



# Supplementary Notice Paper

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## Veterinary Practice Bill 2021 [11-1]

SNP 11, Issue No. 3

Wednesday, 1 September 2021

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When in committee on the *Veterinary Practice Bill 2021*:

### Clause 101

**Minister for Agriculture and Food:** To move —

1/101 Page 73, line 17 — To insert after “section 86(2)(c)”:

or 99(1)(c)

### Clause 103

**Minister for Agriculture and Food:** To move —

2/103 Page 74, line 26 — To delete “86(2)(c),” and insert:

86(2)(c) or 99(1)(c),

### Clause 113

**Minister for Agriculture and Food:** To move —

14/113 Page 79, lines 21 to 26 — To delete the lines and insert:

- (1) An inspector may, for either or both of the purposes referred to in section 112(d) and (e), enter veterinary premises at any reasonable time.
- (1A) An inspector may, for investigative purposes, enter veterinary premises or other premises if —
  - (a) the occupier of the premises gives informed consent to the entry; or
  - (b) the entry is authorised under an entry warrant.

**Clause 114****Minister for Agriculture and Food:** To move —

15/114 Page 80, after line 9 — To insert:

(1A) In this section —

*relevant purposes* means —

- (a) in the case of an entry under section 113(1) — either or both of the purposes referred to in section 112(d) and (e); or
- (b) in the case of an entry under section 113(1A) — investigative purposes.

**Minister for Agriculture and Food:** To move —

5/114 Page 80, lines 10 and 11 — To delete “section 113(1) may, for investigative purposes,” and insert:

section 113(1) or (1A) may, for relevant purposes,

**Clause 150****Minister for Agriculture and Food:** To move —

6/150 Page 105, lines 3 to 6 — To delete the lines.

**Clause 152****Minister for Agriculture and Food:**

7/152 Page 106, line 11 to page 107, line 19 — To oppose the clause.

**New Clause 152****Minister for Agriculture and Food:** To move —

8/NC152 Page 107, after line 19 — To insert:

**152. Membership of Board**

(1) In this section —

*professional body* means each of the following —

- (a) the Western Australian Division of the Australian Veterinary Association Ltd or another body prescribed for the purposes of this paragraph;
  - (b) the Western Australian Division of the Veterinary Nurses Council of Australia Inc. or another body prescribed for the purposes of this paragraph.
- (2) The Board consists of 8 members appointed by the Minister.
- (3) A person is eligible to be appointed to the Board only if the person’s principal place of residence is in this State.
- (4) Of the Board members —
- (a) 3 must be WA veterinarians who between them have the experience, skills or qualifications the Minister considers appropriate to effectively carry out the functions of the Board under this Act; and

- (b) I must be a WA veterinarian who is elected by WA veterinarians in accordance with the regulations; and
  - (c) I must be a veterinary nurse who is elected by veterinary nurses in accordance with the regulations; and
  - (d) I must be a person who is both —
    - (i) a WA veterinarian; and
    - (ii) an officer of the department of the Public Service principally assisting in the administration of the *Biosecurity and Agriculture Management Act 2007*;
 and
  - (e) I must be a person who has knowledge of and experience in representing the interests of consumers; and
  - (f) I must be a legal practitioner.
- (5) Before making an appointment for the purposes of subsection (4)(a), the Minister must invite each professional body to recommend to the Minister persons the professional body considers suitable for appointment.
  - (6) The Minister must consider any recommendation made in response to an invitation under subsection (5), but may appoint a person for the purposes of subsection (4)(a) whether or not the person is recommended by a professional body.
  - (7) Subsection (4)(b) and (c) are subject to section 165A.
  - (8) The regulations may provide for and regulate the conduct of elections for the purposes of subsection (4)(b) and (c).

### Clause 153

**Minister for Agriculture and Food:** To move —

9/153 Page 107, line 21 — To delete “Board members must elect” and insert:

Minister must appoint

### Clause 154

**Minister for Agriculture and Food:** To move —

10/154 Page 107, after line 30 — To insert:

- (3A) However, subsection (3) does not require —
  - (a) a person appointed as a deputy of a Board member referred to in section 152(4)(b) to be elected as provided for in that paragraph; or
  - (b) a person appointed as a deputy of a Board member referred to in section 152(4)(c) to be elected as provided for in that paragraph.

**New Clause 165A****Minister for Agriculture and Food:** To move —

11/NC165A Page 115, after line 8 — To insert:

**165A. Minister may fill vacancy in office of elected member in certain circumstances**

- (1) In this section —
  - elected member* means a Board member appointed for the purposes of a relevant provision;
  - relevant provision* means section 152(4)(b) or (c).
- (2) If the office of an elected member becomes vacant under section 165(2), the Minister may appoint a person, being a person who is eligible to be elected, as a Board member for the balance of the term of the elected member.
- (3) Subsection (4) applies if at the time an election is due to be held for the purposes of a relevant provision —
  - (a) no election is held; or
  - (b) no candidates are nominated for the election.
- (4) The Minister may appoint a person, being a person who is eligible to be elected, as a Board member for the purposes of the relevant provision.

**Clause 214****Minister for Agriculture and Food:**

12/214 Page 137, lines 22 to 24 — To oppose the clause.

**New Clause 214****Minister for Agriculture and Food:**

13/NC214 Page 137, after line 24 — To insert:

**214. Initial membership of new Board**

- (1) In this section —
  - former elected member* means a person who, immediately before transition day, held office as a member of the former Board under section 5(1)(b) of the repealed Act;
  - transition period* means the period beginning on transition day and ending on the day before the day on which the Minister appoints a Board member for the purposes of section 152(4)(c).
- (2) Despite section 152(2) and (4)(c), during the transition period the new Board consists of 7 members appointed by the Minister.
- (3) Those Board members are —
  - (a) the Board members appointed for the purposes of section 152(4)(a), (d), (e) and (f); and
  - (b) the Board member appointed under subsection (4)(a).
- (4) The Minister must appoint —

- (a) a former elected member as a Board member; and
  - (b) a former elected member as a deputy of the Board member referred to in paragraph (a).
- (5) The former elected member appointed under subsection (4)(a) is taken to be the Board member appointed for the purposes of section 152(4)(b).
- (6) The former elected member appointed under subsection (4)(b) is taken to be a deputy appointed under section 154(1).
- (7) An election for the purposes of section 152(4)(c) must be held as soon as practicable after transition day.

