

NORTHERN TERRITORY OF AUSTRALIA

VETERINARIANS REGULATIONS 1994

As in force at 20 November 2020

Table of provisions

1	Citation	1
2	Commencement	1
3	Common seal	1
4	Requirements for registration as veterinarian	1
5	Method of effecting registration	3
6	Services prescribed not to be veterinary services	5
7	Exclusion from section 24 of the Act.....	6
9	Code of conduct	7
10	Election of registered veterinarian	7
11	Fees	7

Schedule 1 Prescribed qualifications

Schedule 2 Code of conduct

Schedule 3 Fees

Schedule 4 Election of registered veterinarians

ENDNOTES

NORTHERN TERRITORY OF AUSTRALIA

As in force at 20 November 2020

VETERINARIANS REGULATIONS 1994

Regulations under the *Veterinarians Act 1994*

1 Citation

These Regulations may be cited as the *Veterinarians Regulations 1994*.

2 Commencement

These Regulations shall come into operation on the commencement of the *Veterinarians Act 1994*.

3 Common seal

The common seal of the Board must be inscribed, within a 5 centimetre circle, with the words "Veterinary Board, Northern Territory" together with an emblem representing a centaur bearing a caduceus within an outline of the Territory.

4 Requirements for registration as veterinarian

- (1) For section 11(1)(c) of the Act, the prescribed qualifications are specified in Schedule 1.
- (2) For section 11(1)(d) of the Act, the prescribed documents required to accompany an application are:
 - (a) a statutory declaration by the applicant in accordance with subregulation (3); and
 - (b) a letter in respect of the applicant:
 - (i) from an appropriate body referred to in subregulation (4); or
 - (ii) if there is no such body, or the applicant is unable to obtain such a letter from the body – from a person acceptable to the Board.

(3) The statutory declaration must declare:

- (a) whether the applicant has at any time been refused authorisation, by registration, licence or otherwise, to provide veterinary services in a State or Territory of the Commonwealth, or in a place outside the Commonwealth and if so, by whom, when and for what reason; and
- (b) whether the applicant is, or has at any time been, authorised by registration, licence or otherwise, to provide veterinary services in a State or Territory of the Commonwealth, or in a place outside the Commonwealth and if so, by whom and when; and
- (c) whether authorisation referred to in paragraph (b) has at any time been cancelled, suspended, or subjected to a condition or variation of a condition and if so, when and for what reason; and
- (d) whether, under a law regulating the provision of veterinary services in a State or Territory of the Commonwealth or in a place outside the Commonwealth, the applicant has at any time been reprimanded or cautioned and if so, by whom, when and for what reason; and
- (e) whether, under a law regulating the provision of veterinary services in a State or Territory of the Commonwealth or in a place outside the Commonwealth, the applicant is the subject of an investigation relating to his or her professional conduct or any other matter and if so, by whom and in respect of what conduct or other matter; and
- (f) whether a claim for damages or other compensation for or in respect of alleged negligence or other misconduct in the provision of veterinary services has been made against the applicant during the 2 years immediately preceding the date of the application and if so, the nature of the negligence or other misconduct alleged and, unless still in dispute, the outcome of the claim; and
- (g) whether the applicant has at any time been convicted in the Territory of an indictable offence, or convicted elsewhere of an offence that would have been an indictable offence had it been committed in the Territory and if so, when, where and the nature of the offence; and

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- (h) whether the applicant has at any time been convicted, in the Territory or elsewhere, of an offence against the Act or any other law relating to the provision of veterinary services and if so, when, where and the nature of the offence; and
 - (j) whether the applicant has at any time been convicted, in the Territory or elsewhere, of an offence against a law prohibiting or regulating the possession, sale, use or supply of, or other dealing in, a poison, drug or similar substance and if so, when, where and the nature of the offence; and
 - (k) whether the applicant has at any time been convicted, in the Territory or elsewhere, of an offence against a law relating to the welfare of, or the prevention of cruelty to, animals and if so, when, where and the nature of the offence.
- (4) For subregulation (2)(b)(ii), the appropriate body in relation to an applicant is:
- (a) the body responsible for registering, licensing or otherwise authorising a person to practise veterinary surgery or medicine in the place, whether a State or other Territory of the Commonwealth or a place outside the Commonwealth in which the applicant has most recently practised otherwise than on a temporary basis; or
 - (b) the university or institution that conferred the qualification or certificate of completion of examination where the applicant has not previously practised veterinary surgery or medicine or has practised on a temporary basis.

5 Method of effecting registration

- (1) For section 20 of the Act, an entry in the Register for registration of a person as a veterinarian must include the following:
- (a) the person's full name;
 - (b) the person's address for service;
 - (c) a registration number allotted to the person by the Registrar;
 - (d) particulars of the registration as to whether it is:
 - (i) registration as a veterinarian under section 13 of the Act; or
 - (ii) limited registration under section 16 of the Act; or
 - (iii) interim registration under section 17 of the Act;

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- (da) whether the registration is primary or secondary;
 - (e) where the registration under section 13 or limited registration under section 16 of the Act, or interim registration authorised on an application for registration under section 17 of the Act – the qualification in Schedule 1 on which the registration is founded;
 - (f) where the registration is under section 13(1)(a) of the Act, or interim registration authorised on an application for registration by virtue of section 17 of the Act:
 - (i) the person's professional qualifications as stated in his or her application for registration; and
 - (ii) in conjunction with the words "Supporting registration", the name of the State or other Territory of the Commonwealth in which the registration is founded;
 - (g) where the registration is limited – the limitations to which it is subject;
 - (h) the date of the entry.
- (2) Subject to subregulation (3), the entry to be made in the Register for the registration of a person as a veterinary specialist under section 15 of the Act must be a note setting out:
- (a) particulars of registration as a veterinary specialist under section 15 or interim registration as a veterinary specialist under section 17 of the Act;
 - (b) the branch of veterinary surgery or medicine in which the person is registered as a specialist;
 - (c) a professional qualification stated in the person's application for registration that is not already noted on the Register;
 - (d) in conjunction with the words "Supporting registration", the name of the State or other Territory of the Commonwealth in which the registration is founded; and
 - (e) the date of the note.
- (3) The entry to be made for the registration as a veterinarian or veterinary specialist of a person who already has interim registration is a note against the existing entry stating:
- (a) that the registration is no longer interim registration; and

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- (b) the date of the note.

6 Services prescribed not to be veterinary services

- (1) For the definition ***veterinary services*** in section 3 of the Act, the following services are not veterinary services:

- (a) dehorning cattle or buffalo that are less than 12 months old;
- (b) castrating cattle, buffalo or camels that are less than 12 months old;
- (c) castrating goats or sheep that are less than 6 months old;
- (d) tailing lambs that are less than 6 months old;
- (e) mulesing sheep;
- (f) vaccinating animals kept in the course of primary production with a registered veterinary chemical product in accordance with the label;
- (g) implanting cattle with a hormonal growth promotant that is a registered veterinary chemical product in accordance with the label;
- (h) pregnancy testing of cattle or buffalo by rectal examination or another technique approved by the Chief Inspector;
- (i) treatment of internal or external parasites except by naso-gastric intubation;
- (j) spaying cattle using the Willis Dropped Ovary Technique with the written approval of the Chief Inspector;
- (k) non-surgical artificial insemination of cattle, sheep, goats or pigs;
- (l) cleaning and rasping the teeth of horses with a manual tooth rasp;
- (m) removing loose tooth caps from horses;
- (n) scaling and polishing the teeth of animals.

- (2) In this regulation:

label, see section 4 of the *Agricultural and Veterinary Chemicals (Control of Use) Act 2004*.

registered veterinary chemical product, see section 4 of the *Agricultural and Veterinary Chemicals (Control of Use) Act 2004*.

7 Exclusion from section 24 of the Act

- (1) Section 24 of the Act does not apply to:
- (a) the treatment of an animal by a health practitioner if:
 - (i) a registered veterinarian has examined the animal before the treatment is undertaken; and
 - (ii) the treatment is carried out under the direct supervision of the veterinarian; or
 - (b) the administration to an animal by a person of the following:
 - (i) a substance in accordance with an authorisation under the *Medicines, Poisons and Therapeutic Goods Act 2012*;
 - (ii) a registered or unregistered veterinary chemical product in accordance with the *Agricultural and Veterinary Chemicals (Control of Use) Act 2004*; or
 - (c) the administration by a person of a Schedule 4 substance as defined in the *Medicines, Poisons and Therapeutic Goods Act 2012*, to an animal where a registered veterinarian:
 - (i) has made enquiries about the animal and decided that the Schedule 4 substance is required to be administered; and
 - (ii) is satisfied that the person who is to administer the Schedule 4 substance is competent to do so; and
 - (iii) has supplied or prescribed the Schedule 4 substance and given full directions with respect to its administration; or
 - (d) anything done by an inspector within the meaning of the *Livestock Act 2008* in the exercise of a power conferred by that Act; or
 - (e) the veterinary services to be carried out under a permit held by a person to conduct a teaching or research program under the *Animal Welfare Act 1999*; or
 - (f) the provision of a veterinary service in an emergency, where a registered veterinarian is not reasonably available.

(2) A reference in subregulation (1) to a registered veterinarian does not include a reference to a person having limited registration as a veterinarian.

(3) In this regulation:

health practitioner means:

(a) a medical practitioner; or

(b) a person registered under the Health Practitioner Regulation National Law to practise the chiropractic, dental or physiotherapy profession (other than as a student).

9 Code of conduct

The code of conduct in Schedule 2 is prescribed in accordance with section 53(3) of the Act.

10 Election of registered veterinarian

For section 5(2) of the Act, schedule 4 has effect with respect to the election of registered veterinarians.

11 Fees

The fee payable under the Act for or in respect of a matter specified in column 1 in Schedule 3 is the amount shown opposite to that matter in column 2.

Schedule 1 Prescribed qualifications

section 11(1)(c)
regulation 4(1)

1. A degree or diploma in veterinary surgery accredited by:
 - (a) the Australasian Veterinary Boards Council Inc.; or
 - (b) the Royal College of Veterinary Surgeons in the United Kingdom.
2. A degree or diploma in veterinary surgery accredited by the American Veterinary Medical Association and a pass in the North American Veterinary Licensing Examination conducted by the National Board Examination Committee.
3. Membership of the Royal College of Veterinary Surgeons in the United Kingdom gained through successful completion of membership examinations conducted by the College.
4. A certificate issued by the Australasian Veterinary Boards Council Inc. certifying that the person named in the certificate has satisfactorily completed the National Veterinary Examination conducted by the Council.
5. A certificate issued by the Veterinary Council of New Zealand certifying that the person named in the certificate has satisfactorily completed the National Veterinary Examination conducted by the Council.

Schedule 2 Code of conduct

section 53(3)
regulation 9

1 BASIC PRINCIPLES OF PROFESSIONAL CONDUCT

- (1) The basic principles of professional conduct for a registered veterinarian are:
- (a) to recommend appropriate preventative measures and provide suitable management and treatment for diseases and conditions; and
 - (b) to be familiar with and abide by all relevant legislation affecting their professional activity and behaviour; and
 - (c) to have as the primary concern the welfare of animals; and
 - (d) to maintain professional standards to the level expected by:
 - (i) other registered veterinarians; and
 - (ii) users of veterinary services; and
 - (iii) the public.
- (2) Although actions may be influenced by consideration of a client's commercial, financial, emotional or other circumstances, a registered veterinarian must not condone animal suffering or be a party to it.

2 WELFARE OF ANIMALS MUST BE CONSIDERED

A registered veterinarian must at all times consider the welfare of animals when practising veterinary science. A registered veterinarian must handle animals with a minimum of stress and a maximum of care and encourage people to handle animals as gently and safely as circumstances allow. Pain relief should be used when appropriate.

3 NO REFUSAL OF PAIN RELIEF

- (1) A registered veterinarian must not refuse to provide relief of pain or suffering to an animal that is in his or her presence.

(2) In this clause:

relief, in relation to pain or suffering, includes:

- (a) first aid treatment; or
- (b) timely referral to another registered veterinarian; or
- (c) euthanasia, as appropriate.

4 KNOWLEDGE OF CURRENT STANDARD OF PRACTICE

(1) A registered veterinarian must:

- (a) maintain knowledge of the current standards of the practice of veterinary surgery or veterinary medicine in the areas of veterinary science relevant to his or her practice; and
- (b) always carry out veterinary services in accordance with those current standards and in accordance with the Board's guidelines.

(2) A registered veterinarian must base professional decisions on evidence-based science or well-recognised current practice, or both.

5 STAFF

A registered veterinarian who:

- (a) employs a person other than a registered veterinarian to assist in the provision of veterinary services; or
- (b) is responsible for the supervision of a person other than a registered veterinarian who is so employed;

must ensure to the best of his or her ability that the person carries out the duties of his or her employment effectively and in compliance with any law relating to the provision of veterinary services.

6 UTILISATION OF SKILLS OF COLLEAGUES

A registered veterinarian should practise within the limits of his or her knowledge and expertise and must utilise the skills of colleagues, by consultation or referral, when appropriate.

7 PROFESSIONAL CONDUCT

A registered veterinarian must not mislead, deceive or behave in such a way as to have an adverse effect on the standing of any registered veterinarian or the veterinary profession.

8 INFORMED CONSENT

A registered veterinarian must, where it is practicable to do so, obtain the informed consent of the person responsible for the care of an animal before providing veterinary services to the animal. Informed consent may be verbal or in writing. If the informed consent is verbal, a record of the verbal conversation should be kept.

9 AVAILABILITY TO CARE FOR ANIMAL

A registered veterinarian must, when accepting an animal for diagnosis or treatment:

- (a) ensure that he or she is available for the ongoing care of the animal; or
- (b) if he or she will not be available, make arrangements for another registered veterinarian to take over the care of the animal; or
- (c) if the diagnosis or treatment is done in a remote community (for example, monthly clinics in remote towns or an indigenous community) – be available by telephone contact at all times.

10 REFERRALS AND SECOND OPINIONS

A registered veterinarian must not refuse a request by a person responsible for the care of an animal for a referral or second opinion.

11 PROVISION OF RECORDS

A registered veterinarian who has previously treated an animal must, when requested to do so, and with the consent of the person responsible for the care of the animal, provide copies or originals of the case history records directly to another registered veterinarian who has taken over the treatment of the animal.

12 RETURN OF RECORDS

A registered veterinarian to whom another registered veterinarian has referred an animal for treatment or a second opinion must return the records provided by the referring registered veterinarian as soon as practicable.

13 CONFIDENTIALITY

Except as required by this code of conduct or obligations under legislation, including to report a notifiable disease, a registered veterinarian must maintain the confidentiality of information obtained in the course of professional practice.

14 SKILLS, KNOWLEDGE AND EQUIPMENT OF ASSISTANTS

A registered veterinarian must ensure that all persons assisting in the provision of veterinary services to animals in his or her care have the skills, knowledge and available equipment to enable the registered veterinarian to perform his or her duties according to the current standards of the practice of veterinary science, except in the case of an emergency.

15 KNOWLEDGE OF THE RULES OF ANIMAL SPORTING ORGANISATIONS

A registered veterinarian must maintain knowledge of the rules of an animal sporting organisation when attending on that organisation or working within the industry to which it relates (unless the code or rules are contrary to the *Veterinarians Act 1994*, these Regulations or any other legislation).

16 RECORDS

- (1) A registered veterinarian must ensure that a detailed record of any consultation, procedure or treatment is made as soon as is practicable.
- (2) The Board has the power to audit records.
- (3) The record must:
 - (a) be legible and in sufficient detail to enable another registered veterinarian to continue the treatment of the animal; and
 - (b) include the results of any diagnostic tests, analysis and treatments.

- (4) A registered veterinarian must ensure that all records of any consultation, procedure or treatment are retained for at least 3 years after the records are made.

17 FEES FOR VETERINARY SERVICES

A registered veterinarian must, where it is practicable to do so and before providing veterinary services in relation to an animal, inform the person responsible for the care of the animal of:

- (a) the nature, purpose, benefits, effects and risks of the veterinary services and options for alternative veterinary services; and
- (b) the estimated cost of those services.

18 CERTIFICATION BY REGISTERED VETERINARIANS

- (1) A registered veterinarian must not certify to any fact within his or her professional expertise or knowledge, or that a veterinary service has been provided, unless the registered veterinarian has personal knowledge of the fact or has personally provided, or supervised the provision of, the veterinary service.
- (2) Any certification by a registered veterinarian must contain the detail that is necessary to ensure that it is complete and accurate and that the meaning is clear.

19 CORRECTION OF GENETIC DEFECTS

A registered veterinarian must not perform a surgical operation for the correction of an inheritable defect, or provide medical treatment for an inheritable disease, unless the primary purpose of the operation or treatment is to relieve or prevent pain or discomfort to an animal.

20 SPECIAL INTEREST AREAS

Before undertaking practice in a particular area of veterinary science, a registered veterinarian must ensure that he or she has the knowledge and competence necessary to practise in that area.

21 INFORMATION TO BE GIVEN WHERE DRUGS PROVIDED OR PRESCRIBED

A registered veterinarian who provides a client with a drug, or a prescription for a drug, for an animal, must give the client proper directions with respect to the administration of the drug, and advise the client of any safety or other precautions that should be taken in

connection with the drug and of any withholding period that may be applicable.

22 SUPPLY OF RESTRICTED SUBSTANCES

- (1) A registered veterinarian may only supply a restricted substance:
 - (a) to a person responsible for the care of an animal that the registered veterinarian has physically examined or has under his or her direct care or has made enquiries about the animal and decided that the restricted substance is required to be administered; or
 - (b) with the authority of another registered veterinarian who has physically examined the animal or has the animal under his or her direct care, and only in respect of that animal.
- (2) A registered veterinarian must not obtain any restricted substances in order to take that substance himself or herself.

- (3) In this clause:

restricted substance means a restricted Schedule 4 substance or a restricted Schedule 8 substance as defined in section 5 of the *Medicines, Poisons and Therapeutic Goods Act 2012*.

23 INDUCEMENTS

A registered veterinarian must not provide a referral or recommendation if the request for the referral or recommendation is accompanied by an inducement to the registered veterinarian.

24 PROHIBITED PROCEDURES

- (1) A registered veterinarian must not carry out a prohibited procedure on an animal unless he or she is satisfied the procedure is a reasonable and necessary therapeutic measure in the treatment of a disease from which the animal is suffering, or if the procedure is not carried out, it will be necessary to induce euthanasia in the animal.
- (2) In this clause:

prohibited procedure means a prohibited procedure as defined in section 9 of the *Animal Welfare Act 1999*.

25 VETERINARY PREMISES

A registered veterinarian must ensure that any premises at which he or she provides veterinary services, and all equipment that he or she has for use in carrying out the veterinary services, are kept in a safe and clean condition.

26 ATTENDANCE BY VETERINARIAN AT VETERINARY PREMISES

A registered veterinarian must not permit the use of his or her name in connection with the provision of veterinary services at a particular premises unless the registered veterinarian, or a person appointed to provide veterinary services on his or her behalf, is in regular attendance at the premises during the hours advertised for the provision of the veterinary services at the premises.

27 ETHICAL COMPETITIVE BEHAVIOUR

A registered veterinarian who:

- (a) has acted as locum tenens of, or assistant to, another registered veterinarian; or
- (b) has been a prospective purchaser of the practice of another veterinarian;

must not use any information obtained by him or her in that capacity, or take advantage of acquaintances made by him or her in that capacity with clients of the other registered veterinarian, in establishing a practice in competition with the other registered veterinarian.

28 COMPLIANCE WITH OTHER LEGISLATION

A registered veterinarian must comply with other relevant legislation, as amended from time to time, including the following:

- (a) *Medicines, Poisons and Therapeutic Goods Act 2012*;
- (b) *Agricultural and Veterinary Chemicals (Control of Use) Act 2004*;
- (c) *Animal Welfare Act 1999*.

Schedule 3 Fees

regulation 11

column 1	column 2
Application for registration as a veterinarian (section 11(1)(b) of the Act)	50 revenue units
Application for registration as a veterinary specialist (section 15(2) and (4)(b) of the Act)	50 revenue units
Application for limited registration as a veterinarian (section 16(3) of the Act)	50 revenue units
Annual registration as a veterinarian, including limited registration (section 19(1)(a) of the Act):	
primary registration	100 revenue units
Annual registration as a veterinary specialist (section 19(1)(b) of the Act):	
primary registration	150 revenue units
Provision by the Registrar of a copy of an entry in the Register (section 10(3) of the Act)	10 revenue units

Schedule 4 Election of registered veterinarians

regulation 10

1. Definitions

In this Schedule:

election day means the day determined by the Registrar under clause 6(1).

nomination day means the day determined by the Registrar under clause 2(1)(a).

2. Nominations for election

- (1) If an election is required to be held under the Act, the Registrar must:
 - (a) determine the day on which nominations for candidates for the election are to close; and
 - (b) post to each registered veterinarian at least 21 days before the date determined under paragraph (a):
 - (i) a notice stating that an election is to be held for one or 2 members of the Board, as the case may be, requesting nominations and specifying the address to which the nominations are to be sent and the nomination day; and
 - (ii) a nomination form in accordance with Form 1.
- (2) A registered veterinarian may, in accordance with Form 1, nominate another registered veterinarian to be a candidate.
- (3) If the Registrar receives a nomination that is not in accordance with Form 1, the Registrar must:
 - (a) reject it; and
 - (b) inform in writing the person nominated to be a candidate and his or her nominator of the rejection and the Registrar's reasons for it.

3. Close of nominations

A nomination is not valid unless it is received by the Registrar before 4 pm on nomination day.

4. Withdrawal of nominations

A candidate may withdraw his or her nomination at any time before 4 pm on nomination day by lodging with the Registrar a written notice of withdrawal signed by the candidate.

5. Proceedings after close of nominations

- (1) The Registrar must, as soon as practicable after nomination day:
- (a) if there are no candidates – inform the Minister in writing that there are no candidates and of the number of vacancies; or
 - (b) if there is one candidate and 2 vacancies:
 - (i) declare the candidate to be elected as a member; and
 - (ii) inform the Minister in writing that the candidate has been elected and that there is a vacancy; and
 - (iii) publish at the Registrar's office a notice setting out the name of the candidate declared elected; and
 - (iv) notify each registered veterinarian of the name of the candidate declared elected; or
 - (c) if the number of candidates equals the number of vacancies:
 - (i) declare that candidate or those candidates to be elected as a member or members, as the case may be; and
 - (ii) publish at the Registrar's office a notice setting out the name or names of the candidate or candidates declared elected; and
 - (iii) forward a copy of the notice to the Minister; and
 - (iv) notify each registered veterinarian of the name or names of the candidates declared elected; or
 - (d) if the number of candidates is more than the number of vacancies:
 - (i) publish a list of candidates at the Registrar's office; and
 - (ii) notify each registered veterinarian of the name of the candidates; and
 - (iii) conduct a postal ballot for the election of members in accordance with this Schedule.

- (2) If the Minister is informed under subclause (1)(a) or (1)(b)(ii) of a vacancy, the Minister must appoint a registered veterinarian to fill the vacancy.
- (3) A person appointed under subclause (2) is to be taken to be an elected member.
- (4) The Registrar must, as soon as practicable after the Minister has appointed a registered veterinarian under subclause (2):
 - (a) publish at the Registrar's office a notice setting out the name of the registered veterinarian; and
 - (b) notify each registered veterinarian of the appointment.

6. Form of ballot paper and declaration

- (1) If a postal ballot is to be conducted under clause 5(1)(d), the Registrar must determine a day, not later than 60 days after nomination day, to be the day by which the ballot paper and declaration in relation to an election are to be received by the Registrar.
- (2) If a postal ballot is to be conducted under clause 5(1)(d), the Registrar must post or give personally to each registered veterinarian, not later than 28 days after nomination day:
 - (a) a ballot paper in accordance with Form 2 and a declaration in accordance with Form 3; and
 - (b) an envelope with the Registrar's name and address on it; and
 - (c) an envelope of a size enabling it to fit inside the envelope specified in paragraph (b).
- (3) A ballot paper:
 - (a) is to set out the names of the candidates; and
 - (b) may contain information that the Registrar thinks fit; and
 - (c) is to be initialled on the back by the Registrar; and
 - (d) is to specify the election date.
- (4) The Registrar must determine by lot the order of names of the candidates on the ballot-paper.

7. Voting procedure

A registered veterinarian may vote by placing on the ballot paper a tick or a cross in the box or boxes opposite the name or names of the candidate or candidates of his or her choice.

8. Return of ballot paper etc.

After a registered veterinarian has voted on a ballot paper and completed the declaration in Form 3, the registered veterinarian must:

- (a) place the ballot paper in the envelope provided under clause 6(2)(c); and
- (b) place that envelope and the declaration in the addressed envelope provided under clause 6(2)(b); and
- (c) return the addressed envelope to the Registrar.

9. Non-receipt, loss etc. of ballot paper by voter

If the Registrar receives from a registered veterinarian before 4 pm on election day a written statement:

- (a) setting out the veterinarian's full name and address; and
- (b) declaring that the veterinarian:
 - (i) has not received a ballot paper or that the ballot paper received has been lost or destroyed; and
 - (ii) has not already voted at the election;

the Registrar may post or send by electronic means, including by a facsimile machine, a ballot paper to the registered veterinarian.

10. Presence of candidates' representatives at count

- (1) A candidate may attend, or appoint a representative to attend on his or her behalf, at the counting of votes to determine an election.
- (2) An appointment under subclause (1) is to:
 - (a) be in writing; and
 - (b) be given to the Registrar before any votes in the election are counted; and
 - (c) be signed by the candidate and specify the candidate's name; and

- (d) specify the representative's name and address.

11. Rules governing count

- (1) The Registrar must, as soon as practicable after 4 pm on election day (whether or not on that day) and in the presence of another person:
 - (a) produce all unopened envelopes provided under clause 6(2)(b) that contain ballot papers and completed declarations received by the Registrar; and
 - (b) remove the declaration from each envelope provided under clause 6(2)(b) and inspect it; and
 - (c) allow the candidate or candidate's representative, if any are present, to inspect the declaration; and
 - (d) put to one side an unopened envelope provided under clause 6(2)(c) that is accompanied by a declaration that is not in accordance with Form 2; and
 - (e) separate all declarations and unopened envelopes provided under clause 6(2)(c) that contain ballot papers; and
 - (f) open the envelopes provided under clause 6(2)(c) that contain ballot papers and count the votes received by each candidate.
- (2) The Registrar must declare a ballot paper to be disregarded for the purposes of the count if it is:
 - (a) received by him or her after 4 pm on election day; or
 - (b) put to one side under subclause (1)(d); or
 - (c) informal under subclause (3).
- (3) A ballot paper is informal if, in the opinion of the Registrar, it does not clearly show the voter's intention.
- (4) The Registrar may only make a declaration under subclause (2) in the presence of another person.
- (5) If:
 - (a) in the case of an election for one member – 2 or more candidates receive the equal highest number of votes in an election; or

- (b) in the case of an election for 2 members:
 - (i) 3 or more candidates receive the equal highest number of votes in an election; or
 - (ii) 2 or more candidates receive the equal second highest number of votes;

the Registrar must, in the presence of another person:

- (c) by drawing lots, exclude from election the number of those candidates necessary to enable the appropriate number of candidates to be selected; and
 - (d) record that the selection was by lot.
- (6) A person selected by lot under subclause (5) is to be taken to have been elected to be a member.

12. Declaration of result

- (1) As soon as practicable after completing the counting of votes, but in any case not later than 28 days after election day, the Registrar must publish at the Registrar's office and post or give personally to each registered veterinarian a notice:
- (a) setting out the names of the candidates; and
 - (b) declaring:
 - (i) the person with the highest number of votes; or
 - (ii) if there is more than one vacancy – the 2 persons with the highest number of votes;
- to be elected as a member or members; and
- (c) if a person was selected by lot under clause 11(5) – declaring the person to be taken to be elected as a member.
- (2) The Registrar must forward a copy of the notice under subclause (1) to the Minister.

FORM 1

regulation 10
clause 2

NORTHERN TERRITORY OF AUSTRALIA

VETERINARIANS REGULATIONS 1994

NOMINATION FOR ELECTION AS MEMBER OF VETERINARY BOARD OF
NORTHERN TERRITORY

To the Registrar, I
(surname of nominator) (given names in full)

of
(address of nominator)

nominate *:

SURNAME:

GIVEN NAMES:

ADDRESS:

for election as a member of the Veterinary Board of the Northern Territory.

Signature of nominator..... Date

I consent to this nomination,

Signature of nominee Date

This form is to be completed and returned by**
(nomination date)

* Candidates must be nominated by another registered veterinarian.

** Registrar to complete

FORM 2

regulation 10
clause 6

NORTHERN TERRITORY OF AUSTRALIA

VETERINARIANS REGULATIONS 1994

BALLOT PAPER

Election of 1/2 member(s)* of the Veterinary Board of the Northern Territory

DIRECTIONS TO VOTER

Mark your vote on this ballot paper by placing a tick or a cross in the square opposite the name/s of the one/two* candidate(s) of your choice.

CANDIDATE/S*

-
-
-

After marking your vote, place it in the smaller envelope provided and place that envelope and the signed and witnessed declaration set out in Form 3 in the larger envelope provided and post it to the Registrar.

Unless your ballot paper is received by the Registrar on or before 4 pm of, your vote will not be counted.

* Registrar to delete whichever is inapplicable.

** Registrar to insert election date.

FORM 3

regulation 10
clause 6

DECLARATION

I,
(surname) (given names in full)

.....
(address)

declare that the enclosed ballot paper was issued to me, has been marked by me and that I have not previously voted at this election.

Date.....

.....
Signature of registered
Veterinarian

.....
Signature of witness

.....
Name of witness

.....
Address of witness.

ENDNOTES
1 KEY

Key to abbreviations

amd = amended	od = order
app = appendix	om = omitted
bl = by-law	pt = Part
ch = Chapter	r = regulation/rule
cl = clause	rem = remainder
div = Division	renum = renumbered
exp = expires/expired	rep = repealed
f = forms	s = section
Gaz = Gazette	sch = Schedule
hdg = heading	sdiv = Subdivision
ins = inserted	SL = Subordinate Legislation
lt = long title	sub = substituted
nc = not commenced	

2 LIST OF LEGISLATION***Veterinarians Regulations (SL No. 15, 1994)***

Notified	1 July 1994
Commenced	1 July 1994

Stock (Artificial Breeding) Act Repeal Act 1998 (Act No. 100, 1998)

Assent date	29 December 1998
Commenced	29 December 1998

Amendments of Veterinarians Regulations (SL No. 18, 2000)

Notified	12 April 2000
Commenced	22 March 2000 (r 2, s 2 <i>Veterinarians Amendment Act 1999</i> (Act No. 50, 1999) and Gaz G11, 22 March 2000, p 2)

Amendment of Veterinarians Regulations (SL No. 33, 2002)

Notified	11 September 2002
Commenced	11 September 2002

Amendment of Veterinarians Regulations (SL No. 21, 2003)

Notified	30 April 2003
Commenced	30 April 2003

Amendment of Veterinarians Regulations (SL No. 30, 2003)

Notified	4 June 2003
Commenced	4 June 2003

Statute Law Revision Act 2005 (Act No. 44, 2005)

Assent date	14 December 2005
Commenced	14 December 2005

Primary Industry, Fisheries and Mines Legislation Amendment (Revenue Units) Regulations 2006 (SL No. 49, 2006)

Notified	20 December 2006
Commenced	28 March 2007 (r 2, s 2 <i>Veterinarians Amendment (Fees and Penalties) Act 2005</i> (Act No. 47, 2005) and Gaz G13, 28 March 2007, p 2)

Livestock Act 2008 (Act No. 36, 2008)

Assent date	8 December 2008
Commenced	1 September 2009 (Gaz G34, 26 August 2009, p 3)

Health Practitioner (National Uniform Legislation) Implementation Act 2010 (Act No. 18, 2010)

Assent date	20 May 2010
Commenced	1 July 2010 (s 2)

Veterinarians Amendment Regulations 2012 (SL No. 33, 2012)

Notified	3 August 2012
Commenced	3 August 2012

Local Court (Related Amendments) Act 2016 (Act No. 8, 2016)

Assent date	6 April 2016
Commenced	1 May 2016 (s 2, s 2 <i>Local Court (Repeals and Related Amendments) Act 2016</i> (Act No. 9, 2016) and Gaz S34, 29 April 2016)

Statute Law Revision Act 2020 (Act No. 26, 2020)

Assent date	19 November 2020
Commenced	20 November 2020 (s 2)

3 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22, 2018) to: rr 1, 6 and 7 and sch 2 and 4.

4 LIST OF AMENDMENTS

rr 3 – 4	amd No. 33, 2012, r 8
r 5	amd No. 49, 2006, r 7; No. 33, 2012, r 8
r 6	amd No. 18, 2000, r 3; Act No. 36, 2008, s 156 sub No. 33, 2012, r 3
r 7	amd Act No. 100, 1998, s 4; Act No. 44, 2005, s 22; Act No. 36, 2008, s 156; Act No. 18, 2010, s 83; No. 33, 2012, r 4; Act No. 26, 2020, s 3
r 8	amd No. 18, 2000, r 4 rep No. 30, 2003
r 9	amd No. 49, 2006, r 8; No. 33, 2012, rr 5 & 8
r 10	amd No. 33, 2012, r 8
r 43	amd Act No. 8, 2016, s 45
sch 1	sub No. 21, 2003
sch 2 hdg	sub No. 49, 2006, r 9
sch 2	amd No. 18, 2000, r 5; No. 49, 2006, r 9 sub No. 33, 2012, r 6 amd Act No. 26, 2020, s 3

ENDNOTES

- sch 3 amd No. 18, 2000, r 6
 sub No. 33, 2002; No. 49, 2006, r 10
 amd No. 33, 2012, r 7
- sch 4 sub No. 18, 2000, r 7
 amd No. 33, 2012, r 8