ANALYSIS

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1992, No. 29

An Act to amend the Veterinary Surgeons Act 1956

[*10 April 1992*

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title—This Act may be cited as the Veterinary Surgeons Amendment Act (No. 2) 1992, and shall be read together with and deemed part of the Veterinary Surgeons Act 1956 (hereinafter referred to as the principal Act).

2. Secretary of the Board—(1) The principal Act is hereby amended by repealing section 5, and substituting the following section:

"5. The Board shall from time to time appoint a suitable person to act as its secretary."

(2) Section 2 of the principal Act is hereby consequentially amended by repealing the definition of the term "secretary", and substituting the following definition:

" 'Secretary of the Board' means the person for the time being appointed under section 5 of this Act."

(3) Section 5A of the principal Act (as inserted by section 2 of the Veterinary Surgeons Amendment Act 1992) is hereby consequentially amended by inserting, after the word "Secretary", the words "of the Board".

3. Subcommittees of Board—(1) The principal Act is hereby amended by repealing section 7 (as amended by section 3 of the Veterinary Surgeons Amendment Act 1964), and substituting the following section:

"7. The Board may—

"(a) Appoint subcommittees comprising any 2 or more people (whether or not members of the Board) the Board thinks fit:

"(b) Delegate to any subcommittee the exercise or performance of any of the Board's powers and functions, either generally, or in relation to a particular case or cases of a particular kind or description."

(2) Section 3 of the Veterinary Surgeons Amendment Act 1964 is hereby consequentially repealed.

4. Complaints of professional misconduct and infamous conduct—(1) Section 24 of the principal Act (as substituted by section 12 of the Veterinary Surgeons Amendment Act 1964) is hereby amended—

(a) By omitting from subsections (1), (3) (in both places where it occurs), (4), and (5) (where it fourthly occurs) the word "Council", and substituting in each case the word "Board"; and

(b) By omitting from subsection (3) the words "it is to be referred to the Board", and substituting the words "an inquiry is to be held into it"; and

(c) By omitting from subsection (5) the words "Council makes any final determination", and substituting the words "Board determines that an inquiry should be held"; and

(d) By omitting from subsection (5) the words "secretary of the Council", "Chairman of the Council", and "said Chairman", and substituting in each case the word "Board"; and

(e) By repealing subsections (6) and (7).

(2) Section 24A of the principal Act (as substituted by section 13 of the Veterinary Surgeons Amendment Act 1964) is hereby consequentially amended—

(a) By omitting from subsection (1) the words "Council refers any matter to the Board under subsection (6) of", and substituting the words "Board determines that an inquiry should be held into any matter it has investigated under"; and

(b) By omitting from subsection (4) the words "order that costs be awarded to the person whose conduct is the subject of the inquiry, and that such costs be paid by the New Zealand Veterinary Association Incorporated", and substituting the words "pay the

person whose conduct is the subject of the inquiry any costs the Board thinks fit".

(3) The said section 24A is hereby further amended by repealing subsection (2), and substituting the following subsection:

"(2) The Board may authorise any person to appear at an inquiry into any matter under this section, and adduce evidence and make submissions in respect of the matter."

(4) Section 25 of the principal Act is hereby consequentially amended—

(a) By omitting from subsection (2) (e) the words "and the investigation by the Council"; and

(b) By omitting from subsection (5) the words "and to the Chairman of the Council".

(5) Section 32A (6) of the principal Act (as substituted by section 8 (1) of the Veterinary Surgeons Amendment Act 1992) is hereby consequentially amended by repealing paragraph (b).

(6) Section 30 (2) of the principal Act is hereby consequentially repealed.

5. Register to be open for inspection—The principal Act is hereby amended by repealing section 23, and substituting the following section:

"23. The register kept by the secretary of the Board under this Act shall at all reasonable times be open to inspection by the public at the Board's offices."

This Act is administered in the Ministry of Agriculture and Fisheries.