

**2018**  
**THE LEGISLATIVE ASSEMBLY FOR**  
**THE AUSTRALIAN CAPITAL TERRITORY**  
**VETERINARY PRACTICE BILL 2018**  
**SUPPLEMENTARY EXPLANATORY STATEMENT**

**Presented by**  
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## **VETERINARY PRACTICE BILL 2018**

### **Introduction**

This supplementary explanatory statement relates to the amendment to the Veterinary Practice Bill 2018 as presented to the Legislative Assembly. It has been prepared in order to assist the reader of the bill and help inform debate on it. It does not form part of the bill and has not been endorsed by the Assembly.

This statement must be read in conjunction with the amendment and the bill. It is not, and is not intended to be, a comprehensive description of the bill. What is said about a provision is not to be taken as an authoritative guide to the meaning of a provision, this being a task for the courts.

### **Overview of the bill**

The purpose of the government amendment to the bill is to address comments received from the Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) in Scrutiny Report 18 and comments from further consultation.

### **The bill**

#### **Clause 10(3) (a) (b)**

The amendment omits Clause 10 (3) (a) (b) and means people, such as an owner of an animal, could be prosecuted under either the Bill or animal welfare legislation.

#### **Clause 96 (2)**

The amendment enables the Minister to consult with declared professional bodies on Board member appointments. Professional bodies will be declared under new Clause 142A and by a disallowable instrument.

#### **Clause 108**

The amendment removes the ability of the Board to delegate final decisions relating to complaints under Clauses 60, 61, 62 and 65. The Board will still be able to delegate the investigative work of complaints to entities listed in Clause 108. The amendment was inserted to ensure the Board is the sole decision maker for complaints.

#### **Clause 142A**

The amendment inserts provisions that will enable the Minister to declare professional bodies for consultation on Board appointments and regulations. The declaration will be a disallowable instrument to allow review of the declaration and listed professional bodies. The Bill's dictionary is also updated to include a meaning for declared professional body.

### Clause 146

The amendment removes provision 3 in Clause 146 of the bill that enabled regulations to prescribe offences for contraventions of a regulation and prescribe maximum penalties of not more than 30 penalty units. This amendment addresses comments received from the Scrutiny Committee regarding whether the Bill needed offences in regulations.

The amendments to Clause 146 also inserts a provision that requires the Board to consult with declared professional bodies declared under Clause 142A, before making a regulation under the Act.

### Clause 146A

The amendment inserts provisions that require the Minister to review the operation of the Act by the end of its 5th year in operation and present a report of the review to the Legislative Assembly within six months of the day the review started.