



## Policy on the Register of Veterinarians and publicly available information

### 1 Legislation

s22 of the Veterinarians Act 2005 states that:

- (1) The Council must establish and maintain a register of veterinarians and other registered persons.
- (2) The register must — .....
  - (a) be in the prescribed form, and
  - (b) contain the prescribed information, and
  - (c) contain any other information that the Council considers necessary or desirable for the purposes of the register, and
  - (d) include, for each veterinarian, —
    - (i) details of any conditions of practice imposed on the veterinarian; and
    - (ii) whether his or her registration or practising certificate is suspended and, if so, the following information:
      - (A) the grounds under this Act for the suspension; and
      - (B) the period of suspension; and
      - (C) any conditions for termination of the suspension; and
- (3) The Registrar must ensure that the register is available to members of the public to inspect it free of charge.
- (4) Subsection (3) is subject to any prohibition order made by the District Court under section 71.

s91 Information from institutions may be sufficient evidence of facts states that

- (1) This section applies —
  - (a) if an institution informs the Council that it has lawfully removed the name of a person from the register in which it records qualifications, and the Council has, on the basis of the qualification, —
    - (i) registered the person; or
    - (ii) included the qualification in the details of registration of the person; or
  - (b) if a registering authority outside New Zealand informs the Council that it has lawfully removed the name of a person from a register of veterinarians maintained by the authority.
- (2) If subsection (1) applies, —
  - (a) the Registrar must make a note in the entry of the register in relation to the person of the information provided by an institution or registering authority; and
  - (b) for the purposes of any assessment, investigation, or disciplinary hearing in relation to the person under this Act, the Council may, in the absence

of proof to the contrary, use the findings of fact on which the institution or registration authority based its decision to remove the person's name from its register as sufficient evidence of the facts found.

## **2 Publication of the Register**

The Act requires the Registrar to ensure that the register is available to members of the public to inspect free of charge.

As such the register is published on the Council's website. This online register is updated daily.

In addition up to date hard copies of the Register and practice lists are available in PDF or hard copy format to veterinarians and other stakeholders, including public libraries on request.

## **3 Updating the Register**

### **3.1 Name and address changes**

Veterinarians have a statutory responsibility (s23(3)) to notify the Council if they change their name, contact address or practice name (no later than one month after the information on the register is no longer current).

### **3.2 Cancelling Registration**

The Act provides that the Council must cancel a person's registration if:

- requested in writing
- notified of death by the Registrar or Births, Deaths and Marriages, or by any other means or
- if the person has been registered as a result of error.

## **4 Letters of Good Standing and other certificates**

The Council can provide letters of good standing or similar certificates to registered veterinarians, for a small fee, on request. Letters of good standing are required for registration with an overseas veterinary registration authorities and are usually required to be sent directly from the Council to the overseas regulatory authority

### **4.1 Legislative provisions**

Under s90 of the Act "a certificate as to any of the following matters, given in writing by any person authorised by the Council in writing to provide certificates of that type, is conclusive evidence of that matter, the absence of proof to the contrary:

- As to whether a person was registered at any time
- As to whether a person is currently registered
- As to whether a person holds a current practising certificate
- As to any entry in the register
- As to any act or proceeding of the Council or of any committee of Council"

## **5 Detail of conditions on practice**

Council has agreed that it will use the following generic set of descriptors when entering details of conditions on a veterinarian's practice:

- Practising subject to supervision (specific detail may be required)
- Practising subject to re-entry supervision (specific detail may be required)
- Practising subject to oversight (specific detail may be required)
- Practising in association (specific detail may be required)
- Disclosure requirements
- Restrictions on range of work (specific detail required)
- Education and/or experience requirements (specific detail required)
- Practising subject to audit requirements (specific detail may be required)
- Practising subject to inspection requirements (specific detail may be required)
- Employment restrictions (specific detail required)
- Time limited registration (specific detail required)
- Health monitoring programme
- Practise subject to mentoring (specific detail may be required)
- Limited practice hours
- Prescribing restrictions

The register entry will also note the relevant section of the Veterinarians Act.

## **6 Policy on public information about veterinarians**

### **6.1 Publicly available information**

The following information is publicly available information:

- Information on the Register of Veterinarians (except address and/or phone, fax, e-mail address where an veterinarian has requested they not be disclosed)
- Conditions on practice arising from judicial proceedings or competence or health assessments
- Suspensions
- The outcome of Judicial hearings, as long as the practitioner has not been granted name suppression

### **6.2 Information that is usually not publicly available**

Council's policy is to not disclose information beyond that publicly available unless:

- the veterinarian has agreed to it
- there is an express statutory requirement
- there is an urgent and overwhelming public interest in releasing information or an order of discovery from the Court

As a matter of policy, Council has agreed the following information should not be publicly available:

- The veterinarian's address and/or phone, fax, e-mail address where the veterinarian has not agreed to this being published in the Register
- Current complaints
- Informal complaints

- Past complaints (unless the complaint resulted in an adverse finding in a judicial hearing with no name suppression details)
- Competence assessment investigations
- Competence assessment reports
- Results of competence assessments unless these result in conditions on practice being imposed
- Veterinarian's voluntary undertakings with the Council or one of its Committees