

VETERINARY SURGEONS.

1 EDW. VIII. No. 17. **An Act to Make Provision for the Registration of Veterinary Surgeons, and for purposes consequent thereon or incidental thereto.**

THE
VETERINARY
SURGEONS
ACT OF 1936.

[ASSENTED TO 26TH NOVEMBER, 1936.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

PART I.—PRELIMINARY.

1. This Act may be cited as "*The Veterinary Surgeons Act of 1936*," and subject as is herein provided shall come into force on a date to be proclaimed by the Governor in Council by *Proclamation published in the *Gazette*, which date is hereinafter referred to as the commencement of this Act.

PART I.—
PRELIMINARY.
Short title
and
commence-
ment.

Parts of Act. 2. This Act is divided into Parts, as follows:—

PART I.—PRELIMINARY;

PART II.—THE BOARD;

PART III.—THE REGISTER;

PART IV.—VETERINARY SURGEONS;

PART V.—MISCELLANEOUS.

Meaning of terms. 3. In this Act, unless the context or subject-matter otherwise indicates or requires, the following terms have the meanings respectively assigned to them, that is to say:—

Board. "Board"—The Veterinary Surgeons Board of Queensland constituted under this Act;

Health Acts. "Health Acts" † "*The Health Acts, 1900 to 1934*," and all and any regulations made thereunder, and whether so made before or after the passing of this Act (and any Act amending or in substitution for the said Acts), and all and any regulations made under any such amended or substituted Act;

Member. "Member"—A member of the Board;

* Proclaimed as from 11th March, 1937 (*Gazette*, 11th March, 1937, page 975).

† 64 Vic. No. 9 and amending Acts, *supra*, pages 7735 *et seq.*

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PRELIMINARY.

- “Minister”—The Secretary for Agriculture and Minister.
Stock or other Minister of the Crown for the
time being charged with the administration
of this Act ;
- “Person”—Includes a corporation or joint stock Person.
company or a firm registered under the laws
relating to the registration of firms ;
- “Pharmaceutical chemist”—A person duly regis- Pharma-
ceutical
chemist.
tered as a pharmaceutical chemist under and
in accordance with **“The Pharmacy Acts, 1917
to 1933”* (or any Act amending or in
substitution for the same) :
- The term includes any company or
association of persons entitled to carry on
the business of pharmaceutical chemists
under and in accordance with the said
Acts ;
- “Prescribed”—Prescribed by this Act ; Prescribed.
- “President”—The president of the Board : the President.
term, whenever necessary, includes the deputy
president ;
- “Register”—The Register of Veterinary Surgeons Register.
hereinafter mentioned ;
- “Registrar”—The registrar of the Board ; Registrar.
- “Regulations”—The regulations made under the Regulations.
authority of this Act ;
- “This Act”—This Act and all Proclamations, This Act.
Orders in Council, and regulations thereunder ;
- “Veterinary medicine”—Any veterinary medicine Veterinary
medicine.
within the meaning of †*“The Veterinary
Medicines Act of 1933”* (or any Act amending
or in substitution for the same) ;
- “Veterinary surgeon”—A person registered as a Veterinary
surgeon.
veterinary surgeon under this Act and whose
name remains upon the register ;
- “Veterinary surgery”—The art and science of Veterinary
surgery.
veterinary surgery and veterinary medicine.

* 8 Geo. V. No. 11 and 24 Geo. V. No. 31, *supra*, pages 8320 and 14669.† 24 Geo. V. No. 33, *supra*, page 14777.

PART II.—THE BOARD.

Constitution
of Board ;
president.

4. (1.) For the purposes of this Act there is hereby constituted the Veterinary Surgeons Board of Queensland (hereinafter referred to as "the Board") which Board shall, and notwithstanding anything to the contrary contained in this Act, be and be deemed to be so constituted on the passing of this Act, and shall consist of five members including the Dean of the Faculty of Veterinary Science, University of Queensland, who shall be *ex officio* a member of the Board and shall be permanent president thereof.

Appoint-
ment of
members of
first Board.

(2.) All of the members of the first Board other than the president shall be appointed by the Governor in Council by notification published in the *Gazette*.

First Board
may be
constituted
on the
passing of
this Act.

(3.) Notwithstanding anything in this Act to the contrary, the first Board may be constituted on the passing of this Act, and the Governor in Council may on the passing of this Act make such regulations as he may deem necessary or convenient for the election of the elective members of any second or subsequent Board, the preparation of the list of voters in regard thereto, and the making of such list conclusive evidence of the title to vote at any such election and the procedure in connection with the taking of such election.

Tenure of
office of
members of
the first
Board.

(4.) The members of the first Board (other than the president) shall hold office until the conclusion of the first election to be held in the year one thousand nine hundred and thirty-eight for the elective members of the Board.

Appoint-
ment
and election
of members
of second
and
subsequent
Boards.

(5.) The second and every subsequent Board shall in addition to the president consist of—

- (i.) Two members nominated by the Minister to represent the Government, who shall be appointed by the Governor in Council; and
- (ii.) Two members elected by the persons who are registered as veterinary surgeons under this Act:

Provided that no person under paragraph (ii.) of this subsection shall be capable of being so elected as a member of the Board unless he is registered under this Act.

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THE BOARD.

(6.) The office of every member of the second and any subsequent Board other than the president shall commence on the day of the conclusion of the election of the elected members of the Board concerned, and shall become vacant at the conclusion of the next triennial election of elected members unless sooner vacated as hereinafter provided.

Tenure of office of members of the second or subsequent Boards.

5. (1.) The Board shall be a body corporate under the name and style of "The Veterinary Surgeons Board of Queensland," and by that name shall have perpetual succession and an official seal, and shall be capable in law of suing and being sued in its corporate name and of acquiring, holding, and disposing of real and personal property.

Board to be a body corporate.

(2.) All courts, justices, and persons acting judicially shall take judicial notice of the seal of the Board affixed to any document or notice, and shall presume that it was duly affixed.

Judicial notice of seal of Board.

(3.) Any extraordinary vacancy which at any time occurs in the office of member by death, removal, resignation, or otherwise shall be filled as soon as may be by the appointment or election, as the case may be, of another member; but a member appointed or elected to fill any such vacancy shall be deemed to hold the office of his predecessor, and shall hold office only so long as his predecessor would have done had no such vacancy occurred.

Filling of vacancies on Board.

(4.) The president shall preside at all meetings of the Board, and, in the event of his absence, one of the representatives of the Government appointed by the Minister either generally or for the particular meeting (who shall be the deputy president) shall so preside. The fact that a Government representative so presides shall be conclusive evidence of the absence of the president.

Duties of president.

The person presiding at any meeting of the Board shall have a casting as well as a deliberative vote.

6. The president shall be the executive officer of the Board.

President to be executive officer of Board.

Every appointment, and every order, notice, certificate, or other document of the Board relating to the execution of this Act shall be sufficiently authenticated if signed by the president or any two members of the Board.

Disqualifica-
tions from
membership
of Board.

7. The office of a member other than the president shall become vacant if such member—

- (a) Dies or becomes insane ; or
- (b) Becomes bankrupt or compounds with his creditors ; or
- (c) Is absent without leave of the Board from three consecutive meetings of which due notice has been given to him ; or
- (d) Resigns his office by notice under his hand addressed to the Minister ; or
- (e) Is removed from office by the Governor in Council ; or
- (f) Is convicted of an indictable offence or of an offence against this Act ; or
- (g) Ceases to be a registered veterinary surgeon in the case of a representative required to be so registered.

Board to
hold
triennial
election.

8. (1.) There shall be a triennial election of the elective members of the Board. The first such election shall be held on such day in February, one thousand nine hundred and thirty-eight, as the Board by resolution appoints, and thereafter such election shall be held on such day in February in every third year as the Board by resolution appoints.

(2.) The registrar shall be the returning officer at any election held under this Act, and each registered veterinary surgeon shall be entitled to vote and shall have one vote only.

(3.) Notice of every election, the form of ballot-paper and method of voting thereat, and the time and manner of nomination of every candidate for elective membership shall be as prescribed.

Power of
Governor in
Council on
failure to
elect.

9. If at the time prescribed or appointed for holding an election—

- (a) No election is held ; or
- (b) No candidates are nominated ; or
- (c) The number of candidates nominated is less than the number of candidates to be elected,

the Governor in Council may appoint a qualified person or a sufficient number of such persons to be a member or members of the Board, as the case may require, to fill

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the vacancies which ought to be filled at such election, and the person or persons so appointed shall be deemed to have been duly elected at such election.

10. Subject to this Act, the Board shall meet at such times and conduct their business in such manner as they may decide or as may be prescribed. Business.

11. The rules set forth in the Schedule to this Act shall apply to the business and proceedings of the Board and certificates, and the several other matters referred to therein, and such rules shall be observed by the Board and all persons concerned. Rules in the Schedule.

But such rules shall not be construed to prevent or limit the making of regulations for the purpose of giving full effect to this Act.

Such rules may from time to time be amended or added to by the Governor in Council by Order in Council published in the *Gazette*. Amendment of rules.

12. If any member refuses or neglects to act or to attend any duly convened meeting of the Board, all lawful acts and proceedings of the Board shall be as valid and effectual as if they had been done or authorised by the full Board. Validation of proceedings.

No proceedings of the Board or of any person acting as president or member shall be invalidated by reason of any defect in his appointment, or election, or nomination, or of any disqualification of any such person, or by reason of there being any vacancy in the number of members at the time of such proceedings, provided that the number of members is not reduced below three.

13. (1.) If a member is likely from any cause to be absent from meetings of the Board for more than four months, the Governor in Council may appoint a deputy to act for such member during his absence. Appointment of deputy member.

(2.) A deputy shall have the same powers, rights, and duties as the member in whose place he is appointed.

14. The Governor in Council shall appoint a registrar and fix the remuneration to be paid for his services. Registrar and other officers.

The Board may appoint such other officers as the Board thinks necessary to give effect to this Act, and the Board may pay such other officers such remuneration as the Board thinks fit.

All such persons other than the registrar shall hold office during the pleasure of the Board.

Funds of
Board.

15. (1.) All moneys received by the Board or the registrar, including fees and penalties, shall be paid into the funds of the Board.

(2.) The remuneration of the registrar and other officers appointed under this Act, and all other expenses of and incidental to the administration of this Act, shall be paid by the Board out of its funds :

Provided that where such funds are insufficient for the purpose of the administration of this Act there may be made from the Consolidated Revenue such payments to the funds of the Board as the Governor in Council may deem necessary for such purpose, which payments are hereby appropriated for the purpose.

(3.) Any surplus moneys of the Board which are not required for the purposes of the last preceding subsection may be expended by the Board for the purposes of the advancement of veterinary science in such manner as it may determine.

PART III.—
THE
REGISTER.

Keeping
register.

PART III.—THE REGISTER.

16. (1.) The registrar shall make and keep in the prescribed form a register to be called “The Register of Veterinary Surgeons, Queensland.”

(2.) The registrar shall enter in the register—

- (a) The full names and addresses of all persons registered under this Act ; and
- (b) The date and description of the qualification in respect of which such registration is granted ; and
- (c) Such other particulars as may be prescribed.

(3.) The register shall be and be deemed to be a book of such a public nature as to be admissible in evidence on its mere production from the proper custody, and the registrar shall be the person having the proper custody thereof.

(4.) A certificate by the registrar that any person is registered and possesses the qualifications therein named shall be *prima facie* evidence that the person named in such certificate is so registered and possesses the qualifications so mentioned and no other qualifications

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THE
REGISTER.

whatsoever; and a certificate by the registrar that the person named therein is not registered or does not possess certain qualifications shall be *primâ facie* evidence that the person named therein is not registered or does not possess the qualifications mentioned, as the case may be.

Any certificate purporting to be a certificate by the registrar as aforesaid shall be admissible in all proceedings whatsoever, and every court and justice shall take judicial notice of the signature of the registrar thereto.

(5.) The registrar shall in the month of January in each year transmit a copy of the register, certified to be correct up to the thirty-first day of December of the preceding year, to the Minister, who shall thereupon cause the same to be published in the *Gazette* as "The Roll of Veterinary Surgeons of Queensland for the _____," followed by the number of the year in which it is published.

(6.) A copy of the *Gazette* containing the Roll of Veterinary Surgeons of Queensland for any year shall be *primâ facie* evidence in all proceedings that the persons named in such roll are registered and possess the qualifications therein mentioned; and the absence of the name of any person from such roll shall be *primâ facie* evidence that such person is not registered; and the fact that the roll does not show that registration has been granted in respect of any particular qualification shall be *primâ facie* evidence that the person concerned does not possess that qualification.

17. (1.) Every registered veterinary surgeon shall Roll fee. on or before the thirtieth day of June in each year pay to the registrar the prescribed roll fee in respect of the year commencing on the first day of January in that year.

(2.) If any registered veterinary surgeon does not pay the prescribed roll fee within the time prescribed by subsection one of this section, the Board may remove his name from the register.

(3.) If the name of any registered veterinary surgeon is removed from the register under this section, the Board may restore his name to the register on payment of the prescribed fee.

PART IV.—VETERINARY SURGEONS.

Qualifica-
tions for
registration.

18. (1.) Every person shall be entitled to be registered under this Act as a veterinary surgeon who makes application to the Board in the prescribed form, and 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 that—

- (i.) He is the holder of a degree or diploma in veterinary surgery of a university or is a member of a college of veterinary surgeons of a country (and whether within or without the Commonwealth of Australia) which is recognised by the Governor in Council by Order in Council published in the *Gazette* as entitling the holder or member, as the case may be, at the date of application for registration under this Act to practise as a veterinary surgeon in the country in question, and as furnishing a sufficient guarantee of the possession of the requisite knowledge and skill for the efficient practice of a veterinary surgeon ; or
- (ii.) He has undertaken a training course at and has passed the examination prescribed by a training institute within the Commonwealth of Australia (not being a university or college of veterinary surgeons recognised by the Governor in Council under and in accordance with paragraph (i.) of this subsection) and approved by the Governor in Council by Order in Council published in the *Gazette* as affording a training in veterinary science, and that he was domiciled in Queensland at the commencement of this Act ; or
- (iii.) He has previous to the commencement of this Act been for a period of at least five years *bona fide* engaged in the practice of veterinary surgery in Queensland.

(2.) The provisions of paragraph (ii.) of subsection one of this section shall continue in force until the expiration of the calendar year after the creation of a Faculty of Veterinary Science at the University of

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Queensland in which a student could first complete the full number of academical years comprised in the course of study for the degree or diploma of such faculty :

Provided that the provisions of the said paragraph and any Order in Council made thereunder shall expire forthwith upon the expiration of such calendar year as aforesaid, and thereafter shall be of no force or effect whatsoever.

(3.) No person shall be entitled to be registered under paragraph (iii.) of subsection one of this section unless application for registration is made within six calendar months after the commencement of this Act.

19. (1.) Application to the Board for registration shall— Application for registration.

- (a) Be made as prescribed ; and
- (b) Be supported by such evidence as the Board may require ; and
- (c) Be accompanied by the prescribed fee.

(2.) Every registered veterinary surgeon who obtains any higher degree, diploma, or status, or any qualification other than the qualification in respect of which he is registered, shall be entitled to have such higher degree, diploma, status, or additional qualification inserted in the register on making application to the Board.

(3.) Every registered veterinary surgeon on changing his place of business shall forthwith give notice of the fact by post to the registrar. Every district registrar of deaths in Queensland on registering the death of any veterinary surgeon shall forthwith transmit notice thereof to the registrar.

20. The Board may issue certificates of registration as prescribed. Certificates of registration.

21. If the application of any person to be registered as a veterinary surgeon is refused by the Board upon any ground other than the ground that he does not possess the prescribed qualifications, such person shall have the right of appeal to the Supreme Court, and such appeal shall be in the nature of a rehearing, and the decision of the Court shall be final, and the Board shall give effect thereto. Refusal to register.

Removal
from
register.

22. (1.) The Board shall have power to erase from the register the name of any person who, after he is registered—

- (i.) Is convicted in Queensland of an indictable offence, or is convicted in any other part of His Majesty's Dominions or elsewhere of an offence which would be indictable if committed in Queensland, or is convicted in Queensland or in any other part of His Majesty's Dominions or elsewhere of any other offence which in the opinion of the Board renders him unfit to practice; or
- (ii.) Has been certified insane; or
- (iii.) Is, after due inquiry, adjudged by the Board to have been guilty of misconduct in a professional respect.

(2.) Without limiting the meaning of the expression "misconduct in a professional respect" a veterinary surgeon shall be guilty of such misconduct who—

- (i.) Is guilty of habitual drunkenness or habitual addiction to any deleterious drug; or
- (ii.) Makes use of any title or description other than a title or description contained in the description of qualifications in respect of which registration has been granted to him; or
- (iii.) Conducts any veterinary surgery or any branch veterinary surgery or other place for the practice of veterinary surgery where he himself is not in full-time attendance thereat, unless a duly registered veterinary surgeon employed by him is in full-time attendance thereat for the purpose of practice and supervision during the hours in which such premises are open for the practice of veterinary surgery, and the name of such veterinary surgeon employed by him is conspicuously posted up or indicated on the premises by means of a name plate or other device in letters of equal dimensions to those of the name of the proprietor of such surgery or other place.

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(3.) Notwithstanding anything to the contrary contained in this section where, in the case of any veterinary surgeon adjudged by the Board to have been guilty of misconduct in a professional respect, the Board deems it proper under the circumstances to suspend the registration of such person in lieu of erasing his name from the register, then, and in any such case, the Board may order that the registration of any such person be suspended for such time as is specified in the order of suspension, and during the period specified in such order the name of such person shall be deemed to be erased from the register and such person for such period shall not be deemed to be registered under this Act.

(4.) Before the name of any person is removed from the register pursuant to paragraphs (i.) or (iii.) of subsection one of this section, or before the registration of any person is suspended pursuant to subsection three of this section, the Board shall charge the person with the offence concerned, and shall if so required by the person charged sit on the hearing of such charge as an open court; and the person charged shall be afforded an opportunity of defence either in person or by counsel.

(5.) Notwithstanding anything to the contrary contained in any Act or law or rule or process of law, the Board shall in the conduct of an inquiry in respect of a charge of misconduct in a professional respect be fully authorised to receive and admit on production as evidence in the inquiry concerned the judgment and findings of the Supreme Court (or on appeal of the Full Court or Court of Criminal Appeal) whether in its civil or criminal jurisdiction in any case where such judgment and finding are in the opinion of the Board relevant to the charge of misconduct in a professional respect as aforesaid; and moreover the Board shall in the conduct of such inquiry be fully authorised and entitled to receive and admit on production as evidence in the inquiry concerned a transcript of shorthand notes, duly certified as correct, of the evidence of witnesses taken in the Supreme Court, whether in its civil or criminal jurisdiction, which evidence is in the opinion of the Board relevant to the charge of misconduct in a professional respect as aforesaid; and in any such case it shall not be necessary for any such witnesses, the transcript of whose evidence is so produced to the Board, to be present at the inquiry concerned.

Appeal.

(6.) In the case of the removal of any person's name from the register, or in case of any suspension, he shall have the right of appeal to the Supreme Court; such appeal shall be in the nature of a rehearing, and the decision of the Court shall be final and the Board shall give effect thereto.

Return of
certificate.

23. (1.) Any person whose name has been removed from the register pursuant to the provisions of the last preceding section shall within fourteen days from the notification to such person of such removal surrender to the Board any certificate issued to such person under the Act.

(2.) On failure to do so, such person shall be liable to a penalty not exceeding twenty pounds.

(3.) The removal of the name of any person from the register shall be effectual notwithstanding such failure to surrender any certificate.

Restoration
of name.

24. (1.) Where the Board removes the name of any person from the register, the name of that person shall not be again entered on the register except by direction of the Board or by order of the Supreme Court.

(2.) The Board may if it thinks fit in any case restore to the register any name removed therefrom without payment of fee or on payment of such fee, not exceeding the registration fee, as the Board may direct.

Prohibited
practices.

25. (1.) No person other than a person registered under this Act as a veterinary surgeon, and no company, firm, or association other than a company, firm, or association consisting wholly of persons registered under this Act as veterinary surgeons, shall practise veterinary surgery or take or use or by inference adopt the name, title, word or words, letters, addition, or description of veterinary surgeon, or any word or words being a combination or abbreviation of the words "veterinary surgeon," or use or have attached to or exhibited at or attached to his or its place of business or residence any name, title, word or words, letters, addition, or description implying or tending to the belief that he or such company, firm, or association is registered under this Act, or is entitled to practice veterinary surgery, or is carrying on the practice of veterinary surgery:

Provided that the Governor in Council may from time to time by Order in Council declare that certain

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operations done in or in connection with animal husbandry shall not constitute or be deemed to constitute the practice of veterinary surgery.

(2.) No person registered under this Act shall practice veterinary surgery except in his own name.

(3.) No veterinary surgeon shall in any advertisement, poster, or other public notice hold out any unregistered person as being or use words implying that such unregistered person is his partner, assistant, or associate, or shall cause, suffer, or permit any unregistered person to perform any operation in veterinary surgery which has been entrusted to or is in charge of such veterinary surgeon.

(4.) Any person, company, firm, or association guilty of a contravention of this section shall be liable to a penalty not exceeding fifty pounds, and to a further penalty not exceeding five pounds for every day during which such contravention is continued after conviction.

26. A veterinary surgeon may sue in any court of competent jurisdiction for the recovery of his fees or other remuneration for professional services in veterinary surgery. Veterinary surgeon may sue for fees, &c.

No person other than a veterinary surgeon registered under this Act shall sue or counterclaim for, set off, or recover in any court whatever any fee, charge, or remuneration for any operation, attendance, or advice in or in respect of veterinary surgery :

Provided that nothing in this section shall prejudice or affect the right of a person lawfully entitled to compound, dispense, or supply any veterinary medicine from recovering the price of any such medicine so compounded, dispensed, or supplied by him.

27. Notwithstanding any other provision of this Act, upon the death of a registered veterinary surgeon the Board may permit his name to remain upon the register, and may authorise his executor, administrator, or trustee to carry on in the name of the deceased veterinary surgeon the practice formerly carried on by him, provided that the practice shall be carried on under the personal superintendence of a registered veterinary surgeon whose name shall be registered as superintendent of the practice. Continuation of name of deceased veterinary surgeon.

PART V.—
MISCEL-
LANEOUS.

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PART V.—MISCELLANEOUS.

Power of
Board to
examine on
oath.

28. (1.) The Board may for the purposes of this Act examine any person on oath or take a statutory declaration from any person.

(2.) If any such person wilfully makes any false statement or declaration, or utters or attempts to utter or put off as true before the Board any false, forged, or counterfeit degree, diploma, certificate, license, letter, testimonial, or other document, he shall be liable to imprisonment with or without hard labour for any period not exceeding six months, or in the discretion of the court to a penalty not exceeding one hundred pounds.

Power to
summon
witnesses.

29. (1.) The president of the Board, or, by consent of the majority of the members present at any meeting of the Board, a member, may in writing under his hand summon any person to attend before the Board for the purpose of being examined with respect to any matter within the jurisdiction of the Board.

(2.) Every person duly summoned as aforesaid who does not attend after reasonable expenses have been paid or tendered to him, or refuses to be sworn or to make a statutory declaration, or to answer any lawful question, shall be liable to a penalty not exceeding twenty pounds :

Provided that the Board shall, in making any investigation into any matter or holding any inquiry or hearing any charge under this Act, have all the powers, authorities, and protection of a commission under **The Official Inquiries Evidence Acts, 1910 to 1929.*"

Penalty
for forging
registration.

30. Any person who wilfully makes or causes to be made any false entry in or falsification of the register, and any person who wilfully procures or attempts to procure himself or any other person to be registered under this Act by making or producing, or causing to be made or produced, any false or fraudulent representation or declaration, either verbally or in writing, and any person aiding or assisting therein, shall be liable to imprisonment with or without hard labour for a term not exceeding six months.

* 1 Geo. V. No. 26 and 20 Geo. V. No. 2, *supra*, pages 748 and 12474.

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31. The Board shall as soon as practicable after the thirtieth day of June in each year publish in the *Gazette* a statement made up to that date showing the receipts and disbursements of the Board during the preceding year certified as correct by the Auditor-General. Board to publish statement of receipts and disbursements.

32. (1.) In any proceeding by or on behalf of the Board under this Act it shall not be necessary to prove the appointment or election of the members, president, or registrar of the Board. Evidence.

(2.) A writing certified by the registrar to be a true copy of or a true extract from any register, book, certificate, notice, list, declaration, statement, document, or writing of any nature whatsoever in the custody of the Board or of any officer of the Board, shall for all purposes be *primâ facie* evidence of the original of which it purports to be a copy or extract, and shall be receivable in evidence to the same extent as the original.

33. The Board may in its own name, by its registrar or any person thereunto authorised in writing under the hand of the president, institute, carry on, prosecute, and defend any action, complaint, information, or proceeding whatsoever. Board may sue.

Every court of law shall take judicial notice of the signature of the president to any such authorisation.

34. Nothing in this Act or **The Veterinary Medicines Act of 1933* shall prejudice or affect or be deemed to prejudice or affect the †Health Acts. Savings.

Nothing in this Act shall prevent or be deemed to prevent any pharmaceutical chemist or any registered veterinary surgeon or other person from supplying any veterinary medicine registered in accordance with the provisions of **The Veterinary Medicines Act of 1933* :

Provided that the provisions of the †Health Acts shall apply and extend to any such pharmaceutical chemist, surgeon, or other person; and this Act and **The Veterinary Medicines Act of 1933* shall be read and construed with the †Health Acts accordingly.

* 24 Geo. V. No. 33, *supra*, page 14777.

† 64 Vic. No. 9 and amending Acts, *supra*, pages 7735 *et seq.*

Recovery of
penalties.

35. (1.) All penalties and fees imposed by or pursuant to this Act may be recovered in a summary way by complaint under **“The Justices Acts, 1886 to 1932.”*

General
penalty.

(2.) Every person guilty of any breach or contravention of this Act for which no other penalty is provided shall be liable to a penalty not exceeding twenty pounds.

Time for
institution of
proceedings.

(3.) Any proceedings under this Act may be instituted within six months after the offence is committed, or within six months after the discovery of the offence, whichever is the later period.

Penalties,
&c., to be
paid into
Board's
funds.

36. All penalties and fees recovered by the Board under this Act shall be paid to the Board and become part of its funds.

Regulations.

37. The Governor in Council may from time to time make regulations providing for all or any purposes, whether general or to meet particular cases, that may be convenient for the administration of this Act or that may be necessary or expedient to carry out the objects and purposes of this Act.

Without limiting the generality of the foregoing provisions, such regulations may provide for—

- (i.) Regulating the proceedings in relation to elections held under this Act, including the nomination of elective members ; the method of voting, and the form of ballot-papers.
- (ii.) The proceedings of the Board, including the fees (if any) which may be allowed to members of the Board for attendance at meetings of the Board.
- (iii.) Regulating the duties of the registrar and other officers.
- (iv.) The conduct of proceedings in connection with complaints or charges against registered veterinary surgeons alleged to be guilty of misconduct in a professional respect.
- (v.) Prescribing fees payable under this Act.

* 50 Vic. No. 17 and amending Acts, *supra*, pages 1132 *et seq.*

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- (vi.) The forms to be used for the purposes of this Act and the manner of keeping and form of the registers.
- (vii.) Penalties for offences against the regulations not exceeding in any case twenty pounds.
- (viii.) All matters required or permitted by this Act to be prescribed.
- (ix.) Generally carrying this Act into effect.

Regulations may be made on the passing of this Act.

38. All Proclamations, Orders in Council, regulations, and notifications made or purporting to have been made under this Act shall upon being published in the *Gazette* have the same force and effect as if they were enacted in this Act and shall be judicially noticed, and shall not be questioned in any proceedings whatsoever.

Regulations,
&c., to have
effect.

The publication in the *Gazette* of any such Proclamation, Order in Council, regulation, or notification shall be conclusive evidence of the matters contained therein and of the power and authority to make such Proclamation, Order in Council, regulation, or notification, as the case may be.

Any Order in Council made under this Act may be amended or rescinded by any later Order in Council.

All such regulations shall be laid before Parliament forthwith, if then sitting; and, if not then sitting, within fourteen days after the commencement of the next ensuing session.

If the Legislative Assembly, within the next fourteen sitting days after any regulations have been so laid before such House, resolves that such regulations or any of them ought to be annulled, the same shall after the date of such resolution be of no effect, but without prejudice to the validity of anything done in the meantime under such regulations or to the making of any new regulations.

For the purposes of this section the term "sitting days" shall mean days on which the House actually sits for the despatch of business.

SCHEDULE.

Registrar.

1. The registrar shall keep minutes of meetings of the Board, issue notices of meetings, conduct correspondence, keep records of the issue, cancellation, and suspension of certificates, and perform such other duties pertaining to the business of the Board as the Board may direct.

Meetings of Board.

2. (1.) A meeting of the Board shall be held at least once in every two months.

(2.) Notice of the time and place of meeting, and of the business to be transacted by the Board thereat, shall be given to all members at least seven days before the date of the meeting.

(3.) The president shall preside at every meeting at which he is present.

(4.) The business transacted at any meeting shall be that specified in the notice.

(5.) Any three members of the Board shall form a quorum.

(6.) A special meeting for any particular purpose may be called by the president at his discretion or when he is requested by two members to call such a meeting.

If the president fails to call a special meeting after such a request, any two members of the Board may call such meeting by a notice signed by themselves. Such notice shall state the time and place of meeting and the business to be transacted thereat, and shall be given to members at least seven days before the date of such meeting.

The business transacted at any special meeting shall be that specified in the notice.

(7.) At any meeting of the Board, if a quorum is not present within fifteen minutes after the notified hour of meeting that fact and the names of the members present shall be recorded by the registrar in the minute-book.

(8.) All powers vested in the Board may be exercised by a majority of the members present at any meeting duly held, and all questions shall be decided by a majority and by open voting.

If any member refuses to vote, his vote shall be counted for the negative.

(9.) The order of business at any meeting shall be—

- (a) Reading of minutes ;
- (b) Reading of correspondence ;
- (c) Consideration of certificates ;
- (d) Sub-committee reports ;
- (e) Other business.

Duplicate certificate in case of loss.

3. If any certificate is lost or destroyed, the holder, or some person having knowledge of the facts and circumstances, may make a statutory declaration with respect thereto ; and the Board, if satisfied with such declaration, may issue a fresh certificate to the person entitled to hold the same on payment of the prescribed fee.

Such certificate shall be endorsed with a memorandum setting out the reasons for the issue thereof, and thereafter such certificate shall be available as if it were the original certificate.