



Veterinarians Amendment Act 2012

Public Act 2012 No 116
Date of assent 11 December 2012
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Veterinarians Amendment Act 2012.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 Principal Act amended

This Act amends the Veterinarians Act 2005.

4 Interpretation

Section 4 is amended by inserting the following definition in its appropriate alphabetical order:

“**health practitioner** has the same meaning as in section 5(1) of the Health Practitioners Competence Assurance Act 2003”.

5 Effect of cancellation or suspension of registration

Section 20 is amended by repealing subsection (3) and substituting the following subsection:

“(3) Subsection (2) applies unless the Council cancels the person’s registration before the end of the period of suspension.”

6 New section 28A inserted

The following section is inserted after section 28:

“28A Extension of expiry date of certificate on application for new certificate

“(1) This section applies where—

“(a) a person who is the holder of an existing practising certificate applies for a new practising certificate before the expiry of his or her existing practising certificate; and

“(b) the application complies with section 24(2).

“(2) Despite section 28, the applicant’s existing practising certificate continues in force until the earlier of—

“(a) the date that a new certificate is issued under section 26(1); or

“(b) the date that the Council notifies the applicant under section 26(3)(d) that it is not satisfied that he or she meets the requirements for the issue of a new certificate.”

7 Medical assessments

(1) Section 55(2) is amended by repealing paragraph (d) and substituting the following paragraph:

“(d) inform the specified person that—

“(i) he or she may attend the examination with another person, who may be a support person or an observer; and

“(ii) the medical practitioner conducting the examination may consult with any other health practitioner regarding the examination; and

“(iii) the specified person may refuse to undertake the examination, but that the Council may, despite the refusal, act under section 57(1) in any event.”

(2) Section 55 is amended by inserting the following subsection after subsection (3):

“(3A) The medical practitioner conducting the examination may consult with another health practitioner who the medical practitioner considers is able to assist in the completion of the examination or in the completion of the report under subsection (4).”

8 Obligation to prepare annual report

Section 85(3) is amended by omitting “on 31 December in each year” and substituting “in each year on 31 December or any other day determined by the Minister”.

9 New section 89A inserted

The following section is inserted after section 89:

“89A Notification of convictions

A registrar of a court who knows that a person convicted in the court is a veterinarian must send a notice of the conviction to the Council if the conviction is for—

“(a) any offence against—

“(i) the Agricultural Compounds and Veterinary Medicines Act 1997; or

“(ii) the Animal Products Act 1999; or

“(iii) the Animal Welfare Act 1999; or

“(iv) the Biosecurity Act 1993; or

- “(v) the Food Act 1981; or
- “(vi) the Hazardous Substances and New Organisms Act 1996; or
- “(vii) the Medicines Act 1981; or
- “(viii) the Misuse of Drugs Act 1975; or
- “(b) any other offence that is punishable by imprisonment for a term of 3 months or more.”

10 References to veterinarians in other enactments

Section 95 is amended by omitting “a veterinarian or a veterinary surgeon” and substituting “a veterinarian or a veterinary practitioner or a veterinary surgeon”.

11 New clause 20A of Schedule 1 inserted

Schedule 1 is amended by inserting the following clause after clause 20:

“20A Registrar’s ability to delegate

- “(1) The Registrar may delegate 1 or more of his or her functions, duties, or powers to 1 or more employees of the Council except a function, duty, or power delegated to the Registrar by the Council under clause 17.
- “(2) A delegation must be in writing and may be subject to any conditions that the Registrar thinks fit.
- “(3) A delegate may, unless the delegation provides otherwise, perform the function or duty, or exercise the power, in the same manner, subject to the same restrictions and duties, and with the same effect as if he or she were the Registrar, but may not further delegate the function, duty, or power.
- “(4) A delegate who purports to perform or exercise a function, duty, or power under a delegation made under this clause is, in the absence of proof to the contrary, presumed to do so in accordance with the terms of the delegation.
- “(5) A delegation under this clause—
 - “(a) may be revoked at will by the Registrar in writing; and
 - “(b) does not prevent the Registrar from personally performing the function or duty, or exercising the power.

“(6) A delegation under this clause does not cease to have effect merely because the Registrar who made it ceases to hold office.”

Legislative history

5 December 2012	Divided from Statutes Amendment Bill (No 3) (Bill 349–2) by committee of the whole House, third reading
11 December 2012	Royal assent

This Act is administered by the Ministry for Primary Industries.
