



Veterinary Surgeons' Board



Guidelines for the direction of authorised persons

Background

Section 26(4)(b) of the *Veterinary Surgeons Act 1960* (Act) allows for the authorisation of a person who is not a registered veterinary surgeon to carry out, under the direction of a registered veterinary surgeon, acts of veterinary surgery that are prescribed in the *Veterinary Surgeons Regulations 1979* (Regulations).

The Board has developed guidelines for the categories of authorised persons listed in regulation 47. These guidelines, which are updated from time to time as needed, are available on request from the Board office or from the Board's website at www.vsbwa.org.au. It is the responsibility of the authorised person and their directing veterinary surgeon to ensure they are conversant with the current guidelines.

This paper provides a general description of the responsibilities and obligations of authorised persons and their directing veterinary surgeons. For further information, reference should be made to the Board's guidelines for specific acts of veterinary surgery.

If the Board receives evidence of an authorised person breaching the Act, or the conditions of their authorisation, they may be prosecuted and/or the Board may withdraw their authorisation. In these circumstances, the directing veterinary surgeon may face an allegation of unprofessional conduct.

Regulatory Matters

Section (26)(4)(b) of the Act enables a person authorised by the Board to carry out, under the direction of a registered veterinary surgeon, specific acts of veterinary surgery listed in the regulations.

Regulation 47 lists the veterinary services prescribed for the purposes of section 26(4)(b) of the Act. A person must be separately authorised for each service they wish to carry out. The acts of veterinary surgery for which a person may apply for authorisation are:

- (a) administering by injection
 - i. sedatives; and
 - ii. tranquilisers; and
 - iii. euthanasia agents; and
 - iv. muscle relaxants; and
 - v. reversal agents used in conjunction with sedatives or tranquilisers.
- (b) equine dentistry;
- (c) embryo transplantation;
- (d) diagnosis of disease;
- (e) administering contraceptives or other medications to dogs in the pastoral region;
- (f) examination of cattle for pregnancy by rectal palpation or rectal probe and ovarian examination per rectum;
- (g) artificial insemination by surgical (laparoscopic) method; and
- (h) transferring ova in an animal by non surgical means.

An application for authorisation under section 26(4)(b) of the Act, or the renewal of authorisation, is to be made in a form approved by the Board, accompanied by such evidence as the Board requires, and the fee set out in regulation 80. Application forms may be obtained from the Board's website at www.vsbwa.org.au.

The Board must not authorise a person under section 26(4)(b) of the Act to perform a veterinary service unless the Board is satisfied that the person is competent to properly perform that service.

APPLICATION OF THESE GUIDELINES

These Guidelines apply from and including 11 August 2020.

These Guidelines may be superseded by subsequent versions. To ascertain whether this version has been superseded, view the current version on the Board's website at www.vsbwa.org.au

It is the responsibility of the directing veterinary surgeon and the authorised person who carries out acts of Veterinary Surgery, to be conversant with the current version of these Guidelines.

Definitions

The Board applies the following definitions:

authorised person is a person who the Board considers to be suitably qualified and experienced to be authorised to perform specific acts of veterinary surgery. The responsibilities of the authorised person are outlined in this document and detailed in the guidelines for specific authorisations.

directing veterinary surgeon is an appropriately experienced veterinary surgeon appointed by the Board to direct an authorised person. The duties of the directing veterinary surgeon are outlined in this document and detailed in the guidelines for specific authorisations.

direction means regular and frequent supervision but does not necessarily imply continuous personal supervision.

Directing Veterinary Surgeon

1. The Board requires that the registered veterinary surgeon, under whose direction an authorised person may perform veterinary services, is resident and registered in Western Australia unless otherwise approved by the Board.
2. To be a directing veterinary surgeon an applicant must have experience in and ideally be practising in the field in which the authorised person seeks to perform veterinary services.
3. Prior to directing an authorised person to carry out a service for which they are authorised, the approved directing veterinary surgeon must have satisfied themselves that the authorised person is competent to carry out that service.
4. The directing veterinary surgeon must be satisfied that the authorised person will not perform acts of veterinary surgery or medicine for which they are not authorised. For example, a person authorised to pregnancy test cattle is not permitted to provide advice on reproductive disorders.
5. The directing veterinary surgeon must maintain appropriate records to demonstrate their conversance with the work performed by the authorised person. The detail required will vary according to the area of work performed by the authorised person. However, the records must provide sufficient information to comply with regulations 29 and 30.
6. The directing veterinary surgeon should have discussed with the authorised person the intended veterinary service to be performed on an animal or animals prior to the authorised person performing that veterinary service on that/those animal(s). In the event that the directing veterinary surgeon does not discuss the performance of the procedure prior to the authorised person performing the procedure, they must be able to justify their conduct to the Board.
7. The directing veterinary surgeon should have a client relationship with the owners of animals to be treated or examined by the authorised person. In the event that such a relationship does not exist, the directing veterinary surgeon must be able to justify to the Board, directing the authorised person to work on those animals.
8. The Board accepts that in some circumstances, communications between the directing veterinary surgeon and both the authorised person and the owner may be limited to telephone or email contact. Appropriate records must be maintained as outlined in points 5, 6 and 7 above.

9. The directing veterinary surgeon is to ensure that either they or another registered veterinary surgeon is available to attend in the event that veterinary expertise is required during or after a veterinary procedure is performed by the authorised person that the veterinary surgeon is directing.
10. The name and telephone number of the directing veterinary surgeon is to appear in any advertisement by an authorised person. The directing veterinary surgeon must ensure that any advertisement by the authorised person complies with regulation 33A of the Regulations and the *Medicines and Poisons Act 2014*.
11. The directing veterinary surgeon is accountable for the authorised veterinary services provided by any authorised person for whom they are the directing veterinary surgeon, and may be liable for prosecution in the event that the authorised person breaches the Act.

Authorised Persons

1. An authorised person who performs any act of veterinary surgery for which they are not authorised, commits an offence against the Act.
2. An authorised person who performs any act of veterinary surgery for which they are authorised, without the direction of their directing veterinary surgeon, commits an offence against the Act.
3. Where the Board is satisfied that an authorised person has performed veterinary services for which they are not authorised, the Board may revoke the authorisation.
4. A person seeking authorisation must complete the required application form and provide evidence of suitability. Application forms may be obtained from the Board's website at www.vsbwa.org.au. The required evidence will vary according to the act of veterinary surgery the person wishes to perform, and is detailed in the relevant guidelines (see www.vsbwa.org.au).
5. In giving authorisation, the Board must be satisfied of the applicant's qualifications and the suitability of the directing veterinary surgeon.
6. The authorised person is accountable to their directing veterinary surgeon and to the Board for their conduct.
7. The authorised person must comply with the guidelines contained in this document and in the specific guidelines provided for the acts of veterinary surgery listed in regulation 47.
8. In order to retain their authorisation, an authorised person must maintain their competency to perform the act of veterinary surgery for which they are authorised, as detailed in the guidelines for the specific procedures.
9. Causing pain or undue suffering to an animal whether intentionally or accidentally may render the person liable for prosecution under the *Animal Welfare Act 2002*.
10. The authorised person must report clearly, accurately and in a timely fashion to the Board any adverse events.
11. An authorised person must maintain records of any animals on which they carry out an authorised act of veterinary surgery, including the name of the owner, the address of the property, the type and number of animals, the name, volume and route of administration of any drugs they are authorised to administer, and the outcome of any veterinary service performed.
12. Any advertising of the veterinary services an authorised person is authorised to provide must list the name and telephone number of the directing veterinary surgeon, and comply with regulation 33A of the *Regulations* and the *Medicines and Poisons Act* as if the authorised person was a registered veterinary surgeon.
13. Where an authorised person advertises to provide veterinary services which the person is not authorised to perform, the Board may revoke the authorisation.

DISCLAIMER

This document (printed, electronic or any other medium) cannot be regarded as legal advice.

Although all care has been taken in preparing these Guidelines they do not replace advice specific to the reader's circumstances. Where necessary, advice must be sought from competent legal practitioners. Neither the authors nor the Veterinary Surgeons' Board of Western Australia accept or undertake any duty of care relating to any part of these Guidelines.