



Western Australia

# **Veterinary Practice Act 2021**



# **Veterinary Practice Act 2021**

## **Contents**

### **Part 1 — Preliminary**

1.	Short title	2
2.	Commencement	2
3.	Terms used	2
4.	Act binds Crown	8

### **Notes**

Compilation table	9
Uncommenced provisions table	9

### **Defined terms**





Western Australia

## **Veterinary Practice Act 2021**

**An Act —**

- **to provide for the regulation of the practice of veterinary medicine in Western Australia; and**
- **to facilitate the regulation of the practice of veterinary medicine on a national basis; and**
- **to repeal the *Veterinary Surgeons Act 1960* and the *Veterinary Surgeons Regulations 1979*; and**
- **to make consequential amendments to various Acts; and**
- **for related purposes.**

## **Part 1 — Preliminary**

### **1. Short title**

This is the *Veterinary Practice Act 2021*.

### **2. Commencement**

This Act comes into operation as follows —

- (a) Part 1 — on the day on which this Act receives the Royal Assent;
- (b) the rest of the Act — on a day fixed by proclamation.

### **3. Terms used**

In this Act —

***animal*** means a vertebrate other than a human;

***another jurisdiction*** means another State or a Territory;

***approved*** means approved in writing;

***authorised person*** means —

- (a) a person who is authorised by the Board, in accordance with the regulations, to carry out —
  - (i) an act of veterinary medicine; or
  - (ii) an act of veterinary medicine of a prescribed class;
- or
- (b) a person of a prescribed class who is authorised by the regulations to carry out —
  - (i) an act of veterinary medicine; or
  - (ii) an act of veterinary medicine of a prescribed class;

***Board*** means the Veterinary Practice Board of Western Australia established by section 151(1);

***Board member*** means a member of the Board;

**category**, in relation to registration, means a category listed in section 5(1);

**certificate of registration** means —

- (a) in relation to registration by the Board — a certificate of registration issued by the Board; or
- (b) in relation to interstate registration — a written form of evidence of interstate registration issued under a corresponding law;

**chairperson** means the chairperson of the Board;

**committee** means a committee established by the Board under section 177(a);

**complainant** has the meaning given in section 81(4)(a);

**complaint** means a complaint made under section 81(1);

**condition** includes a restriction;

**corresponding law** means a law of another jurisdiction that —

- (a) provides for the registration of veterinarians (however described); and
- (b) is prescribed to be a corresponding law for the purposes of this Act;

**director** has the meaning given in the *Corporations Act 2001* (Commonwealth) section 9;

**disciplinary action** means —

- (a) an order made under Part 7; or
- (b) an order made in professional disciplinary proceedings by an interstate regulatory authority;

**document** —

- (a) means any record of information, irrespective of how the information is recorded or stored or able to be recovered; and

- (b) includes —
  - (i) any thing from which images, sounds or writings can be reproduced, with or without the aid of anything else; and
  - (ii) any thing on which information is recorded or stored, whether electronically, magnetically, mechanically or by some other means;

**entry warrant** means an entry warrant issued under section 120(1);

**health assessment** —

- (a) means an assessment of a person to determine whether the person has an impairment; and
- (b) includes a medical, physical, psychiatric or psychological examination or test of the person;

**immediate action order** means an immediate action order made under section 70(1);

**impairment**, in relation to a person, means a physical or mental impairment, disability, condition or disorder (including substance abuse or dependence) that detrimentally affects or is likely to detrimentally affect —

- (a) if the person is a veterinarian or an applicant for registration as a WA veterinarian — the person's capacity to practise veterinary medicine; or
- (b) if the person is a veterinary nurse or an applicant for registration as a veterinary nurse — the person's capacity to practise as a veterinary nurse;

**inquiry** means an inquiry into a complaint under section 88(1);

**inspector** means a person who is designated an inspector under section 109(1);

**interstate registration** has the meaning given in section 21;

**interstate regulatory authority** means a regulatory authority of another participating jurisdiction;



***interstate veterinarian*** means —

- (a) a person who, under section 22(1), is taken to hold general registration as a WA veterinarian; or
- (b) a person who, under section 22(2), is taken to hold specialist registration as a WA veterinarian;

***investigation*** means an investigation under Part 8 Division 2;

***investigative purposes*** has the meaning given in section 112;

***legal practitioner*** means an Australian legal practitioner as defined in the *Legal Profession Act 2008* section 3;

***medical practitioner*** means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the medical profession;

***notification*** means a notification made under section 124(1);

***notifier*** has the meaning given in section 124(3)(a);

***officer***, of a body corporate —

- (a) means an individual who is an officer, as defined in the *Corporations Act 2001* (Commonwealth) section 9, of the body corporate; but
- (b) does not include an employee of the body corporate unless the employee is concerned in the management of the body corporate;

***Part 2 application*** means an application made under Part 2 Division 1 for registration or renewal of registration;

***Part 3 application*** means an application made under Part 3 Division 1 for registration or renewal of registration;

***participating jurisdiction*** means this State or another jurisdiction in which a corresponding law is in force;

***personal information*** has the meaning given in the *Freedom of Information Act 1992* in the Glossary clause 1;

**s. 3**

---

***practice owner*** —

- (a) means —
  - (i) in relation to a veterinary practice business — a person who carries on the business; or
  - (ii) in relation to premises — a person who carries on a veterinary practice business at or from the premises;
- and
- (b) includes a person who is —
  - (i) a partner in a partnership that carries on a veterinary practice business; or
  - (ii) a director of a body corporate that carries on a veterinary practice business;

***premises*** includes the following —

- (a) land;
- (b) the whole or part of a building or structure (whether of a permanent or temporary nature);
- (c) a vehicle;

***prescribed*** means prescribed by the regulations;

***professional misconduct*** has the meaning given in section 79;

***psychologist*** means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the psychology profession;

***register*** means the register kept under section 52(1);

***registered practice owner***, for veterinary premises, means the person in whose name the veterinary premises are registered;

***registrar*** means the person employed or engaged under section 161(1)(a);

**registration** —

- (a) in relation to a person —
  - (i) means registration under Part 2 as a WA veterinarian in 1 or more categories of registration or as a veterinary nurse; and
  - (ii) if the person is an interstate veterinarian — has a meaning affected by section 22;
- or
- (b) in relation to premises — means registration under Part 3 as veterinary premises;

**regulatory authority** means —

- (a) in relation to this State — the Board or the Tribunal; or
- (b) in relation to another participating jurisdiction — a person or body whose functions under a law of that jurisdiction correspond closely to the functions of the Board or the Tribunal under this Act;

**respondent** means a person who is the subject of a complaint;

**specialty** means a branch of veterinary medicine that is accredited as a specialty under, or in the manner prescribed by, the regulations;

**Tribunal** means the State Administrative Tribunal;

**unprofessional conduct** has the meaning given in section 78;

**veterinarian** means —

- (a) a WA veterinarian; or
- (b) an interstate veterinarian;

**veterinary medicine** —

- (a) includes, but is not limited to, the following —
  - (i) diagnosing diseases or physiological conditions in, and injuries to, animals;
  - (ii) medical treatment of animals;
  - (iii) performing surgical procedures on animals;

**s. 4**

---

- (iv) administering anaesthetics to animals;
- (v) an act of a kind prescribed as being an act of veterinary medicine;

but

- (b) does not include an act of a kind prescribed as not being an act of veterinary medicine;

***veterinary nurse*** means a person registered under Part 2 as a veterinary nurse;

***veterinary practice business*** means a business that —

- (a) involves the practice of veterinary medicine by 1 or more veterinarians; and
- (b) may supply goods and services relating to the practice of veterinary medicine;

***veterinary premises*** means premises registered under Part 3;

***veterinary specialist*** means —

- (a) a person who holds specialist registration as a WA veterinarian; or
- (b) a person who, under section 22(2), is taken to hold specialist registration as a WA veterinarian;

***veterinary supervisor*** means a WA veterinarian appointed to be the veterinary supervisor for veterinary premises;

***WA veterinarian*** means a person registered under Part 2 as a WA veterinarian.

**4. Act binds Crown**

This Act binds the Crown in right of Western Australia and, so far as the legislative power of the Parliament permits, the Crown in all its other capacities.

*[Parts 2-17 have not come into operation.]*

---

---

## Notes

This is a compilation of the *Veterinary Practice Act 2021*. For provisions that have come into operation see the compilation table. For provisions that have not yet come into operation see the uncommenced provisions table.

### Compilation table

Short title	Number and year	Assent	Commencement
<i>Veterinary Practice Act 2021</i> Pt. 1	19 of 2021	27 Oct 2021	27 Oct 2021 (see s. 2(a))

### Uncommenced provisions table

To view the text of the uncommenced provisions see *Acts as passed* on the WA Legislation website.

Short title	Number and year	Assent	Commencement
<i>Veterinary Practice Act 2021</i> Pt. 2-17	19 of 2021	27 Oct 2021	To be proclaimed (see s. 2(b))

## Defined terms

*[This is a list of terms defined and the provisions where they are defined.  
The list is not part of the law.]*

Defined term	Provision(s)
animal .....	3
another jurisdiction .....	3
approved .....	3
authorised person .....	3
Board.....	3
Board member.....	3
category.....	3
certificate of registration .....	3
chairperson.....	3
committee .....	3
complainant.....	3
complaint .....	3
condition .....	3
corresponding law .....	3
director.....	3
disciplinary action.....	3
document.....	3
entry warrant .....	3
health assessment .....	3
immediate action order .....	3
impairment .....	3
inquiry .....	3
inspector.....	3
interstate registration.....	3
interstate regulatory authority .....	3
interstate veterinarian.....	3
investigation.....	3
investigative purposes .....	3
legal practitioner .....	3
medical practitioner .....	3
notification .....	3
notifier.....	3
officer.....	3
Part 2 application .....	3
Part 3 application .....	3
participating jurisdiction .....	3
personal information .....	3
practice owner .....	3
premises .....	3
prescribed.....	3

professional misconduct.....	3
psychologist .....	3
register .....	3
registered practice owner .....	3
registrar .....	3
registration .....	3
regulatory authority.....	3
respondent.....	3
specialty .....	3
Tribunal.....	3
unprofessional conduct .....	3
veterinarian .....	3
veterinary medicine.....	3
veterinary nurse.....	3
veterinary practice business .....	3
veterinary premises .....	3
veterinary specialist .....	3
veterinary supervisor.....	3
WA veterinarian.....	3