

Serial 25
Veterinarians Amendment (Fees and Penalties) Bill 2005
Mr Vatskalis

**A BILL
for
AN ACT**

to amend the *Veterinarians Act*

NORTHERN TERRITORY OF AUSTRALIA
VETERINARIANS AMENDMENT (FEES AND PENALTIES) ACT 2005

Act No. [] of 2005

TABLE OF PROVISIONS

Section

1. Short title
2. Commencement
3. Principal Act amended
4. Amendment of section 3 (Interpretation)
5. Amendment of section 11 (Application for registration)
6. Amendment of section 12 (Direction for registration etc.)
7. Amendment of section 15 (Registration as veterinary specialist)
8. Amendment of section 16 (Limited registration)
9. Amendment of section 19 (Annual registration fee)
10. Repeal and substitution of section 20
 20. Method of effecting registration
 - 20A. Primary and secondary registration
11. Amendment of section 21 (Certificate of registration)
12. Amendment of section 34 (Disciplinary action)
13. Amendment of section 53 (Regulations)
14. Further amendments

SCHEDULE



NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2005

AN ACT

to amend the *Veterinarians Act*

[Assented to [] 2005]
[Second reading [] 2005]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Veterinarians Amendment (Fees and Penalties) Act 2005*.

2. Commencement

This Act comes into operation on the date fixed by the Administrator by notice in the *Gazette*.

3. Principal Act amended

This Act amends the *Veterinarians Act*.

4. Amendment of section 3 (Interpretation)

(1) Section 3(1) –

insert (in alphabetical order)

"prescribed" means prescribed by the Regulations;

"primary registration" means registration on the Register recorded as primary registration;

Veterinarians Amendment (Fees and Penalties) Act 2005

"secondary registration" means registration on the Register recorded as secondary registration;

- (2) Section 3(1), definition of "registered veterinarian" –

omit

provisional

substitute

interim

5. Amendment of section 11 (Application for registration)

- (1) Section 11(1) –

omit, substitute

(1) A person may apply for registration as a veterinarian by lodging with the Board –

(a) an application in the approved form; and

(b) the prescribed application fee; and

(c) evidence that the applicant –

(i) is the holder of the prescribed qualifications; or

(ii) has current registration in a State or another Territory; and

(d) any other prescribed documents.

- (2) Section 11(2) –

omit

shall be in an approved form and particulars required include –

substitute

must include –

- (3) Section 11(2)(a), at the end –

insert

and

6. Amendment of section 12 (Direction for registration etc.)

Section 12(3) –

omit

7. Amendment of section 15 (Registration as veterinary specialist)

(1) Section 15(1), after "A person" –

insert

registered or eligible to be

(2) Section 15(2), after "prescribed" –

insert

application

(3) Section 15(3) –

omit

other Territory of the Commonwealth

substitute

another Territory

(4) Section 15(4)(a) and (b) –

omit, substitute

(a) the documents specified in the form; and

(b) the prescribed application fee; and

8. Amendment of section 16 (Limited registration)

Section 16(3), after "prescribed" –

insert

application

9. Amendment of section 19 (Annual registration fee)

(1) Section 19(1)(a) and (b), after "prescribed" –

insert

annual

(2) Section 19(1A) –

omit

(3) Section 19(2), after "prescribed" –

insert

annual

(4) After section 19(3) –

insert

(4) Subsection (5) applies if a person (other than a veterinarian having interim registration) –

(a) is eligible for primary registration; and

(b) applies for registration between 1 October and 31 December in a year.

(5) On payment by the person of the annual registration fee for that year, the Board may waive the requirement for the payment of the annual registration fee for the first calendar year after that year and direct the Registrar to register the person.

10. Repeal and substitution of section 20

Section 20 –

repeal, substitute

20. Method of effecting registration

The Registrar must register a person by recording in the Register the prescribed entry if –

(a) one of the following applies:

(i) the Board has directed the person's registration, including limited registration, as a veterinarian or veterinary specialist;

- (ii) the person's interim registration as a veterinarian or veterinary specialist has been authorised under section 17(1);
 - (iii) a court has, on an appeal, made an order for the registration as a veterinarian of the person for whom the Board refused to make a direction for registration; and
- (b) the person has paid the annual registration fee.

20A. Primary and secondary registration

(1) The Board must direct the Registrar to record a person's registration as a primary registration if the Board is satisfied the majority of the person's veterinary practice is conducted in the Territory.

(2) The Board must direct the Registrar to enter a person's registration as a secondary registration if the Board is satisfied –

- (a) the majority of a person's veterinary practice is conducted in a State or another Territory; and
- (b) the person's registration for that State or Territory continues in force for the period for which the person would be registered under this section.

11. Amendment of section 21 (Certificate of registration)

(1) After section 21(1)(a) –

insert

(aa) states whether the registration is primary or secondary; and

(2) Section 21(1)(a)(ii) and (b), at the end –

insert

and

12. Amendment of section 34 (Disciplinary action)

(1) Section 34(1), after "served on the veterinarian" –

insert

do one or more of the following

Veterinarians Amendment (Fees and Penalties) Act 2005

- (2) Section 34(1)(c) –

omit

\$20,000

substitute

200 penalty units

- (3) Section 34(1)(f)(ii) –

omit

and/or

13. Amendment of section 53 (Regulations)

- (1) Section 53(2) –

omit, substitute

- (2) The Regulations may prescribe the following:

- (a) the branches of veterinary surgery or medicine in which a person may be registered as a veterinary specialist;
- (b) fees payable under this Act;
- (c) a fine not exceeding 200 penalty units for an offence against the Regulations.

- (2) Section 53(3) –

omit

\$20,000

substitute

200 penalty units

14. Further amendments

The Schedule has effect.

SCHEDULE

Section 14

FURTHER AMENDMENTS

Provision	Amendment	
	omit	substitute
Section 18(3)	\$10,000	500 penalty units
Section 21(1)(d)	bear	bears
Sections 21(2) and (6) and 22(1) and (2)	\$1,000	20 penalty units
Sections 24(1) and (2) and 25(1) to (4)	\$20,000	500 penalty units
Section 32(2) and (4)	\$5,000	100 penalty units
Section 39(3)	\$5,000	20 penalty units
Section 41(1)	\$10,000	100 penalty units or imprisonment for 6 months
Section 41(2) and (4)	\$10,000	100 penalty units
Section 42	\$10,000	400 penalty units or imprisonment for 2 years
Sections 43(1) and 44	\$20,000	400 penalty units or imprisonment for 2 years
Section 45	\$5,000	20 penalty units
Section 49	\$10,000	200 penalty units or imprisonment for 12 months