

Queensland



*Veterinary Act 1936*

# **VETERINARY SURGEONS REGULATION 1991**

**Reprinted as in force on 7 January 2001  
(includes amendments up to SL No. 289 of 2001)**

**Reprint No. 3**

**This reprint is prepared by  
the Office of the Queensland Parliamentary Counsel  
Warning—This reprint is not an authorised copy**

# Information about this reprint

This regulation is reprinted as at 7 January 2001. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 have been made to use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in the reprint, including a table of renumbered provisions**
- **editorial changes made in earlier reprints.**

Queensland



# VETERINARY SURGEONS REGULATION 1991

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# VETERINARY SURGEONS REGULATION 1991

[as amended by all amendments that commenced on or before 7 January 2001]

## PART 1—PRELIMINARY

### 1 Short title

This regulation may be cited as the *Veterinary Surgeons Regulation 1991*.

## PART 2—ACTS FOR ANIMAL HUSBANDRY OR DENTISTRY THAT ARE NOT VETERINARY SCIENCE

### 2 Prescribed acts—Act, s 2A

The following acts done for animal husbandry or animal dentistry are prescribed for section 2A(3)<sup>1</sup> of the Act—

- (a) castrating—
  - (i) cattle or sheep of less than 6 months; or
  - (ii) goats of less than 2 months; or
  - (iii) pigs of less than 6 weeks;
- (b) dehorning—
  - (i) cattle of less than 6 months; or
  - (ii) goats or sheep of less than 3 months;
- (c) spaying cattle;
- (d) tailing sheep of less than 6 months;

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<sup>1</sup> Section 2A (Meaning of “veterinary science”) of the Act

- (e) mulesing sheep of less than 1 year;
- (f) filing or rasping a horse's teeth;
- (g) artificial insemination of cattle, deer, goats, pigs or sheep;
- (h) teaching techniques about pregnancy testing of cattle by a veterinary surgeon to an owner of cattle.

## **PART 3—ELECTION PROCEDURES**

### **3 Elections**

(1) The registrar must give each veterinary surgeon at least 3 months notice of the day appointed by the board for the holding of triennial elections of the elected members of the board.

(2) The registrar must—

- (a) fix a date by which nominations for the election of veterinary surgeons to the board must be received; and
- (b) cause notice to be given—
  - (i) inviting veterinary surgeons to nominate candidates for election to the board; and
  - (ii) of the time and date by which nominations must be received by the returning officer.

(3) A notice under subsection (2)(b) must be published not less than 28 days before the date by which nominations must be received in 2 newspapers circulating generally throughout the State.

### **4 Nominations**

(1) A nomination must—

- (a) nominate 1 person only; and
- (b) state the nominee's full name; and
- (c) be signed by—
  - (i) the nominee; and

- (ii) at least 3 other veterinary surgeons; and
- (d) be received by the returning officer by noon on the day on which nominations close.

(2) A nomination may be accompanied by a candidate's statement of up to 200 words.

## **5 Conduct of elections**

(1) The returning officer must, as soon as is practicable after nominations close, conduct a ballot of veterinary surgeons by sending to each veterinary surgeon a ballot paper, an envelope for the ballot paper and an envelope addressed to the returning officer.

(2) However, if no more than 2 candidates nominate for the election, the returning officer—

- (a) must not conduct a ballot for the election; and
- (b) must declare the candidates to have been elected unopposed.

(3) A ballot paper must—

- (a) contain the full names of all candidates, arranged in alphabetical order; and
- (b) specify the time and date by which completed ballot papers must be received by the returning officer; and
- (c) be initialled by the returning officer; and
- (d) be accompanied by statements (if any) furnished by the candidates.

(4) A veterinary surgeon may vote on a ballot by—

- (a) marking the ballot paper with a cross opposite the names of not more than 2 candidates; and
- (b) placing the marked ballot paper in the envelope for the ballot paper and sealing that envelope; and
- (c) placing the sealed envelope in the envelope addressed to the returning officer, signing that envelope and forwarding it to the returning officer so as to be received by the time specified on the ballot paper.

## **6 Count**

(1) At the close of the ballot, the returning officer must—

- (a) open each envelope received by the returning officer; and
- (b) accept as formal ballot papers which are marked as required by section 5(4)(a); and
- (c) reject as informal ballot papers which are not marked as required by section 5(4)(a); and
- (d) count and record the number of formal votes for each candidate.

(2) A ballot paper is not informal merely because of an informality in the way it has been dealt with if, in the opinion of the returning officer, the intention of the voter is clear.

## **7 Scrutiny**

Each candidate may appoint 1 scrutineer to be present when the returning officer conducts the count and must notify the returning officer of that appointment, in writing, not less than 5 days before the close of the ballot.

## **8 Declaration**

(1) If there are more than 2 candidates, the returning officer must declare elected from those candidates the 2 candidates who receive the highest number of votes.

(2) If 2 candidates can not be declared elected because 2 or more of them have received an equal number of votes and the number of those candidates, together with the number of candidates entitled to be declared elected exceeds 2, the returning officer must draw lots to determine which of those candidates whose votes are equal is to be declared elected.

(3) A draw conducted under subsection (2) must be conducted in the presence of an officer of the board and the scrutineers (if any).

(4) All ballot papers used in an election must be retained by the returning officer for 3 months, and after that time must be destroyed, at a convenient time, in the presence of a member or officer of the board.

## **PART 4—MATTERS ABOUT VETERINARY SURGEONS**

### **9 Primary and secondary registration**

(1) A person entitled to be registered as a veterinary surgeon under section 18 of the Act may apply for—

- (a) primary registration as a veterinary surgeon—if the majority of the person’s practice is carried on in Queensland; or
- (b) secondary registration as a veterinary surgeon—if the majority of the person’s practice is carried on in another State or a Territory.

(2) A veterinary surgeon entitled to be registered as a veterinary specialist under section 19C of the Act may apply for—

- (a) primary registration as a veterinary specialist—if the majority of the veterinary surgeon’s practice is carried on in Queensland; or
- (b) secondary registration as a veterinary specialist—if the majority of the veterinary surgeon’s practice is carried on in another State or a Territory.

### **10 Veterinary qualifications—Act, s 18**

(1) The qualifications recognised under section 18(1)(a)(i) of the Act are in schedule 1, part 1.

(2) The qualifications recognised under section 18(1)(a)(ii) of the Act are in schedule 1, part 2.

(3) The qualifications recognised under section 18(1)(b) of the Act are in schedule 1, part 3.

### **11 Specialist veterinary qualifications—Act, s 19C**

The qualifications recognised under the Act, section 19C are in schedule 2.

### **12 Examinations**

(1) For section 18(2)(a) of the Act, the prescribed period is 3 months.

(2) For section 18(2)(b) of the Act, the prescribed examinations are—

- (a) an occupational English test with particular reference to veterinary science; and
  - (b) an examination in veterinary science in relation to—
    - (i) companion animals; and
    - (ii) agricultural animals; and
    - (iii) public health and pathology; and
  - (c) a clinical examination;
- conducted by the Australasian Veterinary Boards Council Incorporated.

### **13 Veterinary specialties—Act, s 19D**

The following branches of veterinary science are veterinary specialties under the Act, section 19D—

- (a) anaesthesiology;
- (b) medicine;
- (c) ophthalmology;
- (d) pathobiology;
- (e) radiology;
- (f) reproduction;
- (g) surgery.

## **PART 5—MISCELLANEOUS**

### **14 Signs**

(1) A veterinary surgeon must display at each place at which the veterinary surgeon practises veterinary science a sign bearing—

- (a) the veterinary surgeon's name; and
- (b) the veterinary surgeon's qualifications as recorded in—
  - (i) the Register of Veterinary Surgeons; or
  - (ii) the Register of Veterinary Specialists;

as the case may be;

and stating that the person is a veterinary surgeon or, as the case may be, a veterinary specialist.

Maximum penalty—10 penalty units.

(2) A veterinary surgeon who—

- (a) is employed in a temporary capacity; or
- (b) is engaged to act in locum tenens;

for a period of not more than 30 days is not required to comply with subsection (1).

## **15 Records**

(1) A veterinary surgeon must keep a record of veterinary examinations and procedures performed by the veterinary surgeon.

Maximum penalty—10 penalty units.

(2) The record must include—

- (a) identification of each animal treated; and
- (b) a clinical assessment of each animal's condition; and
- (c) details of tests performed; and
- (d) a provisional or definitive diagnosis; and
- (e) details of treatment administered; and
- (f) a chronological account of the management of each case.

Maximum penalty—10 penalty units.

(3) The record must be kept for at least 3 years from the date of last examination or procedure.

Maximum penalty—10 penalty units.

## **16 Seal**

(1) The seal of the board must bear the words “The Veterinary Surgeons Board of Queensland” and the coat of arms of the State.

(2) The seal must be affixed by the registrar only to such documents as may be authorised—

- (a) by the chairperson, in writing; or
- (b) by resolution of the board.

### **17 Prescribed drugs and poisons—Act, s 25**

For section 25<sup>2</sup> of the Act, definition “disqualifying offence”, paragraph (e), each controlled or restricted drug, or poison, under the *Health (Drugs and Poisons) Regulation 1996* is prescribed.

### **18 Fees**

- (1) The fees payable under the Act are stated in schedule 3.
- (2) A veterinary surgeon who is a public service officer is exempt from payment of registration fees and the annual roll fee.

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2 Section 25 (Definitions for pt 4A) of the Act

**SCHEDULE 1****VETERINARY QUALIFICATIONS**

section 10

**PART 1—QUALIFICATIONS RECOGNISED UNDER  
THE ACT, SECTION 18(1)(a)(i)**

1. A degree or diploma in veterinary science accredited by—
  - (a) the Australasian Veterinary Boards Council Incorporated; or
  - (b) the Royal College of Veterinary Surgeons, United Kingdom.
2. A degree or diploma in veterinary science accredited by the American Veterinary Medical Association and a pass in the North American Veterinary Licensing Examination conducted by the National Board Examination Committee.

**PART 2—QUALIFICATIONS RECOGNISED UNDER  
THE ACT, SECTION 18(1)(a)(ii)**

Membership of the Royal College of Veterinary Surgeons, United Kingdom gained through successful completion of membership examinations conducted by the College.

**PART 3—QUALIFICATIONS RECOGNISED UNDER  
THE ACT, SECTION 18(1)(b)**

A degree or diploma awarded after at least 4 years study at a veterinary school listed in either the World Directory of Veterinary Schools or the

## SCHEDULE 1 (continued)

World List of Universities,<sup>3</sup> other than a degree or diploma mentioned in part 1.

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<sup>3</sup> The World Directory of Veterinary Schools is published by the World Health Organisation and the World List of Universities is published by the International Universities Bureau.

**SCHEDULE 2****SPECIALIST VETERINARY QUALIFICATIONS**

section 11

1. Fellowship by examination of the Australian College of Veterinary Scientists.
2. Diploma, American College of Veterinary Internal Medicine.
3. Diploma, American College of Veterinary Surgeons.
4. Diploma, American College of Veterinary Theriogenology.
5. Diploma, American College of Veterinary Radiologists.
6. Diploma, American College of Veterinary Anaesthesiologists.
7. Diploma, American College of Veterinary Ophthalmology.
8. Diploma, American College of Veterinary Pathology.
9. Diploma, Royal College of Veterinary Surgeons.
10. A postgraduate degree or diploma from a tertiary institution that includes as a part of the curriculum an equivalent of 2 years full time supervised training across the discipline followed by written, clinical, practical and oral examinations.

**SCHEDULE 3****FEES**

section 18

	\$
<b>1.</b> Registration as—	
(a) a veterinary surgeon—	
(i) primary registration . . . . .	35.10
(ii) secondary registration . . . . .	17.55
(b) a veterinary specialist—	
(i) primary registration . . . . .	70.20
(ii) secondary registration . . . . .	35.10
(c) a veterinary surgeon for a limited period under section 19B of the Act. . . . .	10.30
<b>2.</b> Restoration of name, under section 17(3) of the Act, to—	
(a) the register of veterinary surgeons . . . . .	62.95
(b) the register of veterinary specialists. . . . .	69.15
<b>3.</b> Duplicate certificate of registration . . . . .	20.60
<b>4.</b> Approval—	
(a) under section 18A of the Act—for each 12 month period . . . . .	76.35
(b) under section 25A of the Act if, under section 25B(b) of the Act, the board requires the premises to be inspected . . . . .	92.90
<b>5.</b> Special registration as a veterinary surgeon under section 19E of the Act—	
(a) initial period. . . . .	103.20
(b) each renewal. . . . .	51.60
<b>6.</b> Annual roll fee—	
(a) for a veterinary surgeon who—	
(i) is 55 years or older; and	
(ii) is not engaged in the practice of veterinary science; and	
(iii) is resident in the Commonwealth. . . . .	26.30

## SCHEDULE 3 (continued)

		\$
	(b) for another veterinary surgeon—	
	(i) primary registration . . . . .	81.10
	(ii) secondary registration . . . . .	40.55
<b>7.</b>	Additional annual roll fee for a veterinary specialist—	
	(a) primary registration . . . . .	81.10
	(b) secondary registration . . . . .	40.55

## ENDNOTES

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 7 January 2001. Future amendments of the Veterinary Surgeons Regulation 1991 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	prev	= previous
amd	= amended	(prev)	= previously
amdt	= amendment	proc	= proclamation
ch	= chapter	prov	= provision
def	= definition	pt	= part
div	= division	pubd	= published
exp	= expires/expired	R[X]	= Reprint No.[X]
gaz	= gazette	RA	= Reprints Act 1992
hdg	= heading	reloc	= relocated
ins	= inserted	renum	= renumbered
lap	= lapsed	rep	= repealed
notfd	= notified	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 1992
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered

## 4 Table of earlier reprints

### TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	to SL No. 371 of 1998	31 March 1999
1A	to SL No. 83 of 2000	14 June 2000
1B	to SL No. 169 of 2000	11 July 2000
1C	to SL No. 324 of 2000	14 December 2000
2	to SL No. 177 of 2001	2 November 2001

## 5 List of legislation

### **Veterinary Surgeons Regulation 1991**

made by the Governor in Council on 21 March 1991  
pubd gaz 23 March 1991 pp 1637–54  
commenced on date of notification  
exp 31 August 2002 (see SIA s 56A(1)(b) and SIR s 15 sch 15)  
[prev exp 1 September 2001 (see SIA s 54)]

as amended by—

### **Veterinary Surgeons Amendment Regulation 1991 SL No. 145**

pubd gaz 30 November 1991 pp 1659–62  
commenced 1 January 1992 (see s 2)

### **Veterinary Surgeons Amendment Regulation (No. 1) 1994 SL No. 413**

notfd gaz 2 December 1994 pp 1435–7  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 January 1995 (see s 2)

### **Veterinary Surgeons Amendment Regulation (No. 1) 1996 SL No. 191**

notfd gaz 12 July 1996 pp 1365–6  
commenced on date of notification

### **Veterinary Surgeons Amendment Regulation (No. 1) 1997 SL No. 112**

notfd gaz 9 May 1997 pp 162–3  
commenced on date of notification

### **Veterinary Surgeons Amendment Regulation (No. 1) 1998 SL No. 371**

notfd gaz 18 December 1998 pp 1551–7  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 January 1999 (see s 2)

### **Veterinary Surgeons Amendment Regulation (No. 1) 2000 SL No. 83**

notfd gaz 5 May 2000 pp 65–66  
commenced on date of notification

**Primary Industries Legislation Amendment Regulation (No. 1) 2000 SL No. 169  
pts 1, 6**

notfd gaz 30 June 2000 pp 736–48  
 ss 1–2 commenced on date of notification  
 remaining provisions commenced 1 July 2000 (see s 2)

**Veterinary Surgeons Amendment Regulation (No. 2) 2000 SL No. 324**

notfd gaz 8 December 2000 pp 1374–7  
 commenced on date of notification

**Primary Industries Legislation Amendment Regulation (No. 1) 2001 SL No. 177  
pts 1, 8**

notfd gaz 28 September 2001 pp 328–30  
 commenced on date of notification

**Veterinary Surgeons Amendment Regulation (No. 1) 2001 SL No. 289**

notfd gaz 21 December 2001 pp 1482–8  
 commenced on date of notification

## **6 List of annotations**

**This reprint has been renumbered—see table of renumbered provisions in endnote 7**

**PART 1—PRELIMINARY**

**pt hdg** ins 2001 SL No. 289 s 2 sch

**Short title**

**s 1** sub 1991 SL No. 145 s 5

**PART 2—ACTS FOR ANIMAL HUSBANDRY OR DENTISTRY THAT ARE NOT  
VETERINARY SCIENCE**

**pt hdg** ins 2001 SL No. 289 s 3

**Prescribed acts—Act, s 2A**

**s 2** prev s 2 om R1 (RA s 40)  
 pres s 2 ins 2001 SL No. 289 s 3

**PART 3—ELECTION PROCEDURES**

**pt hdg** ins 2001 SL No. 289 s 2 sch

**Elections**

**s 3** prev s 3 amd 1991 SL No. 145 s 4  
 om 1996 SL No. 191 s 3  
 pres s 3 amd 1991 SL No. 145 s 4; 2001 No. 289 s 2 sch

**Forms**

**s 4** om 1996 SL No. 191 s 3

**Conduct of elections**

**s 5** amd 2001 SL No. 289 s 4

**Count**

**s 6** amd 1991 SL No. 145 s 4

**Declaration**

s 8 amd 1991 SL No. 145 s 4; 2001 No. 289 s 2 sch

**PART 4—MATTERS ABOUT VETERINARY SURGEONS**

pt hdg ins 2001 No. 289 s 2 sch

**Primary and secondary registration**

s 9 ins 1991 SL No. 145 s 6  
reloc and renum 2001 SL No. 289 s 2 sch

**Veterinary qualifications—Act, s 18**

s 10 ins 1996 SL No. 191 s 5  
sub 2000 SL No. 324 s 3  
amd 2001 No. 289 s 2 sch

**Specialist veterinary qualifications—Act, s 19C**

s 11 ins 1996 SL No. 191 s 5  
amd 2001 No. 289 s 2 sch

**Veterinary surgery—Act, s 25**

s 11D ins 1996 SL No. 191 s 5  
om 2001 SL No. 289 s 5

**Examinations**

s 12 prev s 12 amd 1991 SL No. 145 s 4; 1996 SL No. 191 s 6  
om 2001 SL No. 289 s 5  
pres s 12 amd 1991 SL No. 145 s 4; 2000 SL No. 324 s 4; 2001 SL No. 289 s 2  
sch  
reloc and renum 2001 SL No. 289 s 2 sch

**Veterinary specialities—Act, s 19D**

s 13 prev s 13 sub 1996 SL No. 191 s 7  
om 2001 SL No. 289 s 5  
pres s 13 ins 1996 SL No. 191 s 5  
amd 2001 No. 289 s 2 sch

**PART 5—MISCELLANEOUS**

pt hdg amd 2001 SL No. 289 s 2 sch

**Signs**

s 14 prev s 14 amd 1991 SL No. 145 s 4; 1996 SL No. 191 s 8  
om 2001 SL No. 289 s 5  
pres s 14 amd 1991 SL No. 145 s 4; 1996 SL No. 191 s 10; 2001 SL No. 289  
s 2 sch

**Records**

s 15 prev s 15 amd 1996 SL No. 191 s 11  
om 2001 SL No. 289 s 5

**Seal**

s 16 amd 2001 SL No. 289 s 2 sch

**Prescribed drugs and poisons—Act, s 25**

s 17 ins 2001 SL No. 289 s 6

**Fees**

**s 18** amd 1996 SL No. 191 s 4; 2001 SL No. 289 s 2 sch  
reloc and renum 2001 SL No. 289 s 2 sch

**Numbering and renumbering of regulation**

**s 20** orig s 20 amd 1991 SL No. 145 s 4  
prev s 20 sub 1996 SL No. 191 s 12  
om R1 (RA s 40)  
pres s 20 ins 2001 SL No. 289 s 7  
om R3 (RA s 40)

**SCHEDULE 1—VETERINARY QUALIFICATIONS**

sub 1991 SL No. 145 s 7; 1994 SL No. 413 s 4; 1996 SL No. 191 s 13; 2000  
SL No. 324 s 5  
amd 2001 SL No. 289 s 2 sch

**SCHEDULE 2—SPECIALIST QUALIFICATIONS UNDER THE ACT,  
SECTION 19C**

ins 1996 SL No. 191 s 13  
amd 2001 SL No. 289 s 2 sch

**SCHEDULE 3—FEES**

sub 1996 SL No. 191 s 13; 1997 SL No. 112 s 3; 1998 SL No. 371 s 4; 2000  
SL No. 83 s 3; 2000 SL No. 169 s 12; 2001 SL No. 177 s 15  
amd 2001 SL No. 289 ss 8, 2 sch  
renum and reloc 2001 SL No. 289 s 2 sch

**7 Table of renumbered provisions**

## TABLE OF RENUMBERED PROVISIONS [Reprint No. 2]

under the Reprints Act 1992 s 43 as required by the Veterinary Surgeons Amendment  
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