

# Veterinary Board of Tasmania

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Annual Report  
2017-2018

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The Annual Report of the Veterinary Board of Tasmania is submitted to the Minister for Primary Industries and Water in accordance with section 6 of the *Veterinary Surgeons Act 1987*.



Dr N L Leighton BVSc MACVSc

Chairman

Date: 20 September 2018

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# Veterinary Board of Tasmania

## Annual Report 2017-2018

### Preamble

The *Veterinary Surgeons Act 1987* provides for the registration of veterinary surgeons, the regulation of the practice of veterinary surgery and incidental matters.

The Veterinary Board of Tasmania consists of five members appointed by the Minister for Primary Industries and Water. They are:

- three registered veterinary surgeons who have their primary place of business in Tasmania;
- a registered veterinary surgeon employed in the Department of Primary Industries, Parks, Water and Environment (DPIPWE) and nominated by the Secretary; and
- a consumer of veterinary services.

Primary functions of the Board are:

- to maintain and review standards for registration of veterinary surgeons, veterinary specialists, and veterinary service companies;
- to ensure that registered veterinary surgeons and registered veterinary specialists provide veterinary services in a competent manner;
- to arrange, where it thinks necessary and in such manner as it thinks appropriate, for the examination of persons seeking to become registered;
- to arrange, where it thinks necessary, for the inspection of veterinary establishments; and
- to hear and determine any inquiry under Part VI (Disciplinary Proceedings) of the Act.

The Board may also approve qualifications for persons seeking to become registered (s5A); and, by notice, may declare veterinary service standards (s5B).

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## The Board

Board members are appointed by the Minister for a three year term. The terms of the current Board members expire on 30 June 2019.

In July 2017 Dr Andrew Davis, the DPIPWE nominee tendered his resignation and Dr Mary Lou Conway was appointed as the nominee of the Secretary DPIPWE. The Board thanks Dr Davis for his service to the Board in 2016-2017 and wishes him well in his new employment.

The members are:

Dr Neil Leighton (Chair)	Practitioner member
Dr Jane Dunnett (Deputy Chair)	Practitioner member
Dr Tering Davies	Practitioner member
Dr Mary Lou Conway	Nominee of the Secretary DPIPWE
Ms Bernadette Ulbrich-Hooper	Consumer of veterinary services

## Meetings

During the year the Board met on the following occasions:

Meeting	Date	Location	Attendance
119	17 August 2017	Prospect	4
120	19 December 2017	Prospect	5
121	20 March 2018	New Town	5
122	21 June 2018	Devonport/Hobart	5

The Board members also perform Board duties out of session as required.

The Board is fortunate to be able to use DPIPWE offices for its meetings.

## Registrar

The Registrar, Mrs Anne Horner, is appointed to a part time contract position in accordance with s7(1)(a) of the Act.

## Legislation

There were no changes to the *Veterinary Surgeons Act* or *Regulations* during the year.

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## Registrations

To practise veterinary surgery or provide a veterinary service in Tasmania, a person must be registered as a veterinary surgeon with the Veterinary Board of Tasmania; or, if not permanently resident in Tasmania, must be registered as a veterinarian in another state or territory (see National Recognition of Veterinary Registration (NRVR) p.5). Registration may be renewed for each financial year.

During the year, 32 new registrations were received and as at 30 June 2018 there were 301 registered veterinary surgeons entered on the Veterinary Register of Tasmania.

	2013-14	2014-15	2015-16	2016-2017	<b>2017-18</b>
New Registrations	19	29	26	32	<b>32</b>
Registered at 30 June	252	267	265	284	<b>301</b>

Cancellations of registrations are made under the following circumstances:

- where the Board becomes aware that the registrant has died; or
- at the request of the registrant due to retirement from practice, departure from the state, or other reason for non-practice in this state; or
- by the Board due to non-payment of the annual registration renewal fee following service of the renewal advice notice.

Twenty six vets indicated they would not be renewing for 2018-19. The cancellation of their registration takes effect from 1 July 2018. The main reasons for non-renewal are relocation interstate or overseas for work, retirement or parental leave. One retired vet died during the year.

### ***Recognised qualifications***

The Act provides that a person is qualified to be registered as a veterinary surgeon if the person has attained a qualification approved by the Board, and is a fit and proper person to practise as a veterinary surgeon in Tasmania.

The Board has approved the qualifications recognized by the Australasian Veterinary Boards Council Inc. (AVBC) as providing a holder with eligibility to apply for registration as a veterinary surgeon in Australia and New Zealand without further examination. The full list of qualifications is set out on the AVBC website, but in summary, all Australian and New Zealand veterinary degrees are approved:

Accredited faculties:

- University of Sydney
- Murdoch University (WA)
- Charles Sturt University (NSW)
- Massey University (NZ)
- University of Melbourne
- University of Queensland
- James Cook University (Qld)
- University of Adelaide

Overseas trained veterinarians who have been awarded the Australian National Veterinary Examination Certificate (NVE) or the New Zealand National Veterinary Examination Certificate (NZNVE) are also recognized. The NVE is administered by the AVBC. Upon successful completion

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of the NVE a candidate is issued with a certificate as proof that they have satisfied the examination requirements.

Subject to some requirements, degrees and qualifications obtained overseas from universities and colleges accredited by the following bodies are also recognized:

- Royal College of Veterinary Surgeons (RCVS) United Kingdom
- American Veterinary Medical Association (AVMA)
- South African Veterinary Council (University of Pretoria).

### ***Specialist Registration***

The Board has the power to register veterinary specialists in an approved speciality. Two veterinary specialists were registered during the 2017-2018 year. One is a specialist in Small Animal Surgery, and the other is a specialist in Cattle Management and Diseases.

A number of interstate registered veterinary specialists provide visiting specialist services in Tasmania under NRVR.

## **National Recognition of Veterinary Registration (NRVR)**

NRVR has been enacted in Queensland, New South Wales, Victoria, South Australia and Tasmania. This means that a Tasmanian vet may undertake locum work or short term work in those states without being required to hold registration there. NRVR has yet to be enacted in Western Australia, the Northern Territory and the Australian Capital Territory.

Under NRVR, Tasmania recognises all other states and territories' "full" or "general" registration, so interstate registered vets may undertake locum or short term work in Tasmania without being registered in Tasmania. (However, some jurisdictions issue limited or specific forms of registration to persons who may not otherwise be eligible for full registration. Such forms of registration are not recognised under NRVR.)

If an interstate registered vet moves to Tasmania, while they may work initially here under NRVR, they need to be registered in Tasmania within a reasonable time of settling here.

## **Australasian Veterinary Boards Council Inc.**

The Australasian Veterinary Boards Council Inc. (AVBC) is a legal entity which has authority to speak and act on behalf of all veterinary registering authorities in Australia and New Zealand. Although it has no legislative power to impose any decisions made at meetings on any participating Boards, it has a valuable advisory function and makes recommendations to the Boards in the areas of:

- the accreditation of veterinary schools and courses leading to a degree in veterinary science or medicine;
- assessment of suitability for practice in Australia and New Zealand of persons with foreign qualifications, including the running of the NVE;
- uniform criteria for recognition of qualifications for registration;
- provision of advice on matters concerning the occupational regulation of veterinarians, including general and specialist registration; and
- encouraging harmonisation of the standards, regulations and quality assurance of veterinary services provided to the community in all jurisdictions.

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The state and territory Veterinary Boards of Australia, the Veterinary Council of New Zealand and the Australian Veterinary Association (AVA) and the New Zealand Veterinary Association Ltd (NZVA) are members of AVBC.

AVBC members have discussions bimonthly, primarily by teleconference, with a face to face meeting for the AVBC AGM. The AVBC delegate, Dr Mary Lou Conway, and the registrar attended the AGM, ordinary meeting and strategic planning day which were held in Brisbane in May 2017.

Commencing in 2016, the AVBC hosts a national portal 'Search for Registered Veterinarians in Australia'. This portal provides a list of registered veterinarians in each Australian state and territory, as provided periodically by the registration boards. The Tasmanian list is updated quarterly.

The AVBC is financed by a levy on participating jurisdictions, based on the number of veterinary surgeons holding primary registration in that jurisdiction.

## Exemption from Registration

Section 11 of the Act makes it an offence for a person to engage in the practice of veterinary surgery or render a veterinary service unless that person is a registered veterinary surgeon.

There are some exceptions to the offence provision, including veterinary students acting under the direct supervision of a registered veterinary surgeon and any other 'prescribed case'. The penalty for breach of section 11 is a fine not exceeding 50 penalty units.

### *Section 13 exemption*

Section 13 provides that an individual may apply to the Board for exemption from the operation of section 11 in relation to a specific veterinary service.

As at 30 June 2018, there are four exemptions in place:

- An exemption under s13 has been granted annually since 1994-95 to an artificial breeding operator to enable him to perform laparoscopic artificial insemination of sheep.
- An exemption under s13 has been granted annually since 2007 to an overseas trained veterinarian employed by an interstate pharmaceutical company. The exemption is limited to the diagnosis of pig and poultry conditions and is conditional upon the person holding limited registration with the NSW Veterinary Practitioners Board.
- An exemption under s13 was granted to an overseas trained veterinarian employed by the Commonwealth Department of Agriculture and Water Resources, as an On-Plant Veterinary Officer in Tasmania.
- An exemption under s13 was granted to nine DPIPW employees in the Natural and Cultural Heritage Division for the purposes of providing certain services to wildlife.

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### ***Regulation 5(2) exemption***

Regulation 5 prescribes two categories of persons who are exempted from the provision of s11.

- National Veterinary Exam candidates: reg. 5(2)  
An overseas trained vet studying for the final clinical National Veterinary Exam (NVE) is allowed to practise veterinary surgery without being registered, provided he or she is working under the direct supervision of a registered veterinary surgeon. The person must seek approval from the Board prior to commencing work.
  
- Research and teaching: reg. 5(4)  
Students and scientists at a licensed research institution (for example, the University of Tasmania), may provide a veterinary service for the purposes of teaching or research, if the work is part of a research project approved by an Animal Ethics Committee.  
The researchers must -
  - be assessed as competent by a registered veterinary surgeon in a particular technique required for a research project and be acting within the authority of that veterinary surgeon; or
  - be supervised by and providing the veterinary service in the presence of a registered veterinary surgeon.

In either situation, the veterinary surgeon must be nominated by the licensed institution.

## **Veterinary Service Standards**

Section 5B of the Act provides that the Board may declare veterinary service standards (VSS) which may specify the standards of service to be provided, and the rules of conduct to be observed by a veterinary surgeon in carrying on the practice of veterinary science.

VSS are enforceable and contravention of a VSS may be the basis of a finding that a veterinary surgeon is guilty of misconduct in a professional respect.

The 2017 review of the *Supply of Prescription Animal Remedy (PAR) Veterinary Drugs* (2000) was finalised and the replacement Standard *Supply and Use of Drugs in Veterinary Practice* was declared by notice in the *Gazette* on 30 August 2017.

The supporting *Guide for the Dispensing and Supply of Drugs and Poisons by Veterinary Surgeons* (2001) was also reviewed during the year and replaced in February 2018 by updated guidelines: *Veterinary Surgeons' rights, duties and responsibilities under the Poisons Act & Regulations*.

There are now four enforceable Veterinary Service Standards:

- Standard of Professional Conduct (2016)
- Standards of Veterinary Premises (2014)
- Record Keeping by Veterinary Surgeons (2013)
- Supply and Use of Drugs in Veterinary Practice (2017)

In addition to the above mentioned Standards, the Board also endorses the

- Code of Practice for the Supply and Use of Veterinary Products (updated 2016) issued by DPIPWE.

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## Veterinary Practice Inspections

The Board inspectors carry out practice inspections on a five yearly cycle or as required. For example, additional inspections are carried out for new practices, if practices have had major renovations or if practices have changed ownership.

During the year 15 inspections were carried out across the State - South: 8; North: 3; North West 4. The inspection program included a visit to King Island.

The inspectors assess the practices against the Standards and in particular look at:

- the physical premises, including vehicles if a mobile practice;
- consultation, treatment and separate surgery rooms;
- the equipment including sterilisers, imaging and anaesthesia machines;
- the pharmacy including the recording and storage of drugs;
- record keeping and continuing education.

The inspectors have an educative role as well as an inspectorial role and actively provide feedback to practices as to improvements and best practice. The Board considers the inspection reports and makes recommendations for follow up as necessary.

## Communication

### Website

The Board has a website established within the website of DPIPWE. The site provides information for the members of the profession and the public.

The following information is provided:

- Membership of the Veterinary Board
- The Board's *Standards of Veterinary Practice*
- Instructions for making complaints
- The Board's newsletters and news items
- Details of services provided by the Board
- Details regarding Veterinary Service Entities
- Registration application forms
- Fees and charges
- An extract from the Veterinary Register of Tasmania (updated quarterly).

### Newsletters

The Board issued a Newsletter in December 2017.

### Meet the Profession Meeting

The Board held a Meet the Profession-Meet the Board meeting in Burnie in June 2018. Veterinary surgeons based in the north western region were invited to attend to meet the Board members and discuss matters of interest.

### Information Sheets and news items

The Board periodically circulates news items including approved research survey requests via email and the website. The email list is updated as part of the annual registration renewal process and emails are sent to most veterinary surgeons as necessary.

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## Poisons Act 1971

Veterinary Surgeons are subject to the *Poisons Act 1971* and *Poisons Regulations 2008* in relation to their responsibilities for scheduled substances under that Act. The Board has regularly liaised with the Chief Pharmacist, Pharmaceutical Services Branch, Department of Health and Human Services in relation to matters arising under the Poisons legislation and Therapeutic Goods Administration throughout the year.

## Complaints

A function of the Board is to hear and determine any inquiry under Part VI of the Act (Disciplinary Proceedings). A complaint may be made to the Board by any person against a registered veterinary surgeon or a person who was previously registered as a veterinary surgeon. The Board does not deal with complaints relating to veterinary fees or compensation.

One complaint was carried over from the previous year and nine complaints were received during the year. The Board initiated an own motion investigation into a person who was previously registered as a veterinary surgeon.

Complaints related mainly to small animal practice (dogs: 6 and cats: 3). There were no complaints relating to large or production animal practice.

Of these, nine matters were finalised and two have been carried over to 2018-19.

### Complaint Outcomes:

Dismissed: No further investigation warranted	1
Dismissed: After investigation Recommendations as to record keeping and clinical notes	4
S48 Informal proceedings: No adverse finding - Dismissed: Recommendations as to record keeping and clinical notes.	1
S48 Informal proceedings: Adverse finding against vet - Caution: Recommendations as to record keeping and clinical notes	1
S44 Inquiry: Finding of misconduct in a professional sense: - Reprimand and conditions on registration.	1
- As the person is no longer registered, an order under s46(9) that the person is not eligible to apply for registration before 1 January 2019.	1
Carried over to 2018-19	2
<b>TOTAL</b>	<b>11</b>

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## Financial Report

### *Approved Fees 2017-2018*

The Board is responsible for its expenses 'incurred in the administration of the Act' and has the authority to approve the fees under the Act. The Board also has the power to waive or reduce fees.

Section 57 of the Act provides that fees are payable to the Board and are not required to be paid into the Consolidated Fund. Further, to provide for scrutiny of the Board's approval of the fees, s57(4) provides that the relevant provisions of s47 of the *Acts Interpretation Act 1931* apply to an approval by the Board of fees payable under the Act. This means that the approved fees are published in the *Tasmanian Government Gazette* and tabled in both Houses of Parliament.

The Board reviewed the fees and decided that there would be no increase for the 2018-19 registration period. The current fees (as approved in August 2015) are:

#### **Schedule**

Column 1 - Item No.	Column 2 – Description	Column 3 – Fee \$
1.	Application for exemption under section 13 of the Act	590
2.	Application for registration under section 18 of the Act as a veterinary surgeon (plus pro-rata of initial registration fee under s21A)	120
3.	Application for registration under section 18 of the Act as a veterinary specialist (must be registered as a veterinary surgeon)	200
4.	Provisional registration under section 19 of the Act (plus pro-rata of initial registration fee under s21A)	120
5.	Temporary registration under section 20 of the Act (out of session fast track fee only payable if registration required within 10 business days of receipt of application)	80
6.	Initial registration fee under section 21A of the Act – (a) Full year (b) Three quarters of year (c) Second half of year (d) Final quarter of year	384 288 192 96
7.	Annual registration fee under section 22 of the Act (renewal)	384
8.	Application for approval under reg. 5(2) NVE candidate exemption	120
9.	Late fee (in addition to renewal fee) section 22(1A)	70

## Auditors' Report 2017-2018

*Max Peck and Associates* ABN 40 322 767 816

Principal: Rendell W Ridge B.Ec Registered Company Auditor #161503

### **Independent auditor's report To members of Veterinary Board of Tasmania**

I have audited the special purpose financial report of Veterinary Board of Tasmania for the year ended 30 June 2018.

#### **Audit Opinion**

In my opinion, the special purpose financial report of Veterinary Board of Tasmania presents fairly in accordance with applicable Accounting Standards and other mandatory professional reporting requirements in Australia the financial position of the Board as at 30 June 2018 and the results of its operations and its cash flows for the year then ended.

#### **Management Committee's Responsibility for the Financial Report**

The Management Committee is responsible for preparation and fair presentation of the special purpose financial report and information contained therein. This responsibility includes establishing and maintaining internal controls relevant to preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

#### **Auditor's Responsibility**

My responsibility is to express an opinion on the financial report based on my audit. I have conducted my audit in accordance with Australian Auditing Standards to provide reasonable assurance as to whether the accounts are free of material misstatement. My procedures included examination, on a test basis, of evidence supporting amounts and other disclosures in the accounts, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material respects, the financial statements are presented fairly in accordance with Australian Accounting Concepts and Standards and other mandatory professional reporting requirements (Urgent Issues Group Consensus Views) (where applicable), and statutory requirements so as to present a view which is consistent with my understanding of the Board's financial position and the results of its operations and cash flows.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

#### **Independence**

To the best of my knowledge and belief, there has been no contravention of auditor independence and any applicable code of professional conduct in relation to the audit.

#### **Limitation of Scope**

As is common for organisations of this type, it is not practicable to establish complete accounting control over cash received from all of its activities. Verification therefore has been limited to the receipt of funds recorded in the Board's financial records.

MAX PECK & ASSOCIATES



Rendell W. RIDGE  
9 August 2018

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## Special Purpose Financial Report

### Income and Expenditure Statement 01/07/2017 - 30/06/2018

<b>REVENUE</b>		
Registration renewal fees	\$108,554.00	1
New registrations, exemptions	\$13,648.00	
Services	\$1,000.00	2
GST on services	\$0.00	
GST refunded by ATO	\$1,634.00	
Interest Bus Online A/C	\$301.13	
Interest Term Deposits	\$1,189.27	
Miscellaneous	\$3,479.27	
<b>Total revenue</b>	<b>\$129,805.67</b>	
<b>EXPENDITURE</b>		
Registrar contract	\$57,072.00	
Registrar/Board admin expenses	\$1,006.34	3
Board sitting fees / travel expenses	\$10,508.55	4
Bank fees	\$122.50	
Inspections	\$4,600.98	
GST on Purchases	\$1,378.31	
GST on Services to ATO	\$0.00	
PAYG	\$3,796.00	5
AVBC levy	\$7,383.64	6
Workers' compensation	\$1,383.59	
Audit fee	\$525.00	
Meeting expenses	\$1,033.62	
Miscellaneous	\$3,921.99	
<b>Total expenditure</b>	<b>\$92,732.52</b>	
I-Y: Operating profit	\$37,073.15	
<b>Add balances brought forward:</b>		
Operating Accounts 1/7/17	\$99,570.99	
Term Deposits 1/7/17	\$134,317.58	
<b>Balance carried forward</b>	<b>\$270,961.72</b>	
<b>Balance represented by:</b>		
Operating accounts balance 30/06/2018	\$55,454.87	
Term deposit balances 30/06/2018	\$215,506.85	
<b>Net position 30/06/2018</b>	<b>\$270,961.72</b>	

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Notes:

1. The annual renewal fee for 2017-18 was \$384 (no change from 2016-17). There were 279 veterinary registration renewals, and three S13 application renewals.
2. The Board charges an administrative fee for services (Letters of Good Standing, copies of the Register; and for follow-up practice inspections).
3. The Board reimburses administrative expenses incurred by the registrar in carrying out the Board's functions– for example: telephone, internet, stationery, postage costs.
4. The Board is responsible for Board members' remuneration (sitting fees) and expenses. The amount shown reflects the after tax sitting fees and travel expenses for four Board meetings (double sessions) and a Meet the Profession meeting. The fee per meeting as approved by the Minister was \$448 (chair) and \$340 (members) (increased in 2017 by \$9 and \$7 respectively.) Travel expenses are paid at the government rate. The DPIPWE member does not receive a sitting fee.
5. The Board is responsible for Board members' ATO PAYG for sitting fees.
6. The Board pays an annual levy (plus GST) to the AVBC in January each year based on the number of registered vets as at 30 June of the preceding year.

## Other Statutory requirements

No requests were received by the Board under either the *Right to Information Act 2009* or *Personal Information Protection Act 2004* during the year.

## Demographics of the Profession

As part of the registration renewal process, registered vets are requested to provide information on their practice for the preceding year. The figures from 2013 onwards relate to Tasmanian vets only, as there is no longer a category of secondary registration for visiting interstate vets.

The information headed '2018' in the table relates to the 2017-18 year. The figures are quoted as a percentage (%) of survey respondents.

Survey forms distributed	280
Survey forms completed	215

Year of Renewal	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
<b>Work Status</b>										
Full time	67	65	63.3	63.0	54.9	54.5	57.1	52.2	52.4	54.0
Part time	21	23	25.8	28.0	35.1	35.0	34.2	37.4	41.3	39.5
Retired	12	12	10.9	8.9	9.9	10.5	8.7	10.4	6.3	6.5
<b>Work Location</b>										
Tasmania	67	68	70.6	68.4	93.1	95.2	95.7	97.0	92.0	89.6
Tasmania & Interstate/overseas	26	24	21.3	24.6	5.2	3.6	3.7	1.8	7.5	9.5
Interstate/Overseas	7	8	8.1	6.9	1.7	1.2	0.6	1.2	0.5	0.9
<b>Type of Employment</b>										
Private Practice	80	83	80.2	83.1	83.1	85.1	86.1	83.4	81.7	83.8
University	2	1	.09	0.4	0.5	0.6	0.6	1.2	2.2	1.0
Government Service	9	8	8.1	7.1	11.5	8.9	9.1	9.9	11.1	7.1
Industry	4	3	4.1	3.1	1.1	1.8	0.6	1.2	1.1	1.5
Other	5	5	6.8	6.7	3.8	3.6	3.6	4.3	3.9	6.6
<b>Type of Practice/Work (Major Activity)</b>										
Large Animal	9	7	9.6	6.8	2.2	3.6	4.5	2.4	5.5	2.4
Small Animal	40	41	40.2	37.4	46.2	48.6	48.3	50.9	53.2	49.0
Mixed Practice	27	25	27.4	28.1	34.2	31.5	28.4	27.9	24.4	27.6
Equine	6	9	6.8	6.8	4.9	4.0	4.5	3.0	3.3	4.9
Aquaculture	3	3	3.7	2.1	1.6	2.4	1.1	1.8	1.6	2.9
Regulatory/Advisory	4	4	3.2	3.8	3.8	4.1	6.3	6.7	5.0	4.9
Consultancy	2	1	1.8	3.4	1.1	0	0.6	1.2	1.6	1.9
Research/Laboratory	3	3	2.3	2.1	1.6	1.7	1.1	1.2	1.6	1.0
Industry	2	2	0.9	0.8	0	0	0	0	0	1.0
Avian/Poultry	1	1	0.9	0.8	0	0	0	0	0	0
Other/Specialist	2	3	1.8	4.3	0	0	0.6	0	0.5	0
Non-Veterinary	1	1	1.4	0.8	1.1	1.7	1.7	1.2	0	1.0
Wildlife				2.1	3.3	2.4	2.8	3.0	3.3	1.9
Teaching				0.4	0	0	0	0.6	0	1.5
Average weekly hours worked *	37.5	38.2	34.8	30.9	43.4 18.6	41.9 19.2	44.0 20.0	44.0 20.7	41.9 18.4	41.70 20.77

**Note** \* Only 74% of 2018 respondents provided an hours worked / week estimation for 2017-18.

Full time and part time hours are shown separately for 2013 onwards.