

Introduction

The Veterinary Practitioners Board (Board) grants a licence to a licence holder to operate a veterinary hospital, at specified premises, at which major surgery, as defined in the *Veterinary Practice Act 2003 (Act)* (s 64), may be performed.

The Board issues licences based on an assessment that the proposed veterinary hospital, at the proposed premises, will be able to provide acceptable levels of care in accordance with current standards for animals before, during and after major surgery. Moreover, the proposed hospital must be assessed as fit for purpose and conditions may be imposed by the Board in order to limit the types of major surgery performed.

All licences are subject to the condition that when inspected, the hospital must be found to comply with minimum standards or any other conditions imposed by the Board. Hospitals not meeting this condition may be subject to further conditions. Failure to comply with conditions on a licence may lead to action by the Board to suspend or cancel a licence.

The Act (s 74) details the circumstances in which the Board must cancel a hospital licence (s 74(1)) and where it may suspend or cancel a hospital licence (s 74(2)). Section 74 also sets out the requirements for notice the Board must give when considering suspension or cancellation of a licence.

Purpose

The intent of this policy is to provide clarification on the circumstances in which a hospital licence may be suspended or cancelled and to ensure that any hospital licence suspension or cancellation is in accordance with the legislation.

This policy does not apply to a hospital which is temporarily closed. In such circumstances the licence will continue but the hospital will be noted to be closed and will not appear on the Board's public register of hospitals. The Board does not refund to the holder part of the annual licence fee for the period of temporary closure. The licence holder must renew the licence when required, even if the hospital is temporarily closed, unless they request the cancellation of the licence.

Policy

The Board must cancel a hospital licence if:

1. The holder of the licence is an individual who has died
2. The holder of the licence is a corporation or other body that has been wound up or otherwise ceased to exist

The Board may suspend a hospital licence for a period up to 12 months, or may cancel a hospital licence, if:

1. The annual licence fee is not paid
2. The holder of the licence is convicted of an offence under the Act or Regulation
3. The holder of the licence is a corporation, if any director or person concerned in the management of the corporation is convicted of an offence under the Act or Regulation
4. The holder of the licence is a firm that is a partnership, if any partner is convicted of an offence under the Act or Regulation
5. Any condition on the licence is breached
6. The holder of the licence is not an individual, the holder has ceased to be a corporation or firm in which one or more veterinarians has or have a controlling interest
7. The holder of the licence requests the cancellation.

Procedure when the Board must cancel a licence (s74(1))

1. Where the holder of the licence is an individual who has died, the Board will liaise with the superintendent of the hospital to enable the hospital to continue to provide veterinary services in accordance with its licence conditions for an agreed period to enable the licence to be transferred to another holder if appropriate.
 - a. Where the individual who has died was also the superintendent, the Board will accept an application for appointment of a superintendent approved by the executor of the estate. Unless approved by the Board, the period to enable the licence to be transferred to another holder will generally be limited to the expiry date of the licence or 3 months from the date of death, whichever is longer. The Board will require regular updates from the superintendent with respect to progress of the licence transfer.
 - b. The Board will cancel the licence if the transfer does not progress within the above period and provide notice of this cancellation in writing to the executor of the estate and the superintendent.

2. Where the holder of the licence is a corporation or other body that has been wound up or otherwise ceased to exist, the Board will cancel the licence and provide notice in writing to the veterinarians with a controlling interest in the licence, or the licence contact for licences exempt from this requirement, and to the superintendent.

Procedure when the Board may suspend or cancel licence (s74(2))

1. Where the holder of the licence requests the cancellation of the licence this will be processed on the date requested. If this date is after the expiry date of the licence the licence holder will be required to renew the hospital licence.
2. Where the Board suspends or cancels a licence in accordance with the Act (s 74(2)), the Board will:
 - a. Provide the licence holder with notice in writing of its intention to suspend or cancel the licence and include a statement that the holder of the licence may make submissions to the Board in response to the proposed suspension or cancellation within 14 days of the date of the notice
 - b. The Board will consider any submissions above prior to its decision on the suspension or cancellation of the licence
 - c. If the Board determines the licence will be suspended or cancelled the date for cancellation of the licence must be at least 4 weeks from the date of this written notice
3. Where the licence has been granted for premises which are known to operate for a specific period only or which will only be able to be fit for purpose for a specified period:
 - a. The licence is deemed to be cancelled or suspended when the premises no longer meet the minimum requirements or are no longer able to demonstrate fitness for purpose in accordance with licence conditions
 - b. The Board will charge an application fee for each licence application made after the licence for these premises is cancelled or suspended as above but will only apply one annual licence fee.

Monitoring

The monitoring of hospital licence suspensions and cancellations and compliance with this policy will be achieved through:

1. Regular audits of licence holders
2. Regular reports on communications with licence holders, superintendents and Executors in accordance with this policy
3. Regular inspections of veterinary hospitals by the Hospital Inspector
4. Review of hospital annual returns
5. Complaint investigations

Training and Communication

The Registrar is responsible for ensuring that all persons who are involved in making a decision in relation to veterinary hospital licence types receive training in this policy.

Conflict of Interest

Members of the Board must comply with the Code of Conduct for Board Members in relation to decisions regarding hospital licence types.

Review

This policy shall be reviewed annually or as required to ensure that it remains appropriate to the operations of the Board and compliant with the relevant legislation.