

South Australia

## Veterinary Practice Regulations 2005

under the *Veterinary Practice Act 2003*

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### Contents

- 1 Short title
- 2 Commencement
- 3 Interpretation
- 4 Meaning of veterinary treatment
- 5 Exemptions for provision of veterinary treatment by unqualified persons
- 6 Prescribed information—claims against veterinary surgeon
- 7 Prescribed information—interests in prescribed business
- 8 Prescribed information—health professional's report as to medical unfitness of veterinary surgeon
- 9 Fees

### Legislative history

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#### 1—Short title

These regulations may be cited as the *Veterinary Practice Regulations 2005*.

#### 2—Commencement

These regulations will come into operation on the day on which the *Veterinary Practice Act 2003* comes into operation.

#### 3—Interpretation

In these regulations—

*Act* means the *Veterinary Practice Act 2003*;

*livestock* has the same meaning as in the *Livestock Act 1997*;

*registered health professional* means a person registered under the law of this State as a medical practitioner, dental practitioner, physiotherapist or chiropractor;

*restricted equine dentistry* means equine dentistry involving the administration of an anaesthetic, sedative or analgesic.

#### 4—Meaning of veterinary treatment

- (1) For the purposes of paragraph (d) of the definition of *veterinary treatment* in section 3(1) of the Act, the following are prescribed artificial breeding procedures:
  - (a) laparoscopic artificial insemination;
  - (b) laparoscopic transfer of embryos.

(2) The following are excluded from the ambit of the definition of *veterinary treatment* in section 3(1) of the Act:

- (a) the deworming of an animal other than by intranasal oesophageal tube;
- (b) the performance of the Mules operation on sheep;
- (c) the dehorning of cattle or sheep if the animal is less than 6 months of age;
- (d) the castration of cattle, sheep or pigs if the animal is less than 3 months of age;
- (e) the tailing of lambs that are less than 3 months of age;
- (f) the treatment of an animal for ectoparasites;
- (g) the treatment of footrot in sheep or goats by foot-paring or foot-bathing;
- (h) the vaccination of livestock;

**Note—**

*The Livestock Act 1997* contains provisions regulating the supply and use of vaccines.

- (i) the diagnosis of pregnancy of an animal by ultrasound or by testing of blood or milk (other than the diagnosis of pregnancy of a horse by ultrasound);
- (j) equine dentistry other than restricted equine dentistry.

### **5—Exemptions for provision of veterinary treatment by unqualified persons**

Pursuant to section 39(2) of the Act, section 39(1) of the Act does not apply in relation to veterinary treatment provided by an unqualified person in the following circumstances:

- (a) the treatment of an animal for disease by an inspector appointed under the *Livestock Act 1997* in the course of the inspector's duties;
- (b) the treatment of an animal by a person pursuant to a licence under the *Prevention of Cruelty to Animals Act 1985*;
- (c) the treatment of an animal by a registered health professional in accordance with the directions of a veterinary surgeon;
- (d) the treatment of an animal, under the supervision of a veterinary surgeon, by a person who is undertaking a course of instruction to obtain a qualification approved or recognised by the Board for the purposes of registration under the Act;
- (e) restricted equine dentistry provided by a person in accordance with the directions of a veterinary surgeon;
- (f) the administration of an anaesthetic, drug or vaccine to an animal by a person in accordance with the directions of a veterinary surgeon.

### **6—Prescribed information—claims against veterinary surgeon**

For the purposes of section 45 of the Act, the following information is prescribed:

- (a) the nature of the veterinary treatment that is alleged to have been carried out negligently;

- (b) full details of the alleged negligence;
- (c) details of the place at which the negligence is alleged to have occurred;
- (d) the time at which and the date on which the negligence is alleged to have occurred;
- (e) full details of the injury or loss suffered or allegedly suffered by the claimant as a result of the alleged negligence;
- (f) if an order has been made by a court to pay damages or other compensation in respect of the claim or an agreement has been entered into for payment of a sum of money in settlement of that claim, details of the order or agreement (including the amount ordered or agreed to be paid).

### **7—Prescribed information—interests in prescribed business**

- (1) For the purposes of section 47(1) of the Act, the following information is prescribed:
  - (a) the full name and residential address of the person who has the interest;
  - (b) if the person who has the interest is a prescribed relative of a veterinary surgeon—the relationship of the person to the veterinary surgeon;
  - (c) the name, address and nature of the prescribed business in which the person has the interest;
  - (d) the nature of the interest and of any benefit derived from the interest;
  - (e) if the interest consists of a shareholding in a prescribed business—the number, nominal value and class of shares held and particulars of any voting rights exercisable by the holder at a meeting of shareholders.
- (2) For the purposes of section 47(2) of the Act, the prescribed information is full details of the change in the information referred to in subregulation (1).

### **8—Prescribed information—health professional's report as to medical unfitness of veterinary surgeon**

For the purposes of section 59 of the Act, the following information is prescribed in connection with a report made by a health professional:

- (a) the diagnosis of the patient's medical condition;
- (b) the prognosis and likely duration of the patient's medical condition;
- (c) a description of treatment being received by the patient for the medical condition.

### **9—Fees**

The Board may fix—

- (a) fees or charges for the purposes of the Act; and
- (b) fees or charges for services provided by the Board in the exercise of its functions under the Act.

## Legislative history

### Notes

- Variations of this version that are uncommenced are not incorporated into the text.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2005	202	<i>Gazette 15.9.2005 p3349</i>	15.9.2005: r 2
2014	245	<i>Gazette 25.9.2014 p5991</i>	1.1.2015: r 2