



Seasons Greetings



The Council and its staff extend their best wishes for a safe and enjoyable holiday season and thanks all those who have assisted the Council in its work during the year.

Veterinary Council election results

The votes to elect three veterinarians to membership of the Veterinary Council were counted on 3 December 2010.

The number of votes for each candidate was:

Lynne Mary CLAY, 565

Ronald George GIBSON, 632

Nicholas John TWYFORD, 738

Julie Catherine WAGNER, 636

The Returning Officer has therefore declared Ron Gibson, Nick Twyford and Julie Wagner to be duly elected to the Veterinary Council.

Completed ballot papers were received from 923 veterinarians giving a 37% voter turn out, lower than the 43% turnout in 2007.

Thank you to those who showed their support for this democratic method of appointment.

Review of the Code of Professional Conduct

The working party is finalising its proposals for the revised Code of Conduct, in preparation for a final consultation round in the New Year.

Meantime please feel free to forward your thoughts on the proposed requirements below for controlled drugs and inducements. Email to registrar@vetcouncil.org.nz.

New Requirements for Controlled drugs?

Because of the potential for abuse, the Code Review working party, considers that veterinarians should oversee and manage the use of controlled drugs to a higher standard than the obligations imposed by law. It is proposing that the following

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Review of the Code of Professional Conduct for Veterinarians

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obligations around the use and storage of controlled drugs be added to the revised code:

- all controlled drugs, including those in class C parts 5 -7, to be stored in locked metal or concrete cupboards or compartments when not required for immediate use
- every instance of sale or use of a controlled drug must be linked to a veterinary consultation and must be accurately recorded in a manner that can be readily reported and reviewed. Practices that do not use a computerised medical record system that is able to quickly and easily report on the sale or use of each controlled drug, must record each individual sale or use in a Controlled Drug Register. This register must take the form of a bound volume with consecutively numbered pages set out and used as described in Form 1 Schedule 1 of the Controlled Drugs Regulations 1977.
- each instance of the purchase of a controlled drug by the practice must be recorded in a manner that can be readily reported and reviewed.
- every six months the stock of all controlled drugs held by the practice must be counted and recorded. At these times there must be a reconciliation of the opening stock, closing stock, purchases and sales for every strength of controlled drug. This must be documented along with a proper explanation for any volume or amount which is not accounted for in the reconciliation. Records of reconciliations must be kept for four years.
- extraordinary variances in the reconciliation that cannot be explained or are thought to be due to unauthorised use must be reported to the Veterinary Council.

Further information is contained in

Section 12 of the Draft Veterinary Medicines Explanatory Notes which are available at <http://www.vetcouncil.org.nz/news.php>

Kickbacks or standard practice?

It is usual practice for veterinary businesses to enter into standard commercial arrangements with suppliers around the purchase of produces, such as rebate structures, volume discounts, loyalty programmes and marketing/promotion agreements.

Such arrangements are normally made between suppliers and the business directors and do not directly involve individual veterinarians or support staff.

The Council considers that such arrangements are acceptable provided:

- they reasonably reflect the level and type of business transacted between the practice and the supplier;
- any commercial benefits are directed to the business (not the individuals who are responsible for making the treatment or sales decision).

The situation is less clear around schemes which target individual veterinarians and support staff as these could be perceived to influence professional decision making. Any perception that veterinarians (or veterinary support staff) are making treatment decisions or sales recommendations on the basis of commercial influence undermines the public's trust.

While the revised Code provisions around identifying, declaring and managing conflicts of interest have relevance to this issue, the working party considers that additional guidance is required. It is proposing that the following ethical requirement be added to the revised Code: "Veterinarians must not seek or accept inducements that could influence their professional judgement when making



treatment or sales decisions”.

The explanatory notes will provide further guidance. For example, in relation to inducements offered, the draft guidance provides:

Veterinarians should use their judgement when offered inducements. Those which are low in monetary value; provide negligible personal benefit, or which are directly relevant to veterinary practice (eg text books, veterinary equipment etc) are likely to be acceptable. Ultimately the test the veterinarian should apply is whether they believe the gift has the potential to influence their professional judgement? Even though the potential for influence may seem low in a given situation it is likely to be more obvious to members of the public than to the veterinarians.

Questions worth considering when faced with the offer of an inducement include:

- Would my clients consider that my treatment recommendations might be influenced if I accept?
- How would the media respond if the inducement was disclosed?

Members of the working party are available to talk about the proposed changes. So if you are planning, for example, a Regional or Special Interest Branch meeting and would like to invite working party representation please contact the Registrar on registrar@vetcouncil.org.nz or 04 473 9600

Recent Complaints Assessment Committee (CAC) Case: Unusual Whelping

Recently a CAC investigated a complaint concerning the development of complications in late pregnancy leading to the unexpected death of a Golden Retriever bitch and her puppies.

The pregnancy had proceeded uneventfully until the last week of gestation. The first signs of problems were vague and included lethargy and inappetence. Her abdomen seemed unusually large which caused her difficulty and discomfort lying down. Veterinary examination at this time didn't reveal any obvious cause. Within days she was vomiting and having difficulty walking and she collapsed. When presented to the veterinarian a second time, she vomited, collapsed and died before any treatment could be instituted. An emergency caesarean was carried out to try to save the puppies but was unsuccessful.

No post mortem was carried out and there were no ante mortem diagnostic tests carried out so the actual cause of these clinical problems was unknown.

The CAC sought an independent expert opinion on how the case was handled and to see what the likely underlying

causes might have been.

The complaint file was made available to a registered specialist in small animal reproduction who reported: "The development of constant vomiting, lethargy and weakness indicates an underlying disease process that may or may not have been related to her pregnancy. These clinical signs would not be considered 'normal' in a pregnant bitch."

The specialist identified an acute 'hypoadrenocortical-like' crisis at the top of the list of differentials. The possibility of a hydrops condition could not be ruled out but seemed less likely. Both hydrops, and an acute hypoadrenocortical-like crisis in late pregnancy are extremely rare in the bitch.

No fault was found with the veterinarian's handling of this case. The CAC commented that veterinarians dealing with rare and complicated emergencies such as this case, at night and on the weekend face additional challenges through reduced access to normal resources.

Reminder of the next voluntary vet bonding scheme round

The next application round for the Government's voluntary bonding scheme for veterinarians working with production animals opens 23 February 2011 for graduates who have recently completed their vet degree from Massey University.

There are 30 places available and they will be filled in the order that applications are received (from 23 February) and approved by MAF, until the cap of 30 has been reached, at which point the application round will close.

The scheme encourages new graduates to stay in an eligible practice by providing a taxable payment of \$11,000 for every year, up to five years, that they are working in the practice.

All practices that deal predominantly with production animals, like dairy and beef cattle, sheep, pigs and poultry, will be eligible, providing the vets receiving the funding will spend most of their time working with these animals.

Information and application packs are available from the MAF website, www.maf.govt.nz/mafnet/rural-nz/voluntary-bonding-scheme.htm or by emailing vetscheme@maf.govt.nz.

Continuing Professional Development (CPD) framework

The CPD framework has been finalised. The three year CPD cycle commences on 1 April 2011. Detailed guidance will be issued to all veterinarians in the New Year

At its meeting on 1 December the Council discussed the analysis of the 58 submissions received on the proposed CPD provisions and agreed with the CPD working party's recommendations for minor changes to the future framework.

Copies of the feedback analysis are available from the Council's office on request.

Overall the response to the proposals was positive with the majority of concerns arising from

misinterpretation/lack of clarity in the consultation document. This will be addressed in the final guidance document with:

- additional frequently asked questions to address the queries raised
- further explanation of the rationale for CPD
- greater recognition of the situation of veterinarians in non clinical practice
- expansion of the list of possible CPD activities and means of verification
- examples of completed CPD plans

and records

The Council also intends working with MAF on ways to harmonise its current programmes for maintaining the skills of veterinary staff, with the Council's requirements.

The consultation document indicated that the CPD year would start on 1 April. This is impractical as it does not provide sufficient time for compliance monitoring to occur prior to the issue of a practising certificate. The Council has therefore agreed that the CPD year should be a calendar year and that the first audits carried out in the first quarter of 2014 will assess on the basis of prorated requirements (i.e. 2.75 rather than 3 years)

Results of the New Zealand National Veterinary Examinations (NZNVE)

Seven candidates sat the Final NZNVE clinical/written examination at Massey University in November. One candidate passed. Four candidates were awarded supplementary passes and will need to sit and pass the section/s they failed before being eligible for registration. Two candidates failed.

Council meeting dates in 2011

1 and 2 March
13 May
23 August
27 November

The Council office will be closed from 4pm Friday 24 December until Monday 11 January

Biosecurity Amendment Bill

Significant amendments to the Biosecurity Act 1993 have been introduced to Parliament, and are currently before the Primary Production Select Committee.

This Biosecurity Law Reform Bill will make wide-ranging amendments to the Biosecurity Act 1993, and some related amendments to four other Acts.

The Primary Production Select Committee will consider the Bill in detail during the first half of 2011, and has called for submissions on the Bill to be lodged by 10 February 2011. The Committee has set up a link for online submissions, and this can be accessed at http://www.parliament.nz/en-NZ/PB/SC/MakeSub/b/4/4/49SCPP_SCF_00DBHOH_BILL10477_1-Biosecurity-Law-Reform-Bill.htm. The Bill can also be downloaded from this page.

Farewell to Peter Jerram

Earlier this month, the Council farewellled Peter Jerram who had decided not to stand for re-election.

Peter was elected to the Veterinary Council in November 2007 and during his three year term, made valuable contributions to the Council's work. This included convening the working party which has been developing the new Continuing Professional Development framework.

The Council will miss Peter's strong ethical and thoughtful approach. He brought an excellent understanding of the realities of day to day veterinary practice to the Council table and his commonsense approach was very helpful in negotiating ways



through complex issues.

We wish him all the very best for the future and his continued local body involvement. The Council's loss is Marlborough District Council's gain.

Welcome to Nick Twyford

Nick Twyford is the newly elected veterinarian on the Veterinary Council.

Nick brings with him 14 years experience on the Complaints Assessment Committee, the last 6 as Chair. He also convenes the working party revising the Code of Professional Conduct

He has a strong interest in the professional standards area and believes that Council must set and uphold appropriate standards in a fair and reasonable manner.

Nick been a companion animal clinician at Franklin Vets for the last 28 years, 25 of those as a director of the practice.



He is keen to see the profession's perception of Council improve through good governance, sound leadership, transparency and ongoing review.

Restricted veterinary medicines seized at border

It appears that some New Zealand veterinarians have been advising their clients to order restricted veterinary medicine (RVM) products from overseas pharmacy and pet websites.

This activity:

- undermines the risk management New Zealand has in place for these products, which must be purchased from a New Zealand RVM seller with an NZFSA-approved

operating plan

- can prove costly to the client because the product will be seized at the border where the importer is given the option of having the product re-shipped at their expense or destroyed.

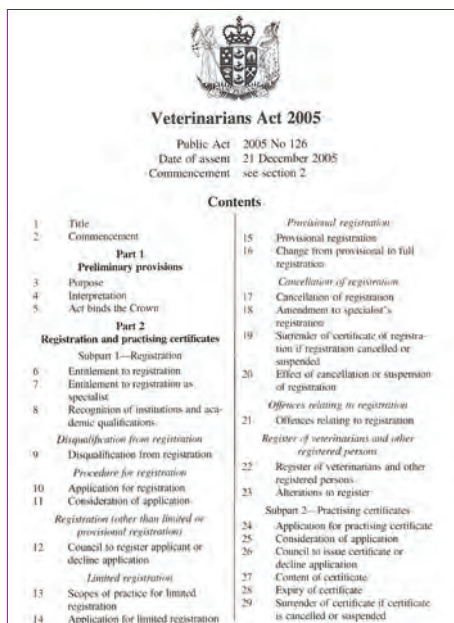
If you have any questions, contact the Approvals and ACVM Group of NZFSA (phone 04 894 2550 or email acvm@nzfsa.govt.nz)

Proposed Changes to the Veterinarians Act

Although major change to the Veterinarians Act has been ruled out, some minor amendments may be able to be actioned through the 2011 Statutes Amendment Bill process.

The Council will be seeking to have the following changes included in the 2011 Bill:

- Separation of disciplinary and regulatory functions by the removal of the current requirement that one member of the Judicial Committee be a Council member. This is consistent with best regulatory practice which ensures that the 'rule makers' do not also sit in judgment on the 'rule breakers'
- Amending the provisions for electronic resolutions of Council from the current requirement for unanimous assent by all members to majority assent. The current requirement severely impedes Council's ability to operate effectively when members are overseas or otherwise unavailable
- Allowing the Council to treat a veterinarian who has submitted an annual practising certificate (APC) application and fee as the holder of a practising certificate from the date the application is received until the date it is issued, issued with conditions or declined. This gives the Council the necessary time to properly consider the application and seek further information in situations where there are competence or fitness to practice concerns
- Providing the ability for Council to propose to issue a practising certificate with conditions. Currently the Act requires Council to either issue or decline an APC. The applicant then has an opportunity to make submissions on the proposal to decline an APC and the Council can then confirm, reverse or modify its decision (for example, by imposing conditions). This is clumsy and results in unnecessary delays.
- Removal of the current requirement to prescribe by notice in the NZ Gazette the 50+ individual institutions/qualifications Council recognises for registration purposes. The Council's policy is to recognise qualifications which have been accredited by robust accreditation systems, for example, AMVA, AVBC and RCVS. It is administratively cumbersome and costly to publish a Gazette notice every time there are changes. It is therefore being proposed that Council be empowered to declare by Gazette Notice, the accreditation systems it recognises with details of the individual qualifications to be maintained on its website.
- Introducing measures to require Court Registrars to notify the Council of convictions (as exists for all registered health professions)
- Amending the health provisions to provide that health examinations can be carried out by other health practitioners and not just doctors
- Removing the requirement for the financial year of the Council to end on 31 December



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Newly Registered Specialist

Congratulations to Dr Tania Banks who has recently gained NZ specialist registration in Small Animal Surgery.

Lost Vets

We haven't been able to trace the following vets because they haven't let us know their new contact details:

- William Gregory Cuttance
- Robert Paul Chisholm
- Helen Jessica Knox
- Timothy David Luke
- Frazer James Murray
- Gabriel John Young

If you know how to contact any of these people please email [vet@vetcouncil.org.nz](mailto:veter@vetcouncil.org.nz) or phone 04 473 9600.

All veterinarians have a statutory obligation to notify the Council within one month of changing their name, address or practice

2011 Annual Plan Initiatives

To advance its strategic plan objectives the Council has approved a number of new initiatives, over and above business as usual in 2011. These include:

- Developing strategies to promote the health and well being of veterinarians
- Enhancing the current communication skills assessment in the Final Registration examination for overseas qualified veterinarians
- Introducing a complaints template
- Developing user friendly website navigation and search functions for the revised Code of Professional Conduct

Annual Practising Fees

The APC fee for 2010/11 is increasing from \$320 to \$420

At its meeting on 1 December, and following consultation with the profession, the Council agreed to increase the annual practising fee by \$100 with a \$20 rebate for early payment. This fee includes the new GST rate of 15%.

Don't forget to renew your practising certificate

Remember current Practising Certificates expire on 31 March 2011. Make sure we have your correct contact address.

Application forms will be sent out in mid January and you must return your completed form and fee by 29 February 2011 to be eligible for the rebated fee of \$400. Applications for renewal at the full fee rate of \$420 must be returned by 25 March 2011 to ensure your APC is able to be issued by 1 April.

Please take the time to check that your contact address is correct on the online register of veterinarians at <http://www.vetcouncil.org.nz/onlineReg.php>

Advise any changes to vet@vetcouncil.org.nz

Toxic Algae Warning

It's that time of the year again. Toxic algae blooms are showing up in New Zealand rivers. Contact by skin or swallowing can cause rashes, skin and eye irritation, allergic reactions, gastrointestinal upset, and other serious effects in humans and animals. A six month old beagle puppy died last week, less than 2 hours after coming into contact with algae in the Hutt River.

For further information on the situation in your area contact your local council.

The Council's statutory functions are funded by the practising certificate and registration application fees paid by veterinarians. Council receives no government funding. Fees are set on a cost recovery basis while ensuring that an adequate reserve level is maintained to provide a buffer against unbudgeted events such as unforeseen court action or a spike in the number of complaint, competence assessment or disciplinary cases.

The first APC fee increase in ten years occurred last year when the fee was increased from \$275 to \$320. Given the uncertainty of the economic outlook, the Council decided, at that time, not to increase the fee to the level required to break even, choosing instead to continue to run a deficit budget and draw down on reserves. The Council has reduced its reserves to the minimum level required to provide for any contingencies.

There have been substantial increases in the costs of goods and services over the last 10 years and more recently significant additional costs associated with:

- developing and implementing the health and competence assurance provisions of the Veterinarians Act 2005
- conducting a major review of the Code of Professional Conduct
- developing the new Continuing Professional Development framework
- the increasing complexity of complaints and associated legal costs

On average, over the last four years the costs of the statutory complaints and disciplinary processes have accounted for 22% of Council's expenditure.

Council income has also reduced over the last three years because of a drop off in the numbers of overseas veterinarians registering and reduced interest income.

The decision to increase the APC fee has not been taken lightly, however

the Council can no longer continue to absorb the additional costs and reduced income without compromising its financial stability and its ability to carry out its statutory functions.

A further increase fee may be required in 2012 but this will be examined in mid 2011.

The Council remains committed to ensuring that it operates in a cost effective manner while ensuring an appropriate balance is maintained between ensuring the effective discharge of its statutory responsibilities and affordability for veterinarians.

Steps taken to reduce costs include:

- electronic provision of NewsBrief and in-house printing of VCNZ publications
- no longer (professionally) publishing the VCNZ Handbook and Register of Veterinarians. Instead the website has been updated, at minimal cost, to include all the material in the handbook including the online register which is updated daily
- increases in registration, examination and other fees to ensure that they are set at cost recovery (to prevent any subsidisation from current vets)
- increasing use of teleconferencing vs physical meetings
- reduction in the numbers of Council standing committees
- maintenance of minimum staffing levels (4) which is a low ratio of staff to veterinarians compared with other regulatory authorities with similar number of registrants
- no increase in Council member remuneration rates for 4 years
- greater delegation to the Registrar. This reduces costs and the time commitment of Council and Committee members

Clarification of Information about social workers

In the October 2010 NewsBrief article on the proposed APC fee increase comparisons were made with the human health and social work professions.

The CEO of the Social Workers Registration Board (SWRB) considered that some of this information unfairly represented the social work profession. He has advised that:

- ✦ SWRB received initial government funding when it was first set up to cover costs until it became self funding. Although set up in 2003 registration did not begin until October 2004 so the SWRB did not earn income in the first year. Unlike the Veterinary Council,

the SWRB was set up as a Crown Entity and as such has significant additional compliance costs in terms of the Crown Entities Act. The SWRB has been self funding since 2006 and is required to cover all costs associated with the Board and the Complaints and Disciplinary Tribunal.

- ✦ veterinarians have protection of title and must be registered in order to practise as a veterinarian. Registration for social workers is currently voluntary as there is no protection of title. As such the Vet Council has greater security over its income.
- ✦ as well as 10 Board members

appointed by the Minister for Social Development the SWRB currently has 11 members on the Complaints and Disciplinary Tribunal .

- ✦ the current \$368 APC fee social workers pay does not include a disciplinary levy as this is levied separately. The SWRB has chosen not to impose a levy as it will be using current reserves to offset the costs associated with disciplinary functions.
- ✦ according to the 2006 Census, veterinarians earned an average of \$75,300 a year compared to the average pay for social workers of \$37,700 a year.

The New Zealand Veterinary workforce in 2009 - 10

The Council has released the results of its second annual veterinary workforce analysis.

Information about the New Zealand veterinary workforce has for a number of years been collected by the Council via a questionnaire completed at the time veterinarians renew their annual practising certificates.

In 2009, driven by concerns about the shortage of veterinarians in rural areas, the scope of the questionnaire was widened and the Council agreed to commission and publish an analysis of the workforce data on an ongoing basis.

The second annual veterinary workforce analysis is now available at <http://www.vetcouncil.org.nz/pubs.php> . This not only provides a snapshot of the workforce in 2009/10 but also provides the opportunity to identify trends.

Key facts

- ✦ At 30 June 2010 there were 2392 practising veterinarians. This represents 55 veterinarians per 100,000 head of population - an increase in veterinarian availability from 48 per 100,000 in 2002.
- ✦ The active workforce has

increased by 30% since 2002.

- ✦ Women veterinarians now comprise 48% of the active workforce
- ✦ Twenty eight percent of active veterinarians received their primary veterinary degree overseas. Graduates from the United Kingdom comprise the largest group of international veterinarians (9%) followed by Australia (6%). There has been a progressive decline in the numbers of overseas qualified veterinarians registering in New Zealand from 123 in 2005 to 93 in 2009.
- ✦ Based on details provided for the 2009 practising year, 40% of veterinarians worked with large animals, 37% with companion animals and the remainder in laboratories, regulatory activities, teaching, research and epidemiology
- ✦ The Government's rural bonding scheme appears to have had a positive effect on veterinarian numbers in Gisborne, Wairoa, the West Coast, Southland and Gore
- ✦ There has been a decrease in the numbers of veterinarians working less than 40 hours per

week, from 36% in 2008 to 27% in 2009.

- ✦ The average age of the workforce is older than it used to be and this trend is expected to continue. As the current cohort of veterinarians 50-65 years of age start to retire it is likely that there will be smaller numbers of domestic veterinarians available to replace them. New Zealand is therefore reliant on overseas trained veterinarians to overcome this deficit.
- ✦ Since 2002 an average of 80% of Massey graduates who registered in New Zealand, are retained one year after graduation. Of the 2008 graduates 72% took out a practising certificate for the 2009/10 practising year. The retention rates continue to decline up to year 4 (65%) but become more stable in subsequent years

The workforce analysis relies on veterinarians' willingness to complete the workforce survey and the Council thanks the profession for its continued cooperation.

Dr Mark Stevenson undertook the analysis of the statistical information and developed the report. The Council is very appreciative of his contribution.

Misleading advertising – implying you're a vet when you're not

The Council regularly receives concerns from veterinarians about laypersons doing activities considered to be restricted to veterinarians or implying in their advertising they are vets when they are not.

Section 32 of the Veterinarians Act 2005, "Unlawful use of the title of veterinarian", states:

- (1) No person, other than a veterinarian, may use in connection with his or her business, trade, employment, calling, or profession
 - (a) the title "veterinarian"; or
 - (b) any words, initials, or abbreviations that are intended to cause, or that may reasonably cause, any person to believe that the person using those words, initials, or abbreviations is a veterinarian; or
 - (c) the word "veterinary" with any words, initials, or abbreviations that are intended to cause, or that may reasonably cause, any person to believe that the person using the word "veterinary" with those words, initials, or abbreviations is a veterinarian.

- (2) Every person who breaches subsection (1) commits an offence, and is liable on summary conviction to a fine not exceeding \$10,000.

Unlike most overseas veterinary legislation, the Veterinarians Act 2005 is a certification or title protection regime. Veterinarians are certified as having the required qualifications and skills to practise and no-one may practise under the title of a veterinarian or hold themselves out as being able to practise as a veterinarian unless they are registered. However, unlike a licensing system, a certification regime does not prevent unregistered persons from practising veterinary science provided they do not use the protected title.

The only current activities restricted to registered veterinarians are those imposed by third party legislation - the authorisation of restricted veterinary medicines (under the Agricultural Compounds and Veterinary Medicines Act) and undertaking significant surgical procedures (under the Animal Welfare Act).

There is also confusion over who is responsible for following up on and prosecuting cases where the title

veterinarian has been used illegally.

The Council only has jurisdiction over veterinarians and ex-veterinarians. The Ministry of Agriculture and Forestry (MAF), as the overarching agency responsible for the administration of the Veterinarians Act, is responsible for investigating and prosecuting offences under the Act committed by laypersons.

Despite this, the majority of concerns raised about misleading claims by non veterinarians are directed to the Veterinary Council.

The Council takes these concerns very seriously and will certainly urge MAF to prosecute in circumstances where there is clear evidence that the s32 'unlawful use of the title veterinarian' provisions have been breached.

However most cases are not black and white and the majority of concerns fall into the grey area. In such circumstances the Council's usual approach is educational – contacting the person concerned, drawing their attention to the statutory provisions and making strong recommendations as to what they need to do to ensure they don't mislead the public.

In brief..... what else has the council been up to?

Approved the accreditation of the veterinary science degree courses at Queensland and James Cook Universities	Established an ongoing cash prize for the highest performing 5th year BVSc student in Veterinary Professional Studies
Approved in principle the Operational Guidelines on Induction of Calving, subject to clarification of some issues	Took part in two Australasian Veterinary Boards Council (AVBC) teleconference meetings
Developed further guidance for Judicial Committee members	Participated in an AVBC Education Forum held in Wellington in October.
Finalised a pamphlet on Council's role and functions	Presentations on the revised Code of Professional Conduct
Planning for World Veterinary Year, 2011	Participated in meetings of the Agricultural Compounds and Veterinary Medicines Advisory Council
Made submissions on the proposed reclassification of norephedrine, the discontinuation of the Massey Veterinary Technology degree and draft OIE graduating competencies to assure quality national veterinary services	Exchange of Chief Examiners to review and report on the equivalence of the Australian and NZ Final registration examinations for overseas qualified veterinarians