

1993—No. 524

**VETERINARY SURGEONS ACT 1986—REGULATION**

(Relating to advertising of veterinary services)

NEW SOUTH WALES



*[Published in Gazette No. 115 of 15 October 1993]*

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Veterinary Surgeons Act 1986, has been pleased to make the Regulation set forth hereunder.

I. R. CAUSLEY,  
Minister for Agriculture and Fisheries.

The Veterinary Surgeons Regulation 1987 is amended:

(a) by omitting Part 4 and by inserting instead the following Part:

**PART 4—ADVERTISING**

**Application—advertising by veterinary surgeons and others**

28. An advertisement that a person is able or willing to do or perform any act, matter or thing the doing or performance of which forms part of the practice of veterinary science is authorised by this Regulation for the purposes of section 42 if it complies with this Part.

**Restriction on advertising of veterinary services**

29. (1) A person must not advertise a place used or intended to be used for the purpose of the practice of veterinary science (whether or not it is a veterinary hospital) unless the advertisement complies with this Part.

Maximum penalty: 10 penalty units.

(2) This clause does not apply to the advertising of any act, matter or thing permitted by section 44 of the Act.

**General requirements for advertisements relating to veterinary services**

30. An advertisement must not:
- (a) be false, misleading or deceptive; or
  - (b) be likely to mislead or deceive; or
  - (c) adversely affect or be likely to adversely affect the reputation or standing of any veterinary surgeon or of the veterinary profession generally; or
  - (d) claim or imply the superiority of any veterinary surgeon over all veterinary surgeons or any other veterinary surgeon; or
  - (e) make or imply a comparison with any other veterinary surgeon or any person approved by the Board to perform permitted veterinary practices; or
  - (f) contain any testimonial or endorsement concerning any veterinary surgeon; or
  - (g) contain the fee or charge for veterinary services or any reference to a discount or reduction for the fee or charge, unless it refers only to an amount payable by, or a discount or reduction available to, pensioners.

**Permitted practices—advertising not restricted**

31. A person (including a veterinary surgeon) may advertise, in such manner as the person thinks fit, that the person is able or willing to do or perform any act, matter or thing permitted by section 44 of the Act.
- (b) by omitting rules 11.1 and 11.2 of Schedule 1 and by inserting instead the following rule:
- 11.1 Any advertisement placed by or with the authority of a veterinary surgeon that advertises his or her practice as a veterinary surgeon must comply with clause 30 (General requirements for advertisements relating to veterinary services) so that the advertisement:
- (a) is not false, misleading or deceptive; or
  - (b) is not likely to mislead or deceive; or
  - (c) does not adversely affect or is not likely to adversely affect the reputation or standing of any veterinary surgeon or of the veterinary profession generally; or
  - (d) does not claim or imply the superiority of any veterinary surgeon over all veterinary surgeons or any other veterinary surgeon; or

- (e) does not make or imply a comparison with any other veterinary surgeon or any person approved by the Board to perform permitted veterinary practices; or
  - (f) does not contain any testimonial or endorsement concerning any veterinary surgeon; or
  - (g) does not contain the fee or charge for veterinary services or any reference to a discount or reduction for the fee or charge, unless it refers only to an amount payable by, or a discount or reduction available to, pensioners.
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#### **EXPLANATORY NOTE**

The object of this Regulation is to amend the Veterinary Surgeons Regulation 1987 to remove existing restrictions on the advertising of veterinary services by permitting advertisements concerning veterinary services if the advertisements comply with certain standards (e.g. the advertisement must not be false, misleading or deceptive).

An existing provision is retained which allows unrestricted advertising of certain practices (e.g. de-worming animals) permitted by section 44 of the Veterinary Surgeons Act 1986 to be performed by persons who are not registered veterinary surgeons.

The Regulation also updates the Veterinary Surgeons' Code of Professional Conduct (contained in Schedule 1 to the Veterinary Surgeons Regulation 1987) so that it is consistent with the change in advertising provisions made by this Regulation.

The Regulation is made under sections 42 and 71 (1) (g) and (n) of the Veterinary Surgeons Act 1986.

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