



ANNO SECUNDO

GEORGI VI REGIS.

A.D. 1938.

No. 2414.**An Act to amend the Veterinary Surgeons Act, 1935-1936.***[Assented to 8th December, 1938.]*

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

Short titles.

1. (1) This Act may be cited as the " Veterinary Surgeons Act Amendment Act, 1938 ".

(2) The Veterinary Surgeons Act, 1935-1936, as amended by this Act, may be cited as the " Veterinary Surgeons Act, 1935-1938 ".

(3) The Veterinary Surgeons Act, 1935-1936, is hereinafter referred to as " the principal Act ".

Amendment of principal Act, s. 5—

2. Subsections (2), (3) and (4) of section 5 of the principal Act are repealed and the following subsections are enacted in lieu thereof :—

Constitution of the board.

(2) The board shall consist of the Chief Veterinary Officer and three other members who shall be appointed by the Governor on the nomination of the Minister.

(3) Of the persons nominated by the Minister—

(a) one shall be registered pursuant to subsection (1) of section 17 ;

(b) one shall be registered under this Act other than pursuant to subsection (1) of section 17 ; and

(c) the other shall be a person who, in the opinion of the Minister, is familiar with stock husbandry.

(4) Subject to this Act, the member nominated pursuant to paragraph (c) of subsection (3) shall hold office until the first day of January, nineteen hundred and forty, and the members nominated pursuant to paragraphs (a) and (b) of subsection (3) shall hold office until the first day of January, nineteen hundred and forty-one.

3. Sections 6 and 9 of the principal Act are repealed.

Repeal of principal Act, ss. 6 and 9.

4. The principal Act is amended by inserting therein after Part III. the following Part :—

Amendment of principal Act—

PART IIIa.

PERMITS TO TREAT ANIMALS FOR DISEASE AND INJURY.

28a. (1) The board in its discretion may issue a permit to treat animals for disease and injury to any person who proves to the satisfaction of the board that he has attained the age of twenty-one years and is of good fame and character and is competent to treat animals for disease and injury.

Issue of permits.
Cf. W.A. 46, 1923, s. 2.

(2) Every such permit shall entitle the holder thereof to treat for reward animals for disease or injury within an area to be fixed by the board and specified in the permit.

28b. (1) A permit shall continue in force until the thirty-first day of December next after the issue thereof but may in the discretion of the board be renewed by the board from time to time. Every such renewal shall continue in force until the thirty-first day of December next after the issue thereof.

Duration of permits and fees.

(2) No permit or renewal thereof shall be issued until the applicant has paid to the registrar a fee of one guinea.

(3) If a permit has been issued to any person continuously for a period of five years, he shall, subject to subsection (2) of this section and to section 28d, be entitled to a renewal of the permit from year to year.

28c. (1) A permit or renewal thereof shall be in the prescribed form.

Form of permit and renewal.

(2) On application being made to him at any time and on payment of the prescribed fee, the registrar shall issue to the holder of a permit or a renewal thereof a duplicate permit in any case where the registrar is satisfied that the original thereof is lost or destroyed.

Veterinary Surgeons Act Amendment Act, 1938.

Cancellation or suspension of permit.

28d. (1) The board may cancel or suspend any permit or renewal thereof of any person who—

(a) the board is satisfied is not competent to treat animals for disease or injury; or

(b) the board is satisfied has committed any contravention of section 30a.

(2) The board may also cancel or suspend any permit or renewal in any circumstances in which the board may cancel or suspend the registration of any person registered under this Act.

(3) Section 25 shall, *mutatis mutandis*, apply to every permit or renewal thereof and to all proceedings relating to the cancellation or suspension thereof.

(4) There shall be an appeal in manner provided by section 20 from any decision of the board for the cancellation or suspension of any permit or renewal thereof. Except as provided by this subsection, section 20 shall not apply with respect to any permit or renewal thereof.

Register.

28e. (1) The registrar shall keep a register of persons to whom are issued permits under this Part and renewals thereof.

(2) Sections 26 and 27 shall, *mutatis mutandis*, apply to the said register.

Application of section 19.

28f. Subsections (3), (4) and (5) of section 19 shall, *mutatis mutandis*, apply to permits and renewals thereof and applications therefor.

Consequential amendments of principal Act—

5. (1) Section 3 of the principal Act is amended by inserting therein after the line commencing “Part III.” the following line :—

PART IIIa.—PERMITS TO TREAT ANIMALS FOR DISEASE AND INJURY.

(2) The principal Act is amended by inserting therein after section 30 the following section :—

Holders of permits.

30a. (1) No person who is the holder of a permit under Part IIIa. or any renewal thereof shall in any advertisement, or on any nameplate, sign, or by means of any written or printed matter, advertise or hold himself out as a veterinary surgeon or a veterinary practitioner or as being entitled or qualified to practise veterinary surgery.

(2) Any person who commits any contravention of this section shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

(3) Section 34 of the principal Act is amended by inserting after the word "surgeons" wherever occurring in paragraphs VI., VII., and VIII. thereof, the words "and persons holding permits under Part IIIa. and renewals thereof" and by inserting after the word "surgery" in paragraph VIII. thereof the words "or in the treatment of animals for disease or injury".

6. The principal Act is amended by inserting therein after section 31 the following section :—

Amendment of principal Act—

31a. (1) Notwithstanding anything contained in this Act, any person not registered under this Act may advertise or hold himself out as being qualified to perform the operation of castration, spaying, or dehorning on any animal, or the operation necessary to relieve animals suffering from bloat or hoven, or the tailing of lambs.

Exemptions from Act.

(2) Nothing in this Act shall be deemed to prohibit any unregistered person from treating any animals for disease or injury, provided no reward is received or fees are charged for such treatment.

7. (1) This Act shall come into operation on the first day of January, nineteen hundred and thirty-nine.

Commencement of Act and transitional provisions.

(2) Upon the said day the members of the board in office pursuant to the provisions of the principal Act shall cease to hold office. The members of the board required to be appointed pursuant to this Act may be appointed before the said day, but shall not enter into office until the said day.

(3) All proceedings pending before the board in office at the said day shall be continued before the board appointed pursuant to this Act.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

W. DUGAN, Governor.