

VETERINARY SURGEONS BILL.

EXPLANATORY NOTE.

IN paragraph (b) of subclause (2) of clause 3 the word "One" has been struck out and the word "Two" inserted in erasure type as a suggested amendment by the Legislative Council.

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This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES,
and, having this day passed as now printed, is transmitted to
the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,
26th August, 1926.

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Legislative Council, 6th September, 1926.

Hon. Mr. Hawken.

VETERINARY SURGEONS.

ANALYSIS.

<p>Title.</p> <p>1. Short Title and commencement.</p> <p>2. Interpretation.</p> <p>3. Veterinary Surgeons Board established.</p> <p>4. Meetings of Board.</p> <p>5. Register of Veterinary Surgeons.</p> <p>6. Qualifications of applicants for registration.</p> <p>7. Certain veterinary surgeons in practice prior to passing of this Act entitled to continue in practice.</p> <p>8. Applications for registration to be verified.</p>	<p>9. Certificates of registration.</p> <p>10. Penalty for wrongfully procuring registration.</p> <p>11. Cancellation of registration.</p> <p>12. Appeals from decision of Board.</p> <p>13. Application by registered veterinary surgeon for publication of name in <i>Gazette</i>.</p> <p>14. Names to be gazetted.</p> <p>15. Offence for unqualified person to describe himself as veterinary surgeon, &c.</p> <p>16. Application of fees.</p> <p>17. Regulations.</p>
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A BILL INTITULED

AN ACT to provide for the Registration of Veterinary Surgeons. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Veterinary Surgeons Act, 1926, and shall come into force on the first day of *January*, nineteen hundred and twenty-seven. Short Title and commencement.

2. In this Act, unless the context otherwise requires,—

10 “Board” means the Veterinary Surgeons Board constituted under this Act: Interpretation.

“Registrar” means the Registrar appointed under this Act.

3. (1.) For the purposes of this Act there shall be appointed a Board to be called “the Veterinary Surgeons Board.” Veterinary Surgeons Board established.

15 (2.) The Board shall consist of,—

(a.) The Registrar, who shall be appointed by the Governor-General from among the veterinary surgeons in the employment of the Department of Agriculture;

20 (b.) ~~One TWO~~ Persons to be appointed on the recommendation of the Minister of Agriculture; and

(c.) Two veterinary surgeons to be appointed on the recommendation of the incorporated society known as the New Zealand Veterinary Association (Incorporated).

25 (3.) The members of the Board other than the Registrar, who shall hold office during pleasure, shall be appointed by the Governor-General for a period of three years, save that any such member may be reappointed, or may be at any time removed from office by the Governor-General for disability, insolvency, neglect of duty, or misconduct, or may at any time resign his office by writing addressed to the Registrar:

Provided that, after the expiration of *twelve months* from the commencement of this Act, no person shall be appointed or shall continue to be a member of the Board as one of the veterinary surgeons appointed on the recommendation of the New Zealand Veterinary Association (Incorporated) unless he is registered under this Act. 5

(4.) If any member of the Board other than the Registrar dies, resigns, or otherwise vacates his office, the vacancy so created shall, within *two months* after the occurrence thereof, be filled in the manner in which the appointment to the vacant office was originally made. Every person so appointed shall hold office for the residue of the term for which his predecessor was appointed. 10

(5.) The members of the Board, other than the Registrar, shall be paid such allowances as may be lawfully appointed and all travelling-expenses reasonably incurred by them in respect of attendance at meetings of the Board. 15

(6.) In the absence of the Registrar from any meeting of the Board any officer of the Department of Agriculture may be appointed by the Registrar to act as his deputy; and, while so acting, shall, for the purposes of this Act, have all the powers of the Registrar. 20

Meetings of Board.

4. (1.) The Registrar shall be the Chairman of the Board. 20

(2.) Meetings of the Board shall be held at such times and places as the Board or the Chairman may appoint.

(3.) The Board may regulate its procedure in such manner as it thinks fit.

Register of
Veterinary Surgeons.

5. The Registrar shall keep in his office a book, to be called "The Register of Veterinary Surgeons," in which shall be entered the names of all persons registered as veterinary surgeons under this Act, together with such other particulars in relation thereto as may from time to time be prescribed. 25

Qualifications of
applicants for
registration.

6. (1.) Every person shall, on payment of the prescribed fee, be entitled to be registered as a veterinary surgeon under this Act who satisfies the Board that he is of good character and repute, and that— 30

(a.) He is a member of the Royal College of Veterinary Surgeons, at London; or

(b.) He is a graduate in veterinary medicine and surgery or the holder of a veterinary diploma, of any veterinary school or other institution (not being the Royal College of Veterinary Surgeons aforesaid) by the statutes or rules of which a course of not less than four years' study of the appropriate subjects is required before a veterinary degree or diploma, as the case may be, can be conferred, and which is recognized by the Government of the country in which it is established and by the Board as a proper and efficient teaching institution; or 40

(c.) Not being qualified to be registered under either of the *two last preceding* paragraphs he was employed or was practising as a veterinary surgeon in New Zealand at the date of the commencement of this Act, and that he is a graduate in veterinary medicine and surgery or the holder of a veterinary diploma, of a veterinary school or other institution by the statutes or rules of which a course of three years' study of the appropriate subjects is required before a veterinary degree or diploma, as the case may be, can be conferred, and 45 50

which is recognized by the Government of the country in which it is established and by the Board as an efficient teaching institution.

5 (2.) No person shall be registered as a veterinary surgeon under paragraph (c) of the *last preceding* subsection unless application for registration is made within *one year* after the commencement of this Act.

Struck out.

10 7. Any person who has practised as a veterinary surgeon in New Zealand prior to the passing of this Act for not less than ten years shall be entitled to continue in practice and to describe himself as a veterinary practitioner.

Certain veterinary surgeons in practice prior to passing of this Act entitled to continue in practice.

15 8. (1.) Every application for registration under this Act shall be in writing addressed to the Board, and all the facts set forth in the application shall be verified by statutory declaration of the applicant.

Applications for registration to be verified.

(2.) No entry in the register of the name of any person shall be made by the Registrar without the direction in writing of the Board.

20 9. Every person registered as a veterinary surgeon under this Act shall, on payment of the prescribed fee, be entitled to receive a certificate of registration under the hand of the Registrar.

Certificates of registration.

10. Every person who makes any false or fraudulent representation or produces to the Board or the Registrar any false certificate or testimonial for the purpose of securing his registration under this Act commits an offence, and is liable to a fine of *fifty pounds*.

Penalty for wrongfully procuring registration.

25 11. The Board may cause to be removed from the register the name of every registered veterinary surgeon who has been registered in error, or who is convicted of any offence punishable by imprisonment and dishonouring him in the public estimation, or who has been guilty of such improper conduct as renders him, in the opinion of the Board, unfit to be registered under this Act.

Cancellation of registration.

30 12. (1.) Every person whose application for registration has been declined by the Board, or whose name has been removed from the register, may, within *three months* after notice of such refusal or removal has been communicated to him by the Registrar, appeal in the prescribed manner to a Board of Appeal, consisting of a Magistrate and two assessors, appointed in accordance with regulations under this Act.

Appeals from decision of Board.

35 (2.) The Board of Appeal shall thereupon hear the appeal, and may either confirm the decision of the Board, or order the registration of the appellant, or the restoration of his name to the register, and the determination of the Board of Appeal shall be final and conclusive.

40 13. On or before the thirty-first day of March, nineteen hundred and twenty-eight, and in each year thereafter, every registered veterinary surgeon who desires to have his name published in the *Gazette* as such shall forward to the Registrar the prescribed fee for such publication, together with the name and address of the applicant and such other particulars as may be required by the Board.

Application by registered veterinary surgeon for publication of name in *Gazette*.

45 14. (1.) The Registrar shall, in the month of April, nineteen hundred and *twenty-eight*, and thereafter in the month of April in every year, cause to be published in the *Gazette* a list of the names, with prescribed particulars, of such registered veterinary surgeons as have applied to have their names so published, and have paid the prescribed fee.

Names to be gazetted.

50 (2.) The *Gazette* containing such list shall, unless the contrary is proved, be sufficient evidence in all judicial proceedings that, on the

thirty-first day of March immediately preceding the date of the *Gazette* every person whose name appears therein as a registered veterinary surgeon was duly registered as such, and also that every such person has continued to be so registered at all times after the said thirty-first day of March and before the date of the next publication in the *Gazette* of the list of registered persons. 5

Offence for unqualified person to describe himself as veterinary surgeon, &c.

15. (1.) *Save as provided in the next succeeding subsection* every person commits an offence, and is liable to a fine of *twenty* pounds, who, not being a registered veterinary surgeon, takes, uses, or adopts the name, title, or description of veterinary surgeon, veterinarian, or veterinary practitioner, or uses or causes to be used in connection with his business, trade, calling, or profession any written words, titles, initials, or abbreviation of words, titles, or initials intended to cause, or which may reasonably cause, any person to believe that he is a registered veterinary surgeon. 15

New.

(1A.) Any person who has practised as a veterinary surgeon in New Zealand for not less than ten years immediately prior to the commencement of this Act may, notwithstanding that he may not be qualified to be registered under this Act, continue in practice and may use in connection with his business the designation of "veterinary practitioner" if he lodges his name with the Minister of Agriculture not later than six months after the commencement of this Act, and satisfies him that he has been practising as aforesaid and that he is of good character and repute. 25

(2.) In every prosecution for an offence against this section the burden of proving that the defendant, at the time when the offence was committed, was registered under this Act shall lie upon the defendant.

Application of fees.

16. All fees and other moneys paid under this Act shall be paid into the Public Account, and shall form part of the Consolidated Fund, and all expenses incurred in respect of the administration of this Act shall be paid out of moneys to be from time to time appropriated by Parliament for the purpose. 30

Regulations.

17. The Governor-General may from time to time by Order in Council make regulations— 35

- (a.) Prescribing forms of application for and certificates of registration under this Act:
- (b.) Prescribing the fees payable in respect of registration under this Act; and also prescribing fees for the issue of certificates of registration, and for the annual publication in the *Gazette* of the name of any registered veterinary surgeon: 40
- (c.) Providing for the appointment of assessors and the conduct of appeals under section *twelve* hereof:
- (d.) Generally providing for such other matters as, in the opinion of the Governor-General in Council, are necessary or expedient for the effective administration of this Act. 45