of New South Wales.**
- 25 (d e) was, at or prior to the commencement of this Act, an articled pupil or an assistant to a person qualified to be registered as a veterinary surgeon under this Act, and has completed a
- 30 term of not less than five years as such pupil or assistant whether to one or more such persons, and passes the prescribed examination ; or
- (e f) at the time of the passing of this Act holds the certificate of the Stock Board of Examiners issued under the provisions of the Pastures
- 35 Protection Act, 1912 ;
- (f g) is registered as a veterinary surgeon under the provisions of any Act regulating the practice
- 40 of veterinary surgeons in any other State or Territory of the Commonwealth :

Provided



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5        Provided that the board is of the opinion  
that the qualification in respect of which such  
registration was granted under such other Act  
is of a standard substantially equivalent to the  
qualifications prescribed under this Act and  
that a person registered under this Act is by  
virtue of such registration and without further  
examination entitled to be registered under  
the Act regulating the practice of veterinary  
10        surgeons in such State or Territory.

(3) No person shall be entitled to be registered  
under the provisions of paragraph (b), subsection one, or  
paragraphs (a), (b), (c), (d), or (e) of subsection two of this  
section unless he applies to have his name recorded as a  
15        person entitled to the benefits of this section within six  
months from the commencement of this Act: Provided  
that the board, if satisfied that for some sufficient reason  
such person was unable to make such application within  
the said six months, may permit such application to be  
20        made at a later date.

(4) Notwithstanding any other provision of this  
section, all absences on active military or naval service  
by a British subject may be accounted as part of the  
periods of practice mentioned in this section: Provided  
25        that such British subject prior to enlistment practised  
veterinary science in this State.

**14.** If the application of any person to be registered  
as a veterinary surgeon is refused by the board upon  
any ground other than the ground that he has not  
30        passed the prescribed examination, such person shall have  
the right of appeal to the district court of the district  
in which the applicant resides, and such appeal shall be  
of the nature of a rehearing, and the decision of the  
court shall be final, and the board shall give effect  
35        thereto.

**15.** Application to the board for registration shall— Application  
for registra-  
tion.

- (a) be made as prescribed;
- (b) be supported by such evidence as the board  
may require; and

40        (c) be accompanied by the prescribed fee.

**16.** The board may issue certificates of registration Registration  
certificate.  
as prescribed.

**17.**



*Veterinary Surgeons.*

**17.** The application of any person to be registered as a veterinary surgeon may be refused by the board if in the opinion of the board the applicant does not possess the qualification he claims to possess or if any ground exists on which his name, if it were on the register, might be removed therefrom. Refusal to register.

**18.** (1) The board may remove from the register the name of any person who— Removal from register.

- (a) has died; or
  - 10 (b) does not possess the qualifications in respect of which he was registered; or
  - (c) is convicted of any felony or misdemeanour or of any offence which if committed within this State would be a felony or misdemeanour; or
  - 15 (d) is guilty of misconduct in a professional respect.
- (2) Any such person shall not have his name removed from the register—
- (a) until he has been called upon by the board in the prescribed manner to explain any objection
  - 20 raised against him; or
  - (b) on account of a conviction for an offence which, though within the provisions of this section, does not, either from the trivial nature of the offence or from the circumstances under which
  - 25 it was committed, render it expedient in the public interest that he should be debarred from practising veterinary science.

(3) In the case of a removal of any person's name from the register he shall have the right of an appeal to the district court of the district in which such person resides: such appeal shall be in the nature of a rehearing, and the decision of the court shall be final, and the board shall give effect thereto.

**19.** (1) Where the board removes the name of any person from the register, the name of that person shall not be again entered on the register except by direction of the board or by order of a court of competent jurisdiction. Restoration of name.

(2) The board may if it thinks fit in any case direct the registrar to restore to the register any name removed therefrom without payment of fee or on payment of such fee, not exceeding the registration fee, as the board may from time to time direct.



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**20.** No person other than a veterinary surgeon holding some one of the qualifications mentioned in subsection one of section thirteen of this Act shall sign any certificate prescribed by any Act which requires the signature of a veterinary surgeon in respect of the freedom from disease of any animal or animal product.

Issuing  
certificates  
under other  
Acts.

**21.** (1) No person shall use or publish in connection with veterinary science, or the practice of veterinary science, any title, name, words, or letters which are capable of being understood to indicate qualification in veterinary science, or as a veterinary surgeon, or qualification for registration as a veterinary surgeon, other than such title, name, words, or letters as truly indicate the degree, diploma, license, certificate, or other qualification which he in fact holds or possesses, and unless he has proved to the satisfaction of the board that he is entitled to such name, letter, or description.

Prohibited  
practices.

(2) No veterinary surgeon shall without the permission of the board practise except in his own name.

(3) No person other than a veterinary surgeon registered under this Act shall practise as a veterinary surgeon, or take or use the name "veterinary surgeon" or the term "veterinary" or any abbreviation thereof, either alone or in connection with any other name, title, or business:

Provided that this subsection shall not come into operation for six months after the coming into operation of this Act, nor shall this subsection prohibit persons from using the term "veterinary" only as indicating that they carry on the business of suppliers of wares or materials used in connection with veterinary science.

(4) Any person who contravenes any of the provisions of this section shall be liable for each offence to a penalty not exceeding twenty pounds and not less than two pounds, and if a veterinary surgeon shall be guilty of misconduct in a professional respect.

**22.** Notwithstanding any other provision of this Act, upon the death of a veterinary surgeon the board may abstain from removing his name from the register, and may authorise his executor, administrator, or trustee to carry on under the name of the deceased veterinary surgeon

Continuation  
of name of  
deceased  
veterinary  
surgeon.



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surgeon the practice formerly carried on by him provided that the practice shall be carried on under the personal superintendence of a veterinary surgeon whose name shall be registered as superintendent of the practice.

5 **23.** (1) A veterinary surgeon shall be entitled to sue Suing for fees. in any court of competent jurisdiction for his fees or charges for veterinary services, attendance, or advice rendered, work done, or medicines supplied in connection with the practice of veterinary science.

10 (2) After the coming into operation of this Act no person shall be entitled to recover in any court of law any fee or charge for performing any veterinary operation or for giving any veterinary attendance or advice or practising in any manner as a veterinary surgeon or  
15 practitioner or for practising in any case veterinary science in respect of instructions received after the coming into operation of this Act unless he is registered as a veterinary surgeon under this Act.

**24.** Nothing in this Act shall prohibit any person Emascu-  
lation.  
Minor and  
urgent  
operations. from performing the operations of castrating, speying, dehorning of, or inoculating any animal, or tailing of lambs, or from attending and treating animals where a veterinary surgeon is not readily available, and from making reasonable charges therefor.

## PART V.

## MISCELLANEOUS.

25 **25.** (1) The board may for the purposes of this Act Power of  
board to  
examine on  
oath. examine any person on oath or take a statutory declaration from any person.

(2) If any such person wilfully makes any false statement or declaration, or utters or attempts to utter  
30 or put off as true before the board any false, forged or counterfeit certificate, diploma, license, letter, testimonial, or other document, he shall be liable to imprisonment for a term not exceeding twelve months.

**26.**



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**26.** (1) The president of the board or, with the consent of the majority of the members present at any meeting of the board, any member may in writing under his hand summon any person to attend before the board for the purpose of being examined with respect to any matter within the jurisdiction of the board.

Power to  
summon  
witnesses.

(2) Every person duly summoned as aforesaid who does not attend after reasonable expenses have been paid or tendered to him, or refuses to be sworn or to make a statutory declaration, or to answer any lawful question, shall be liable to a penalty not exceeding twenty pounds.

**27.** Any person who wilfully makes or causes to be made any false entry in or falsification of the register, and any person who wilfully procures or attempts to procure himself or any other person to be registered under this Act by making or producing, or causing to be made or produced, any false or fraudulent representation or declaration either verbally or in writing, and any person aiding or assisting therein shall be liable to imprisonment for a term not exceeding twelve months.

Penalty for  
forging  
registration.

**28.** (1) The fees payable and all penalties recovered under this Act or any regulation made thereunder shall be paid to the registrar.

Fees payable  
to Treasury.

(2) The amount of such fees and penalties shall be paid by the registrar into the Treasury, and carried to the Consolidated Revenue Fund.

(3) The board shall, as soon as practicable after the thirtieth day of June in each year, publish in the Gazette a statement made up to that date showing the receipts and expenditure of the board during the preceding twelve months, certified as correct by the Auditor-General.

**29.** (1) The Governor, upon the recommendation of the board, may make regulations for carrying out the provisions of this Act, and in particular for—

Regulations.

- (a) regulating the proceedings and fixing the quorum of the board ;
- (b) regulating the duties of officers ;
- (c) prescribing what degrees, diplomas, licenses, or other documents shall be recognised by the board;
- (d)



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- (d) regulating the holding of examinations, and prescribing the subjects of and fees for such examinations ;
- 5 (e) regulating or prohibiting the employment of unregistered persons in private veterinary practice ;
- (f) prescribing fees payable under this Act.
- (2) Such regulations may prescribe a penalty not exceeding twenty pounds for any breach thereof.
- 10 Any such penalty may be recovered before a police or stipendiary magistrate or any two justices of the peace in petty sessions.
- (3) Such regulations shall—
- 15 (a) be published in the Gazette ;
- (b) take effect from the date of publication, or from a later date to be specified in such regulations ; and
- 20 (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given within fifteen sitting

25 days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.



Continuity Statute

(b) regulating the holding of examinations and  
prescribing the subjects of and fees for such  
examinations; (c) regulating or prohibiting the employment of  
unqualified persons in private testimony; (d)  
(f) prescribing any suitable matter which the law  
(2) Such regulations may prescribe a penalty for  
not exceeding twenty pounds for any breach thereof.  
10 Any such penalty may be recovered before a justice of the peace  
in petty sessions or by any two justices of the peace sitting  
in petty sessions.  
(3) Such regulations shall—  
(a) be published in the Gazette; (b) be published in the  
(b) take effect from the date of publication in the  
from a later date to be specified in such  
regulations; and (c) be laid before both Houses of Parliament within  
(c) be laid before both Houses of Parliament within  
fourteen sitting days after publication in the  
Gazette; and if not laid before both Houses of Parliament  
within that time, the regulations shall be void.  
15 If either House of Parliament passes a resolution  
of which notice has been given within fifteen sitting  
days after such regulations have been laid before each  
House disallowing any regulation or part thereof, such  
regulation or part shall thereupon cease to have effect.

and in relation to any such law as to the validity of  
any such law and to the validity of any such law  
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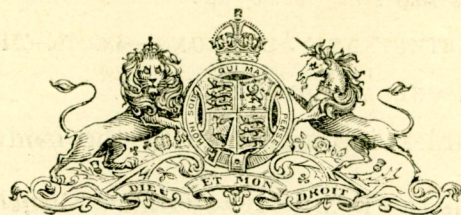
and to the validity of any such law and to the validity of any such law  
and to the validity of any such law and to the validity of any such law  
and to the validity of any such law and to the validity of any such law



*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY,  
and, having this day passed, is now ready for presentation to the  
LEGISLATIVE COUNCIL for its concurrence.*

S. G. BOYDELL,  
*Acting Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,*  
*Sydney, 10 October, 1923.*

## New South Wales.



ANNO QUARTO DECIMO

## GEORGI V REGIS.

\*\*\*\*\*

Act No. , 1923.

An Act to provide for the regulation of the practice  
of veterinary science; and for purposes con-  
sequent thereon or incidental thereto.

**B**E it enacted by the King's Most Excellent Majesty,  
by and with the advice and consent of the Legis-  
lative Council and Legislative Assembly of New South  
Wales in Parliament assembled, and by the authority of  
5 the same, as follows:—

### PART I.

#### PRELIMINARY.

**1.** (1) This Act may be cited as the "Veterinary Short title.  
Surgeons Act, 1923."

20527

65—A

(2)



*Veterinary Surgeons.*

(2) This Act shall commence and come into operation on the first day of January, one thousand nine hundred and twenty-four. Commence-  
ment.

2. This Act is divided into Parts as follows :— Parts.

5 PART I.—PRELIMINARY—ss. 1-3.

PART II.—THE BOARD—ss. 4-8.

PART III.—REGISTER—ss. 9-11.

PART IV.—VETERINARY SURGEONS—ss. 12-24.

PART V.—MISCELLANEOUS—ss. 25-29.

10 3. In this Act, unless inconsistent with the context or subject-matter,— Definitions.

“Board” means the Board of Veterinary Surgeons of New South Wales established by this Act.

“Member” means member of the board.

15 “Person” includes corporation, company, society, association, and firm.

“Practise” and similar expressions, in relation to veterinary science, refer to practising veterinary science for fee or reward.

20 “Prescribed” means prescribed by this Act or the regulations made thereunder.

“Registrar” means registrar of the board.

“Veterinary science” includes any branch of the science or art of veterinary medicine or of veterinary surgery.

25 “Veterinary surgeon” means a person registered as a veterinary surgeon under this Act.



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PART II.

THE BOARD.

**4.** (1) A board, to be called the "Board of Veterinary Surgeons of New South Wales," is hereby established. Incorporation of board.

5 (2) The board shall be a body corporate with perpetual succession and a common seal, and may sue and be sued in its corporate name.

**5.** (1) The members of the first board shall be the chief veterinary surgeon of the Department of Agriculture, who will be president, two persons who hold the degree of Bachelor of Veterinary Science or the diploma of the Royal College of Veterinary Surgeons of Great Britain, and four other persons, of whom two shall be stockowners, the third shall be a person qualified for registration under subsection two of section thirteen, and the fourth shall be a person qualified under paragraph (e) of that subsection. Such members shall be appointed by the Governor. Constitution of board.

20 (2) The members of the first board shall hold office for three years, and thereafter the board shall consist of a president and four other members, all of whom shall be veterinary surgeons, and shall be appointed by the Governor and hold office for three years.

(3) The president and two other members shall be persons who hold a degree, diploma or license of competency as a veterinary surgeon from the University of Sydney, the Royal College of Veterinary Surgeons of Great Britain, or such other university, veterinary college, or school as may be prescribed.

30 **6.** (1) If the office of a member become vacant during the term for which he is appointed his successor shall be appointed for the remainder of such term. Vacancies and remuneration.

(2) If a member is likely from any cause to be absent from meetings of the board for more than three months the Governor may appoint a deputy to act for such member during his absence.

(3) A deputy shall have the same powers, rights, and duties as the member for whom he is appointed to act.

(4)



*Veterinary Surgeons.*

(4) Each member shall be paid a fee of one guinea for each meeting of the board which he attends, provided that the fees paid to any member during any year shall not exceed twenty-five guineas.

5 **7.** (1) The office of a member shall be deemed to be <sup>Vacancies.</sup> vacant—

- (a) if he becomes bankrupt or compounds with his creditors ; or
- 10 (b) if he is absent without leave of the board from three consecutive meetings of which due notice has been given to him either personally or by post ; or
- (c) if he resigns his office by writing under his own hand addressed to the Governor ; or
- 15 (d) if he is removed from office by the Governor.

(2) The validity of any act or resolution of the <sup>Validity of</sup> board shall not be affected by any informality or <sup>acts.</sup> irregularity in its constitution, and the fact that the office of any or every member is vacant shall not of itself  
20 operate to dissolve the corporation.

**8.** (1) The Governor may from time to time in accordance with the Public Service Act, 1902, or any Act <sup>Registrar and</sup> amending the same, appoint a registrar and such other <sup>other officers.</sup> officers as the Governor may think fit for carrying out  
25 the provisions of this Act, and may at any time remove any person so appointed.

(2) The fees of members and the salaries and emoluments of the officers so appointed as aforesaid, and all other expenses of and incidental to the  
30 administration of this Act, shall be paid from funds provided by Parliament.



*Veterinary Surgeons.*

PART III.

REGISTER.

- 9.** (1) There shall be a register of veterinary surgeons, Keeping  
to be kept as prescribed.
- 5 (2) On payment of the prescribed fee, the registrar  
shall enter in the register—
- (a) the full names and addresses of all persons  
registered as veterinary surgeons;
- (b) the date and description of the qualification in  
10 respect of which such registration is granted;
- (c) such other particulars as may be prescribed.
- 10.** (1) The registrar shall in the month of January Roll.  
in each year transmit a copy of the register certified to  
be correct up to the thirty-first day of December of the  
15 preceding year to the Minister, who shall thereupon  
cause the same to be published in the Gazette as the  
“Veterinary Surgeons Roll for the year”,  
followed by the number of the year in which it is  
published.
- 20 (2) A copy of the Gazette shall be prima facie  
evidence in all legal proceedings that the persons  
mentioned in the roll, and no others, are registered as  
veterinary surgeons for the year in question.
- 11.** (1) Every veterinary surgeon shall in or before Roll fee.  
25 the month of July in each year pay to the registrar the  
prescribed roll fee for the following year.
- (2) If any veterinary surgeon does not pay the  
prescribed roll fee before or in the month of July in any  
year the board may cause his name to be removed from  
30 the register.
- (3) If the name of any person is removed from  
the register under this section the board may restore his  
name to the register upon production of his certificate  
of registration or proof to the satisfaction of the board  
35 of his former registration and payment of the prescribed  
fee for restoration.



*Veterinary Surgeons.*

PART IV.

VETERINARY SURGEONS.

**12.** No person shall be entitled to be registered as a <sup>Good fame.</sup> ~~Good fame.~~ veterinary surgeon unless he has attained the age of <sup>and character.</sup> ~~and character.~~   
 5 twenty-one years and satisfies the board that he is of   
 good fame and character.

**13.** (1) Subject to the provisions of this Act, a <sup>Qualifications</sup> ~~Qualifications~~ person shall be entitled to be registered as a veterinary <sup>for registra-</sup> ~~for registra-~~ surgeon if he—

10 (a) holds a degree in veterinary science, or a   
 diploma or license of competency in veterinary   
 surgery and medicine from the University of   
 15 Sydney or the Royal College of Veterinary   
 Surgeons of Great Britain, or such other   
 university, college, or school as may from time   
 to time be prescribed, provided that the courses   
 of instruction in veterinary science of such other   
 university, college, or school extend over at   
 20 least four academic years, and are of a standard   
 equivalent to that of the University of Sydney;   
 or

(b) has practised veterinary science in New South   
 Wales for a period of not less than one year   
 during the five years immediately preceding the   
 25 commencement of this Act and holds a degree,   
 diploma or license granted by some veterinary   
 college or school which required attendance   
 throughout a veterinary curriculum extending   
 over at least two academic years, and satisfies   
 30 the board that he possesses the requisite know-   
 ledge and skill for the efficient practice of   
 veterinary science.

(2) Subject to the provisions of this Act, a   
 person who does not hold the requisite academic   
 35 qualifications for registration as a veterinary surgeon   
 shall be entitled to be registered if he satisfies the board   
 that he—

(a) has for five years immediately preceding the   
 commencement of this Act, and subsequent to   
 his



*Veterinary Surgeons.*

- his attaining the age of twenty-one years, attended and treated animals for disease or injury in New South Wales, as a sole or partial source of livelihood; or
- 5 (b) has for not less than seven years immediately preceding the commencement of this Act, and subsequent to his attaining the age of twenty-
- 10 one years, publicly attended and treated animals for disease or injury in New South Wales for fee or reward, on his own account, in a competent manner;
- (c) has for not less than four years immediately preceding the commencement of this Act, and subsequent to his attaining the age of twenty-
- 15 one years, publicly attended and treated animals for disease or injury in New South Wales for fee or reward, and passes within one year from the commencement of this Act a written and practical examination in elementary veterinary science as prescribed;
- 20 (d) was, at or prior to the commencement of this Act, an articled pupil or an assistant to a person qualified to be registered as a veterinary surgeon under this Act, and has completed a
- 25 term of not less than five years as such pupil or assistant whether to one or more such persons, and passes the prescribed examination; or
- (e) at the time of the passing of this Act holds the certificate of the Stock Board of Examiners issued under the provisions of the Pastures Protection Act, 1912;
- 30 (f) is registered as a veterinary surgeon under the provisions of any Act regulating the practice of veterinary surgeons in any other State or
- 35 Territory of the Commonwealth:

40 Provided that the board is of the opinion that the qualification in respect of which such registration was granted under such other Act is of a standard substantially equivalent to the qualifications prescribed under this Act and that



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5 that a person registered under this Act is by virtue of such registration and without further examination entitled to be registered under the Act regulating the practice of veterinary surgeons in such State or Territory.

(3) No person shall be entitled to be registered under the provisions of paragraph (b), subsection one, or paragraphs (a), (b), (c), (d), or (e) of subsection two of this section unless he applies to have his name recorded as a  
10 person entitled to the benefits of this section within six months from the commencement of this Act: Provided that the board, if satisfied that for some sufficient reason such person was unable to make such application within the said six months, may permit such application to be  
15 made at a later date.

(4) Notwithstanding any other provision of this section, all absences on active military or naval service by a British subject may be accounted as part of the periods of practice mentioned in this section: Provided  
20 that such British subject prior to enlistment practised veterinary science in this State.

**14.** If the application of any person to be registered as a veterinary surgeon is refused by the board upon  
any ground other than the ground that he has not  
25 passed the prescribed examination, such person shall have the right of appeal to the district court of the district in which the applicant resides, and such appeal shall be of the nature of a rehearing, and the decision of the court shall be final, and the board shall give effect  
30 thereto.

**15.** Application to the board for registration shall—  
(a) be made as prescribed;  
(b) be supported by such evidence as the board may require; and  
35 (c) be accompanied by the prescribed fee.

**16.** The board may issue certificates of registration as prescribed.

**17.** The application of any person to be registered as a veterinary surgeon may be refused by the board if  
40 in the opinion of the board the applicant does not possess



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possess the qualification he claims to possess or if any ground exists on which his name, if it were on the register, might be removed therefrom.

**18.** (1) The board may remove from the register Removal from register.  
5 the name of any person who—

- (a) has died; or
- (b) does not possess the qualifications in respect of which he was registered; or
- 10 (c) is convicted of any felony or misdemeanour or of any offence which if committed within this State would be a felony or misdemeanour; or
- (d) is guilty of misconduct in a professional respect.

(2) Any such person shall not have his name removed from the register—

- 15 (a) until he has been called upon by the board in the prescribed manner to explain any objection raised against him; or
- (b) on account of a conviction for an offence which, though within the provisions of this section, does not, either from the trivial nature of the  
20 offence or from the circumstances under which it was committed, render it expedient in the public interest that he should be debarred from practising veterinary science.

25 (3) In the case of a removal of any person's name from the register he shall have the right of an appeal to the district court of the district in which such person resides: such appeal shall be in the nature of a rehearing, and the decision of the court shall be final,  
30 and the board shall give effect thereto.

**19.** (1) Where the board removes the name of any person from the register, the name of that person shall Restoration of name.  
not be again entered on the register except by direction of the board or by order of a court of competent  
35 jurisdiction.

(2) The board may if it thinks fit in any case direct the registrar to restore to the register any name removed therefrom without payment of fee or on payment of such fee, not exceeding the registration fee,  
40 as the board may from time to time direct.



*Veterinary Surgeons.*

**20.** No person other than a veterinary surgeon holding some one of the qualifications mentioned in subsection one of section thirteen of this Act shall sign any certificate prescribed by any Act which requires the signature of a veterinary surgeon in respect of the freedom from disease of any animal or animal product.

Issuing  
certificates  
under other  
Acts.

**21.** (1) No person shall use or publish in connection with veterinary science, or the practice of veterinary science, any title, name, words, or letters which are capable of being understood to indicate qualification in veterinary science, or as a veterinary surgeon, or qualification for registration as a veterinary surgeon, other than such title, name, words, or letters as truly indicate the degree, diploma, license, certificate, or other qualification which he in fact holds or possesses, and unless he has proved to the satisfaction of the board that he is entitled to such name, letter, or description.

Prohibited  
practices.

(2) No veterinary surgeon shall without the permission of the board practise except in his own name.

(3) No person other than a veterinary surgeon registered under this Act shall practise as a veterinary surgeon, or take or use the name "veterinary surgeon" or the term "veterinary" or any abbreviation thereof, either alone or in connection with any other name, title, or business:

Provided that this subsection shall not come into operation for six months after the coming into operation of this Act, nor shall this subsection prohibit persons from using the term "veterinary" only as indicating that they carry on the business of suppliers of wares or materials used in connection with veterinary science.

(4) Any person who contravenes any of the provisions of this section shall be liable for each offence to a penalty not exceeding twenty pounds and not less than two pounds, and if a veterinary surgeon shall be guilty of misconduct in a professional respect.

**22.** Notwithstanding any other provision of this Act, upon the death of a veterinary surgeon the board may abstain from removing his name from the register, and may authorise his executor, administrator, or trustee to carry on under the name of the deceased veterinary surgeon

Continuation  
of name of  
deceased  
veterinary  
surgeon.



*Veterinary Surgeons.*

surgeon the practice formerly carried on by him provided that the practice shall be carried on under the personal superintendence of a veterinary surgeon whose name shall be registered as superintendent of the practice.

5 **23.** (1) A veterinary surgeon shall be entitled to sue <sup>Suing for fees.</sup> in any court of competent jurisdiction for his fees or charges for veterinary services, attendance, or advice rendered, work done, or medicines supplied in connection with the practice of veterinary science.

10 (2) After the coming into operation of this Act no person shall be entitled to recover in any court of law any fee or charge for performing any veterinary operation or for giving any veterinary attendance or advice or practising in any manner as a veterinary surgeon or  
15 practitioner or for practising in any case veterinary science in respect of instructions received after the coming into operation of this Act unless he is registered as a veterinary surgeon under this Act.

**24.** Nothing in this Act shall prohibit any person <sup>Emascula-</sup> from performing the operations of castrating, speying, <sup>tion.</sup> dehorning of, or inoculating any animal, or tailing of lambs.

PART V.

MISCELLANEOUS.

25 **25.** (1) The board may for the purposes of this Act <sup>Power of board to examine on oath.</sup> examine any person on oath or take a statutory declaration from any person.

(2) If any such person wilfully makes any false statement or declaration, or utters or attempts to utter  
30 or put off as true before the board any false, forged or counterfeit certificate, diploma, license, letter, testimonial, or other document, he shall be liable to imprisonment for a term not exceeding twelve months.

**26.**



*Veterinary Surgeons.*

**26.** (1) The president of the board or, with the consent of the majority of the members present at any meeting of the board, any member may in writing under his hand summon any person to attend before the board for the purpose of being examined with respect to any matter within the jurisdiction of the board.

Power to  
summon  
witnesses.

(2) Every person duly summoned as aforesaid who does not attend after reasonable expenses have been paid or tendered to him, or refuses to be sworn or to make a statutory declaration, or to answer any lawful question, shall be liable to a penalty not exceeding twenty pounds.

**27.** Any person who wilfully makes or causes to be made any false entry in or falsification of the register, and any person who wilfully procures or attempts to procure himself or any other person to be registered under this Act by making or producing, or causing to be made or produced, any false or fraudulent representation or declaration either verbally or in writing, and any person aiding or assisting therein shall be liable to imprisonment for a term not exceeding twelve months.

Penalty for  
forging  
registration.

**28.** (1) The fees payable and all penalties recovered under this Act or any regulation made thereunder shall be paid to the registrar.

Fees payable  
to Treasury.

(2) The amount of such fees and penalties shall be paid by the registrar into the Treasury, and carried to the Consolidated Revenue Fund.

(3) The board shall, as soon as practicable after the thirtieth day of June in each year, publish in the Gazette a statement made up to that date showing the receipts and expenditure of the board during the preceding twelve months, certified as correct by the Auditor-General.

**29.** (1) The Governor, upon the recommendation of the board, may make regulations for carrying out the provisions of this Act, and in particular for—

Regulations.

(a) regulating the proceedings and fixing the quorum of the board ;

(b) regulating the duties of officers ;

(c) prescribing what degrees, diplomas, licenses, or other documents shall be recognised by the board ;

(d)



*Veterinary Surgeons.*

- (d) regulating the holding of examinations, and prescribing the subjects of and fees for such examinations ;
- 5 (e) regulating or prohibiting the employment of unregistered persons in private veterinary practice ;
- (f) prescribing fees payable under this Act.
- (2) Such regulations may prescribe a penalty not exceeding twenty pounds for any breach thereof.
- 10 Any such penalty may be recovered before a police or stipendiary magistrate or any two justices of the peace in petty sessions.
- (3) Such regulations shall—
- 15 (a) be published in the Gazette ;
- (b) take effect from the date of publication, or from a later date to be specified in such regulations ; and
- 20 (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given within fifteen sitting  
 25 days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.







1923.

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**Legislative Council.**

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## Veterinary Surgeons Bill.

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### EXPLANATORY NOTE.

THIS Bill is intended to regulate the practice of veterinary science, and to ensure that those who practise as veterinary surgeons have the requisite qualifications. At the present time similar legislation is in force in Great Britain, Victoria, Western Australia, Tasmania, in most of the United States, Canada, and in other countries where the subject has received the attention it deserves.

The Bill provides for the establishment of a Board of Veterinary Surgeons, by whom the Act will be administered.

The qualifications for registration will be found in Section 13. These have been framed so as to include, as far as possible, persons now practising.

Section 20 provides that no person other than a graduate veterinary surgeon shall sign any certificate prescribed by any Act which requires the signature of a veterinary surgeon in respect of the freedom from disease of any animal or animal product.

The right of appeal to a District Court is given to any person who is refused registration upon any grounds other than failure to pass an examination, and is further conferred upon any person whose name is removed by the Board from the register.

The Bill will also restrict the practice of veterinary science to veterinary surgeons, and the use of the term "veterinary surgeon" and the word "veterinary" will also be restricted to such persons.

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1931

Revelation 17

The City of Babylon

The city of Babylon is the great city which is the seat of the world's power and the center of the world's commerce. It is the city which is the seat of the world's culture and the center of the world's civilization. It is the city which is the seat of the world's religion and the center of the world's faith.

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