

NOTICE 868 OF 2009**DEPARTMENT OF AGRICULTURE****VETERINARY AND PARA-VETERINARY PROFESSIONS ACT, 1982
(ACT No. 19 OF 1982)****RULES RELATING TO THE PRACTISING OF THE VETERINARY
PROFESSIONS**

It is hereby made known for general information that -

- (a) the South African Veterinary Council has under section 30(1) of the Veterinary and Para-Veterinary Professions Act, 1982 (Act No. 19 of 1982), amended the Rules Relating to the Practising of Veterinary Professions published by Government Notice No. R 34 of 18 January 2002 to the extent set out in the Schedule hereto; and
- (b) the Minister of Agriculture, has under section 30(3) of the said Act approved the amendment; and
- (c) the said amendment shall come into operation on date of publication.

H. KRUGER,

Registrar: South African Veterinary Council

SCHEDULE

1. In this Schedule "Rules" means the Rules Relating to the Practising of Veterinary Professions under the Veterinary and Para-Veterinary Professions Act, 1982, published under Government Notice No. R 34 of 18 January 2002, and any word or expression to which a meaning has been assigned in the Rules shall have that meaning, unless the context otherwise indicates.

Amendment of rule 1

2. Rule 1 of the Rules is hereby amended -

- (a) by the substitution for the definition of "**advertisement**" of the following definition:

"**advertisement**" means any form of communication including computer accessed communication in the media or any other visual or verbal announcement by a veterinary professional or veterinary group, whether paid for or not, which is intended to be read, heard or seen by members of the public with a view to direct attention to the services provided by such veterinary professional or veterinary group; "

- (b) by the insertion of the following definition of "**computer-accessed communication**" after the definition of "**complaint**"

"**computer-accessed communication**" means any communication made by or on behalf of a veterinary professional or veterinary group that is disseminated through the use of a computer or related electronic device, including, but not limited to, web sites, weblogs, search engines, electronic mail, banner advertisements, pop-up and pop-under advertisements, chat rooms, list servers, instant messaging, or other internet presences, and any attachments or links related thereto."

- (c) by the insertion of the following definition of "**principal**" after the definition "**mobile animal service**"

"**principal**" means the veterinary professional in whose name the veterinary facility is registered."

Insertion of rule 3A

3. The Rules are hereby amended by the insertion of the following heading and rule after rule 2A:

“Exceptions in respect of importing, exporting and applying for the registration of veterinary medicine

3A. The provisions of rule 2 shall not be construed so as to prohibit an appropriately qualified person from importing, exporting or applying for the registration of veterinary medicine.”

Amendment of rule 4

4. Rule 4 is hereby amended by the substitution for subrule (3) of the following subrule:

“(3) All persons practising veterinary professions are working for the same good cause, irrespective whether they are in private practice or in the service of an employer, and they shall therefore co-operate with each other and the authorities concerned to promote that cause.”

Amendment of rule 8

5. Rule 8 is hereby amended by the substitution for subrule (2) of the following subrule:

“(2) Subject to rule 8 (3) a veterinary professional shall not –

- (a) place his/her professional knowledge at the disposal of a member of the public or a lay organisation; or
- (b) be involved in co-operation or collaboration with a member of the public or a lay organisation;

if unlawful or irregular practices are or may be encouraged thereby or it may adversely affect a veterinary professional.”

Amendment of rule 14

6. Rule 14 is hereby amended by the substitution for subrule (5) of the following subrule:

“(5) The Council shall, after consideration of the case, determine the amount that in its opinion should have been charged for the service to which the account related and notify the applicant and the person who furnished the account thereof in writing.”

Amendment of rule 15

7. Rule 15 is hereby amended by the substitution for subrule (6) of the following subrule:

“(6) The responsibility for ensuring that a group advertisement complies with the standards required by these rules shall be borne by the Chairperson or President, and executive committee of the group and in all other cases by the veterinary professional submitting the advertisement.”

8. Rule 15 is hereby further amended by the substitution for paragraph (d) of subrule (7) of the following paragraph:

“(d) have fees and incentives that relate to any services that pertain specially to the veterinary profession as the subject of any advertisement. Prices of products, merchandise and foodstuffs sold and services that do not pertain specially to the veterinary profession rendered at the facility may, however, be advertised. Incentives including the word “discount” may be used when advertising such products, merchandise and foodstuffs and non-veterinary services provided that the advertisement clearly states that incentives and discounts do not apply to any services that pertain specially to the veterinary profession.”

9. Rule 15 is hereby further amended by the insertion of subrules (12) and (13) after subrule (11):

“(12) A veterinary professional shall not utilise a pop-up or pop-under advertisement in connection with computer accessed communications other than on the veterinary professional’s own web site or other internet presence.

(13) A veterinary professional may refer to the Guideline of Tariffs published on the Council’s website www.savc.co.za and may create a link to the relevant webpage in computer accessed communications. “

Amendment of rule 19

10. Rule 19 is hereby amended by the substitution of subparagraph (i) of paragraph (a) of subrule (2) of the following subparagraph:

“(i) the words "veterinary or animal consulting room";

Amendment of rule 26

11. Rule 26 is hereby amended by the insertion of the following subrule after subrule (2):

“(3) Veterinary professionals attending to racing horses, excluding horses on spelling farms or studs registered with the National Horse Racing Authority of Southern Africa shall –

(a) complete a veterinary case sheet in duplicate containing the following information –

(i) premise identification;

(ii) patient identification;

(iii) diagnosis;

(iv) treatment; and

12. Rule 26 is further amended by the insertion of subrule (8) after subrule (7) of the following subrule:

“(8)(a) The principal of a veterinary facility will be responsible for confirming the identity of the attending veterinary professional to Council, where a complaint is lodged against his/her veterinary facility.

(b) Should the principal of a facility fail to comply with the provisions of Rule 8(a), he/herself will than be held accountable for any unprofessional conduct arising from such a complaint.”

13. Rule 26 is further amended by the deletion of subrule (12).

Amendment of rule 29

14. Rule 29 is amended by the substitution of paragraph (b) of subrule (2) of the following paragraph:

“(b) be constructed of materials that are impervious and that can be cleansed and disinfected;”

Amendment of rule 31

15. Rule 31 is amended by the substitution of subrule (5) of the following subrule:

“(5) Aseptic conditions shall be maintained in the operating room, which include the use of sterilised gowns, gloves, masks, caps and drapes, and the sterilisation and re-sterilisation of all surgical instruments at least every three weeks. In case of routine surgery, that is not complicated abdominal, orthopaedic or cardio-vascular surgery, sterilised gowns may be dispensed with.”

Amendment of rule 32

16. Rule 32 is amended by the substitution of subrule (2) of the following subrule:

“(2) Aseptic conditions shall be maintained in the operating room, which include the use of sterilised gowns, gloves, masks, caps and drapes, and the sterilisation and re-sterilisation of all surgical instruments at least every three weeks. In case of routine surgery, that is not complicated abdominal, orthopaedic or cardio-vascular surgery, sterilised gowns may be dispensed with.”

17. Rule 32 is further amended by the substitution of subrule (9) of the following subrule:

“(9) An area in which patients can be exercised, and is designed and constructed in a manner which will prevent escape and promote the maintenance of hygiene.”

Amendment of rule 33

18. Rule 33 is amended by the substitution of subrule (2) of the following subrule:

“(2) Aseptic conditions shall be maintained in the operating room, which include the use of sterilised gowns, gloves, masks, caps and drapes, and the sterilisation and re-sterilisation of all surgical instruments at least every three weeks. In case of routine surgery, that is not complicated abdominal, orthopaedic or cardio-vascular surgery, sterilised gowns may be dispensed with.”

19. Rule 33 is further amended by the substitution of subrule (6) of the following subrule:

“(6) An area in which patients can be exercised, and is designed and constructed in a manner which will prevent escape and promote the maintenance of hygiene.”

Amendment of rule 37

20. Rule 37 is amended by the substitution of subrule (9) of the following subrule:

“(9) Thereupon the inquiry body shall deliberate *in camera* upon the penalty to be imposed, and the chairperson shall then inform the respondent of the inquiry body's decision regarding the penalty.”