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# STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

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REPUBLIC OF SOUTH AFRICA

# GOVERNMENT GAZETTE

*As 'n Nuusblad by die Poskantoor Geregistreer*

*Registered at the Post Office as a Newspaper*

**PRYS (AVB ingesluit) 30c PRICE (GST included)**  
**BUITELANDS 40c ABROAD**  
**POSVRY · POST FREE**

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Vol. 201]

KAAPSTAD, 5 MAART 1982

[No. 8051

CAPE TOWN, 5 MARCH 1982

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KANTOOR VAN DIE EERSTE MINISTER

OFFICE OF THE PRIME MINISTER

No. 342.

5 Maart 1982.

No. 342.

5 March 1982.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 19 van 1982: Wet op Veterinêre en Para-veterinêre Beroepe, 1982.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 19 of 1982: Veterinary and Para-Veterinary Professions Act, 1982.

VETERINARY AND PARA-VETERINARY PROFESSIONS  
ACT, 1982

Act No. 19, 1982

**ACT**

To provide for the establishment, powers and functions of the South African Veterinary Council; for the registration of persons practising veterinary professions and para-veterinary professions; for control over the practising of veterinary professions and para-veterinary professions; and for matters connected therewith.

*(English text signed by the State President.)  
(Assented to 16 February 1982.)*

**BE IT ENACTED** by the State President and the House of Assembly of the Republic of South Africa, as follows:—

1. In this Act, unless the context otherwise indicates—
- 5 (i) "animal" means any vertebrate other than man; (ii)  
(ii) "council" means the council established by section 2;  
(vi)  
(iii) "Minister" means the Minister of Agriculture and Fisheries; (iv)  
10 (iv) "officer" means an officer as defined in section 1 of the Public Service Act, 1957 (Act No. 54 of 1957); (i)  
(v) "para-veterinary profession" means a profession referred to in a notice under section 21; (v)  
(vi) "prescribe" means prescribe by regulation; (xiv)  
15 (vii) "registrar" means the Registrar appointed in terms of section 14; (viii)  
(viii) "regulation" means any regulation made under this Act; (ix)  
(ix) "rule" means any rule made by the council under section 30; (vii)  
20 (x) "student" means a person who is enrolled at a university or other educational institution in the Republic as a student for a degree, diploma or certificate prescribed under section 20; (x)  
(xi) "this Act" includes the regulations; (iii)  
25 (xii) "veterinarian" means any person who is registered or deemed to be registered in terms of this Act to practise the veterinary profession of veterinarian; (xi)  
(xiii) "veterinary profession" means the profession of veterinarian or veterinary specialist; (xii)  
30 (xiv) "veterinary specialist" means any person who is registered with a particular speciality in terms of this Act to practise the veterinary profession of veterinary specialist. (xiii)
2. (1) There is hereby established a council to be known as the  
35 South African Veterinary Council. Establishment of South African Veterinary Council.  
(2) The council shall be a juristic person.
3. The objects of the council shall be— Objects of council.  
(a) to regulate the practising of the veterinary professions

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- and para-veterinary professions and the registration of persons practising such professions;
- 5 (b) to determine the minimum standards of tuition and training required for degrees, diplomas and certificates entitling the holders thereof to be registered to practise the veterinary professions and para-veterinary professions;
- 10 (c) to exercise effective control over the professional conduct of persons practising the veterinary professions and para-veterinary professions;
- (d) to determine the standards of professional conduct of persons practising the veterinary professions and para-veterinary professions;
- 15 (e) to encourage and promote efficiency in and responsibility with regard to the practice of the veterinary professions and para-veterinary professions;
- (f) to protect the interests of the veterinary professions and para-veterinary professions and to deal with any matter relating to such interests;
- 20 (g) to maintain and enhance the prestige, status and dignity of the veterinary professions and para-veterinary professions and the integrity of persons practising such professions;
- 25 (h) to advise the Minister in relation to any matter affecting a veterinary profession or a para-veterinary profession.
4. The council may, in order to achieve its objects—
- 30 (a) acquire or hire movable or immovable property;
- (b) develop, mortgage, let, sell or otherwise dispose of or burden movable or immovable property of the council;
- (c) accept, draw, endorse, issue, make, pay or perform any other act in respect of negotiable instruments;
- (d) spend and invest funds of the council;
- 35 (e) enter into contracts;
- (f) exercise or perform any power or function conferred or imposed upon it by or under this Act or any other law;
- (g) generally take such other steps and perform such other acts as may be necessary for or conducive to the achievement of the objects of the council.
- 40 5. (1) The council shall consist of—
- (a) two officers designated by the Minister, of whom—
- (i) one shall be an officer of the Department of Agriculture and Fisheries who is a veterinarian or a veterinary specialist; and
- 45 (ii) one is, after consultation with the Minister of Justice, designated on account of his knowledge of law;
- (b) a representative of each university in the Republic which has a faculty of veterinary science, which representative shall be a professor or lecturer in veterinary science at such university and shall be designated by the rector or principal of such university;
- 50 (c) one representative of the South African Veterinary Association, which representative shall be a member of that Association and shall be designated by the said Association; and
- 55 (d) six persons elected in the prescribed manner:
- Provided that a person designated by an association of persons representing the persons practising any particular para-veterin-

Powers and  
functions of  
council.

Constitution  
of council.

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ary profession and recognized by the council for this purpose, shall be co-opted as a member of the council whenever a matter affecting the latter persons is dealt with by the council.

- 5 (2) (a) Notwithstanding the provisions of subsection (1) the persons who at the commencement of this section are members of the Veterinary Board referred to in section 1 of the Veterinary Act, 1933 (Act No. 16 of 1933), shall constitute the council for a period of six months after such commencement.
- 10 (b) If any person referred to in paragraph (a) vacates his office before the period mentioned in the said paragraph has expired, the council shall consist of the remaining members for the unexpired portion of that period.
- 15 (3) Whenever any designation in terms of subsection (1) (b) or (c) becomes necessary, the registrar shall request the rector or principal concerned or the South African Veterinary Association, as the case may be, in writing to designate within a specified period the person required to be designated in terms of
- 20 that subsection.
- (4) If the rector or principal concerned or the said Association fails to comply with such request within the said period, the Minister may designate any person holding the qualifications necessary for designation and whom he deems fit, to be a
- 25 member of the council in the place of the person required to be designated in terms of subsection (1) (b) or (c).
- (5) If at any time it appears to the Minister that the election of a member of the council did not in all respects take place in the prescribed manner, or that an irregularity occurred with regard
- 30 to such election, and if he is of the opinion that the omission to comply with the prescribed requirements, or the said irregularity, does not justify the annulment of the election, he may, in his discretion, condone such omission or irregularity, and may, notwithstanding such omission or irregularity, declare the election
- 35 of a member so elected, to be valid.

6. (1) No person shall be designated as a member of the council in terms of section 5 (1) (b) or (c) or elected as a member of the council by virtue of section 5 (1) (d) if—

Qualifications  
of members  
of council.

- 40 (a) he is not a veterinarian or a veterinary specialist;
- (b) he is not a South African citizen;
- (c) he is not permanently resident in the Republic;
- (d) he is a patient or a President's patient as defined in section 1 of the Mental Health Act, 1973 (Act No. 18 of 1973);
- 45 (e) his estate has been sequestrated or surrendered or he has entered into a composition with his creditors;
- (f) he has at any time been convicted of an offence in respect of which he was sentenced to imprisonment without the option of a fine and such sentence was not
- 50 suspended; or
- (g) he does not satisfy the prescribed requirements with regard to the election of members of the council.

(2) No person shall be qualified to be a member of the council if he has been convicted of improper or disgraceful conduct after

55 an inquiry under section 14 of the Veterinary Act, 1933 (Act No. 16 of 1933), or been found guilty of unprofessional, improper or disgraceful conduct after an inquiry under section 31 of this Act.

7. A member of the council shall hold office for a period of three years and shall at the expiration of his period of office by effluxion of time be eligible for redesignation or re-election.

Tenure of  
office of  
members of  
council.

8. (1) A member of the council shall vacate his office if—

(a) he ceases to comply with the requirements referred to in section 6;

Vacation of  
office and  
filling of  
vacancies.

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- (b) he is absent from two consecutive meetings of the council without the permission of the council;
- (c) he, in the case of a member designated in terms of section 5 (1) (a)—
- 5 (i) tenders his resignation in writing to the Minister; or
- (ii) ceases to be an officer;
- (d) he, in the case of a member designated in terms of section 5 (1) (b)—
- 10 (i) tenders his resignation in writing to the rector or principal of the university in question; or
- (ii) ceases to be a professor or lecturer in veterinary science at the said university;
- (e) he, in the case of a member designated in terms of section 5 (1) (c)—
- 15 (i) tenders his resignation in writing to the president of the council; or
- (ii) ceases to be a member of the South African Veterinary Association;
- (f) he, in the case of a member elected by virtue of section 5 (1) (d), tenders his resignation in writing to the president of the council; or
- (g) the Minister, at the request of or after consultation with the council, in the public interest terminates his membership.
- 25 (2) Any vacancy on the council arising from a circumstance referred to in subsection (1) or any vacancy caused by the death of a member shall be filled by designation or election, as the case may be, in the manner in which the member who vacates his office or dies was required to be designated or elected, and any member so designated or elected shall hold office for the unexpired portion of the period for which the member who vacates his office or dies was designated or elected.

- 35 9. (1) The persons who at the commencement of this section are the chairman and vice-chairman of the Veterinary Board referred to in section 1 of the Veterinary Act, 1933 (Act No. 16 of 1933), shall be the president and vice-president of the council until a president and vice-president are elected in terms of subsection (2).
- 40 (2) At the first meeting of every newly constituted council the members of the council shall elect a president and a vice-president from their number.
- (3) If the office of president or vice-president becomes vacant for any reason other than effluxion of time, the members of the council shall, at the first meeting after such vacancy occurred or as soon thereafter as may be convenient, elect from their number a new president or vice-president, as the case may be, and the member so elected shall hold office for the unexpired portion of the period for which his predecessor was elected.
- 45 (4) No member of the council shall hold the office of president or vice-president for longer than two consecutive terms of office.
- (5) If for any reason the president is not able to act, the vice-president shall perform all the duties and exercise all the powers of the president.
- 55 (6) The president or vice-president of the council may vacate his office without terminating his membership of the council.

President and vice-president of council.

10. (1) The council shall meet at least three times every year at such places as the president may determine, and shall in addition hold any special meeting referred to in subsection (2).
- 60 (2) (a) A special meeting of the council shall be convened by the president at the written request of the Minister or of at least three members of the council.
- (b) A special meeting shall be held at such place as the president may determine, within 30 days after the date of receipt of such request by the president.
- 65

Meetings of council.

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- (c) A request referred to in paragraph (a) shall clearly state the purpose for which the meeting in question is to be convened.
- (3) The majority of the members of the council shall constitute a quorum for a meeting of the council.
- (4) The president, or in his absence the vice-president, of the council shall preside at all meetings of the council at which he is present, and if both the president and the vice-president are absent from any meeting, the members present shall elect one of their number to preside at that meeting, and the person so elected may during that meeting perform all the functions and exercise all the powers of the president.
- (5) The person presiding at a meeting of the council shall determine the procedure at the meeting.
- (6) The decision of a majority of the members of the council present at any meeting thereof shall constitute the decision of the council: Provided that in the event of an equality of votes the member presiding at that meeting shall have a casting vote in addition to his deliberative vote.
- (7) No decision taken by the council or act performed under authority of the council shall be invalid by reason only of an interim vacancy on the council or by reason of the fact that a person who is not entitled to sit as a member of the council sat as a member at the time when the decision was taken or the act was authorized, if the decision was taken or the act was authorized by the requisite majority of the members of the council who were present at the time and entitled to sit as members.
11. (1) There shall be an executive committee of the council consisting of the president and two other members of the council designated by the council. Executive committee.
- (2) Subject to the provisions of this Act and the directions of the council, the executive committee may during periods between meetings of the council exercise all the powers and perform all the functions of the council.
- (3) The provisions of subsection (2) do not empower the executive committee to set aside or amend any decision of the council.
- (4) Any decision taken or act performed by or on the authority of the executive committee shall be of full force and effect, unless it is set aside or amended by the council at its first meeting following the meeting of the executive committee at which such decision was taken or such action was authorized.
- (5) The provisions of section 10 (3), (5), (6) and (7) shall *mutatis mutandis* apply to the executive committee.
12. (1) The council may from time to time establish such other committees as it may deem necessary to exercise such powers and perform such functions as may from time to time be conferred or imposed upon or delegated to them by the council. Other committees.
- (2) Each such committee shall consist of such number of persons, appointed by the council, as may be determined by the council.
- (3) The council shall designate a member of a committee, who shall also be a member of the council, as the chairman of that committee.
- (4) The provisions of sections 10 (3), (5), (6) and (7) and 11 (4) shall *mutatis mutandis* apply to a committee established under this section.
13. (1) Members of the council or of any committee referred to in section 11 or 12 may be paid out of the funds of the council in respect of their services as such members such travelling and subsistence allowances as the council may determine. Allowances of members of council and committees.
- (2) Any such allowance so paid to any member who is an officer shall be in accordance with the laws governing his employment by the State.

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14. (1) The council shall appoint a Registrar for the purposes of this Act. Appointment of registrar and staff.
- (2) Any power conferred upon, function assigned to or duty imposed upon the registrar by or under this Act or any other law, may be exercised, performed or carried out by the registrar personally or by another person appointed by the registrar with the approval of the council, who acts under the delegation, control or direction of the registrar.
- (3) The remuneration and other conditions of service of the registrar and any other person referred to in subsection (2) shall be determined by the council.
- (4) A person who is not proficient in both official languages shall not be appointed in terms of this section.
- (5) The council may with the approval of the Minister and on account of incapacity or neglect of duty reduce the remuneration of, suspend or dismiss the registrar or any other person appointed under subsection (2).
- (6) Notwithstanding the provisions of subsection (1), the officer appointed in terms of section 7 (1) of the Veterinary Act, 1933 (Act No. 16 of 1933), who is at the commencement of this section the registrar of veterinarians shall for a period of six months after that commencement be deemed to be the Registrar appointed in terms of subsection (1) of this section, and shall act as such.
15. (1) The funds of the council shall consist of— Funds of council.
- (a) fines imposed and recovered in terms of this Act;
- (b) advances referred to in subsection (2);
- (c) moneys obtained by way of loans raised by the council with the approval of the Minister;
- (d) any other moneys received by the council in terms of this Act; and
- (e) any moneys accruing to the council from any other source.
- (2) (a) The Minister may, with the concurrence of the Minister of Finance, advance to the council out of moneys appropriated by Parliament such amounts as he may deem necessary in order to enable the council to perform its functions.
- (b) Any such advance shall be made on such conditions and shall be repayable at such times as the Minister may, with the concurrence of the Minister of Finance, determine.
- (3) The council shall use its funds for defraying the expenditure incurred in the achievement of its objects and the performance of its functions under this Act.
- (4) The council may invest any unexpended portion of its funds.
16. (1) The council shall cause proper records to be kept of all moneys received or expended by it, of all its assets and liabilities and of all financial transactions entered into by it, and shall as soon as possible after the end of each financial year cause statements of account and a balance sheet to be prepared showing, with all appropriate particulars, the moneys received and the expenditure incurred by it during, and its assets and liabilities at the end of, that financial year. Bookkeeping and auditing.
- (2) (a) The records, statements of account and balance sheet referred to in subsection (1) shall be audited by a person registered as an accountant and auditor under the Public Accountants and Auditors Act, 1951 (Act No. 51 of 1951), and appointed by the council.
- (b) Copies of such documents so audited shall be open for inspection at the office of the council during office hours by persons who are registered or deemed to be registered in terms of this Act.
17. (1) The council shall within six months after the close of a financial year submit a report to the Minister on its activities during that financial year. Reports by council.

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- (2) Copies of such report—
- (a) shall be laid upon the Table by the Minister in the House of Assembly within fourteen days after receipt thereof if the House of Assembly is then in ordinary session or, if the House of Assembly is not then in ordinary session, within fourteen days after the commencement of its next ensuing ordinary session;
- (b) shall be open for inspection by the public at the office of the council during office hours; and
- (c) shall be obtainable at the office of the council on payment of such amount as may be determined therefor by the council.
18. (1) (a) The registrar shall keep registers in respect of all persons whose applications for registration in terms of this Act to practise veterinary professions or para-veterinary professions have been approved by the council. Keeping of registers.
- (b) A separate register shall be kept in respect of all persons belonging to a group whose applications for registration in terms of this Act to practise a particular veterinary profession or para-veterinary profession have been approved by the council.
- (c) The registrar shall enter in the appropriate register the prescribed particulars regarding every such person.
- (2) The registers kept in terms of section 7 (2) of the Veterinary Act, 1933 (Act No. 16 of 1933), shall be incorporated with and form part of the registers to be kept in terms of subsection (1) of this section.
- (3) The registrar shall from time to time, by order of the council—
- (a) publish a list showing the particulars determined by the council, of the entries in every register to be kept in terms of subsection (1); and
- (b) publish a supplementary list showing the particulars determined by the council, of the additions, alterations and deletions entered in each such register since the publication of the preceding list in terms of paragraph (a) or the preceding supplementary list in terms of this paragraph.
- (4) The latest issue of a list which was printed and published in terms of section 7 (3) of the Veterinary Act, 1933, shall, until it is substituted by a list in terms of subsection (3) (a), be deemed to be a list published in terms of the latter subsection.
- (5) Copies of any list or supplementary list published in terms of subsection (3) shall be obtainable from the registrar on payment of such amount as may be determined therefor by the council.
- (6) Any certificate in respect of particulars entered in a register in respect of any person in terms of this section, shall only be issued by the registrar on payment of such amount as may be determined therefor by the council.
19. (1) Any document purporting to be an extract from any register referred to in section 18 (1) and signed by the registrar shall on production thereof in any proceedings be admissible as evidence and be *prima facie* proof of the facts recorded therein. Register to be proof.
- (2) A certificate purporting to be signed by the registrar and in which it is certified that the name of a person mentioned therein does not appear in any such register, shall be *prima facie* proof of the fact that such person is not registered or deemed to be registered in terms of this Act.
20. (1) (a) The Minister may from time to time on the recommendation of the council prescribe the degrees, diplomas and certificates, granted after examination by a university or other educational institution, which shall entitle the holders thereof to registration in terms of this Act to practise veterinary professions or para-veterinary professions. Qualifications for registration in terms of Act.

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- (b) Different degrees, diplomas or certificates may be so prescribed in respect of different veterinary professions or para-veterinary professions.
- 5 (2) (a) Every university or other educational institution in the Republic granting degrees, diplomas or certificates which are prescribed in terms of subsection (1) shall furnish the council—
- 10 (i) annually at the prescribed time with the prescribed particulars relating to the students who are enrolled there for such degrees, diplomas or certificates;
- 15 (ii) at its request with full particulars as to the minimum age and standard of general education required of students, the courses of study, training and examinations required of students before such degrees, diplomas or certificates are granted, the results of such examinations conducted by it, and such other particulars regarding any matter mentioned in this subparagraph as the council may require.
- 20 (b) If the council deems it expedient, it may designate a person to be present when the examinations for such degree, diploma or certificate are conducted.
- 25 (c) A person so designated by the council—
- (i) may at all reasonable times enter upon the premises of a university or other educational institution concerned in order to be present when the examinations concerned are conducted;
- 30 (ii) shall be afforded all reasonable assistance required by him to enable him to be present when the examinations concerned are conducted; and
- (iii) shall report his findings to the council.
- 35 (d) The prescribing under subsection (1) of a degree, diploma or certificate granted after examination by a university or other educational institution in the Republic may be withdrawn by the Minister by regulation on the recommendation of the council if—
- 40 (i) the university or other educational institution concerned fails or refuses to furnish any particulars requested by the council in terms of paragraph (a) (ii); or
- 45 (ii) the council is of opinion that the courses of study, training or examinations required of students before the degree, diploma or certificate concerned is granted, no longer justify the prescribing of that degree, diploma or certificate.
- (3) A recommendation in terms of subsection (1) in respect of a degree, diploma or certificate granted after examination by a university or other educational institution situated outside the
- 50 Republic shall only be furnished by the council if—
- (a) any such degree, diploma or certificate entitles the holder thereof to practise a corresponding veterinary profession or para-veterinary profession, as the case may be, in the country in which such university or other educational institution is situated;
- 55 (b) by the laws of that country a person holding a corresponding degree, diploma or certificate prescribed under subsection (1) and granted after examination by a university or other educational institution situated in the Republic is qualified without further examination to practise a veterinary profession or a para-veterinary profession, as the case may be, in that country; and
- 60

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- (c) the council is satisfied that possession of any such degree, diploma or certificate indicates a standard of knowledge not lower than that required for the acquisition of a corresponding degree, diploma or certificate granted after examination by any university or other educational institution situated in the Republic and prescribed under subsection (1).
- (4) Any degree, diploma or certificate granted by a university or other educational institution in the Republic and which entitles, under section 8 of the Veterinary Act, 1933 (Act No. 16 of 1933), the holder thereof to be registered under that Act, shall be deemed to be prescribed under subsection (1) of this section.
- (5) (a) Notwithstanding the provisions of subsection (1), the council may accept a degree, diploma or certificate not prescribed under that subsection, for the purposes of the registration of the holder thereof in terms of this Act to practise a veterinary profession or a para-veterinary profession, as the case may be.
- (b) A degree, diploma or certificate shall only be so accepted if—
- (i) the council is satisfied that the person concerned has sufficient knowledge and experience to enable him to practise the profession concerned in the Republic, for which purpose such person, except if the council expressly determines otherwise, shall pass an examination determined by the council;
- (ii) in the case of the contemplated registration as a veterinary specialist, it is a post-graduate qualification connected with the speciality in respect of which registration is desired.
- (c) An examination referred to in paragraph (b) (i) shall only be conducted after payment of such amount as may be determined by the council.
- (d) The acceptance of a degree, diploma or certificate in terms of paragraph (a) in respect of a particular person—
- (i) shall not necessarily imply that it could be prescribed under subsection (1) or that, if obtained by any other person, it could also be accepted for the purposes of the registration in terms of this Act of such other person;
- (ii) shall be subject to such conditions as the council may in each case determine.
- (e) The council shall annually in the report referred to in section 17 specify the degrees, diplomas or certificates which during the year concerned were accepted in terms of this subsection, as well as the conditions subject to which they were so accepted.
21. (1) The Minister may on the recommendation of the council by notice in the *Gazette* declare the provisions of this Act applicable to any profession which has as its object the rendering of services supplementing the services which in terms of the rules are deemed to pertain specially to a veterinary profession.
- (2) Different notices referred to in subsection (1) may be so published in the *Gazette* in respect of different professions.

Para-veterinary professions.

22. Every student, other than a student who is a veterinarian or a veterinary specialist, shall be registered in terms of this Act.

Students to be registered.

23. (1) No person shall in any manner whatsoever practise a veterinary profession or a para-veterinary profession unless—

(a) he is registered or deemed to be registered in terms of this Act to practise the profession concerned;

Unregistered persons shall not practise veterinary or para-veterinary professions.

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- (b) he is a student who is registered in terms of this Act and undergoes practical training under the supervision of a person who is registered or deemed to be registered in terms of this Act to practise the profession concerned; or
- 5 (c) in the case of a person not registered or deemed to be registered in terms of this Act, the council has, after consideration of an application by him, authorized him in writing to render a particular service deemed in
- 10 terms of the rules to pertain specially to a veterinary profession or a para-veterinary profession.
- (2) For the purposes of this Act the practising of a veterinary profession means—
- (a) for gain, directly or indirectly—
- 15 (i) supplying or selling any veterinary medicine as defined in section 1 of the Medicines and Related Substances Control Act, 1965 (Act No. 101 of 1965), in connection with an animal; or
- 20 (ii) rendering any service which in terms of the rules is deemed to pertain specially to a veterinary profession;
- (b) holding oneself out as or purporting to be a person practising a veterinary profession or purporting to be registered in terms of this Act or the Veterinary Act, 1933 (Act No. 16 of 1933), to practise a veterinary profession;
- 25 (c) using a designation which is reserved in terms of this Act for allocation to persons who are registered or deemed to be registered in terms of this Act, or any other name, title, description, addition or symbol indicating or purporting or creating the impression, or calculated to create the impression, that a person practises a veterinary profession, or is registered or deemed to be registered in terms of this Act, or is otherwise lawfully entitled to practise a veterinary profession; or
- 30 (d) performing any act which has as its purpose diagnosing, treating or preventing any pathological condition in any animal or which constitutes a surgical operation on any animal and is deemed in terms of the rules to pertain specially to a veterinary profession, otherwise than in accordance with conditions of service with an employer approved by the council, by virtue of which any advantage, whether for a person himself or any other person, can be obtained by means of profit out of the sale of medicine or other substance, or by means of a donation or gift, or by means of the provision of accommodation, or by means of any other profit whatsoever, whether direct or indirect.
- 35 (3) For the purposes of this Act the practising of a para-veterinary profession means any act referred to in subsection (2) (a) (ii), (b) or (c), construed as if any reference therein to a veterinary profession were a reference to a para-veterinary profession, as well as any act referred to in subsection (2) (d).
- 40 (4) The provisions of subsection (2) do not prohibit a pharmacist registered under the Pharmacy Act, 1974 (Act No. 53 of 1974), from performing any act falling within the scope of his profession as contemplated in that Act or the Medicines and Related Substances Control Act, 1965.
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60 24. (1) A person may be registered in terms of this Act to practise a veterinary profession or a para-veterinary profession if he is the holder of an appropriate degree, diploma or certificate prescribed or accepted under section 20. Requirements for registration.

(2) Notwithstanding anything to the contrary contained in this Act, a person who is not the holder of a degree, diploma or certificate prescribed under section 20, may be registered to practise any para-veterinary profession if—

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- (a) the person concerned submits his application for such registration to the registrar in the prescribed manner within six months from the date on which a notice relating to the para-veterinary profession concerned was published under section 21;
- (b) such application is accompanied by documentary proof which satisfies the council that the person concerned practised the para-veterinary profession concerned for a continuous period of at least five years prior to the date of publication of the notice concerned, and is wholly or mainly dependent on the practice thereof for his livelihood; and
- (c) the person concerned has passed an examination determined by the council.
- (3) Notwithstanding the provisions of subsections (1) and (2) a person shall not be registered in terms of this Act if—
- (a) he has at any time been removed from an office of trust on account of improper conduct;
- (b) he has at any time been convicted of extortion, bribery, theft, fraud, forgery or uttering of a forged document or perjury, and was sentenced in respect thereof to imprisonment without the option of a fine;
- (c) he is a patient or a President's patient as defined in section 1 of the Mental Health Act, 1973 (Act No. 18 of 1973); or
- (d) his registration has been withdrawn under section 33 (1) (d), unless the council directs otherwise in a particular case.
25. (1) (a) A person desiring registration in terms of this Act—
- (i) on account of his enrolment as a student; or
- (ii) in order to practise for gain, directly or indirectly, in any way whatsoever, a veterinary profession or a para-veterinary profession,
- shall apply to the council therefor in the prescribed manner and at the prescribed time, and such application shall be accompanied by the application fee prescribed for the kind of registration required, as well as such documents as may be prescribed.
- (b) The council may direct an applicant to submit such further documentary evidence regarding identity, good character, education and experience as it may require in order to consider such application.
- (2) If the council, after consideration of an application in terms of subsection (1) and after such investigation and inquiry as it may deem necessary, is satisfied that the applicant concerned may be registered in terms of this Act, it shall approve such application, and the registrar shall thereupon register the applicant by—
- (a) issuing an appropriate certificate of registration to him; and
- (b) entering the prescribed particulars in respect of him in the appropriate register.
- (3) (a) The said registration of any person is subject to the provisions of this Act and such further conditions as the council may in each case determine.
- (b) Such conditions may—
- (i) relate to the kind of work which a person who is registered in terms of this Act may perform;
- (ii) include requirements which have to be complied with in the practice of the profession concerned.
- (4) If the council refuses to approve an application, the applicant concerned shall be notified in writing of such decision and of the grounds on which it is based.
- (5) Except if the council directs otherwise in a particular case, a person shall not be registered in terms of this Act to practise more than one veterinary profession or para-veterinary profession simultaneously or, in the case of a veterinary specialist, with more than one speciality.

Registration  
of persons.

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- 5 (6) (a) If a person is registered by virtue of a degree, diploma or certificate which is accepted in terms of section 20 (5), and such person is resident in the Republic but is not a South African citizen, his registration shall lapse seven years, or such further period as the council may in a particular case determine, after the date on which a certificate of registration was issued to him in terms of subsection (2), unless he becomes a South African citizen before the date on which his registration is so to lapse.
- 10 (b) A person whose registration has lapsed as contemplated in paragraph (a), shall not again be registered in terms of this Act before he is a South African citizen.
- 15 (7) (a) Any person registered as a veterinarian or a veterinary nurse in terms of the Veterinary Act, 1933 (Act No. 16 of 1933), on the date of commencement of this section, shall be deemed to be registered in terms of this Act to practise the veterinary profession of veterinarian or the para-veterinary profession of veterinary nurse, respectively.
- 20 (b) Such continued registration shall be subject to—
- 25 (i) compliance with the conditions (if any) imposed by the Veterinary Board referred to in the Veterinary Act, 1933, in terms of section 13A (2) of that Act; and
- (ii) payment to the council of an amount of R50 within 90 days of the date of commencement of this section.
- 30 (8) A person who is registered or deemed to be registered in terms of this Act to practise a veterinary profession or a para-veterinary profession shall, in the practice of his profession, only state particulars of those degrees, diplomas or certificates entered opposite his name in the appropriate register.
- 35 26. (1) Any person who is registered or deemed to be registered in terms of section 25 may, subject to the earlier termination or withdrawal thereof under this Act, maintain such registration by paying annually to the council at the prescribed time the prescribed maintenance fee concerned, irrespective of whether that registration has been suspended under this Act for 40 a particular period.
- (2) Notwithstanding the provisions of subsection (1), the council may as it deems fit and subject to such conditions as it may in each case determine, exempt any person or category of persons from payment of the whole or a portion of the 45 prescribed maintenance fee concerned.
- 50 27. (1) Any person who is registered or deemed to be registered in terms of this Act to practise a particular veterinary profession or para-veterinary profession, or a veterinary specialist so registered with a particular speciality, may apply to the council in the prescribed manner for the alteration of the said veterinary profession or para-veterinary profession or speciality, as the case may be.
- 55 (2) (a) Any such application shall be accompanied by the prescribed application fee concerned for the kind of alteration desired, as well as by such documents as may be prescribed.
- (b) A veterinarian whose registration as such is maintained in terms of section 25 (7), shall be exempt from payment of the prescribed application fee concerned if an application for the alteration of his registration as such to that of veterinary specialist is submitted to the council within six months of the date of commencement of this section.
- 60 (3) The provisions of section 25 (1) (b), (2), (3) and (4) apply 65 *mutatis mutandis* in respect of an application referred to in subsection (1) of this section.

Maintenance of registration.

Alteration of registration.

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28. (1) The registration of a person who is registered or deemed to be registered in terms of this Act, is terminated if— Termination of registration.
- (a) in the case of a student, he is no longer enrolled for a degree, diploma or certificate which is prescribed under section 20;
  - (b) he has failed to furnish the registrar with the address of his permanent residence and his permanent postal address within three months after the date of a written request by the registrar, addressed to his permanent postal address as entered in the appropriate register;
  - (c) he fails to pay the prescribed fee for the maintenance of his registration within three months after the date of a written request by the registrar, addressed to his permanent postal address as entered in the appropriate register;
  - (d) he has been absent from the Republic for a continuous period of more than three years without having notified the council thereof in writing: Provided that this provision does not apply to a person residing in a state the territory of which formed part of the Republic and which became an independent state in terms of an Act of Parliament;
  - (e) he becomes a patient or a President's patient as defined in section 1 of the Mental Health Act, 1973 (Act No. 18 of 1973);
  - (f) in the case of any person referred to in section 25 (6), the period contemplated in that section expired before he became a South African citizen;
  - (g) he has so requested in writing and no steps in terms of section 31, 32 or 33 are pending or contemplated or will probably be instituted against him;
  - (h) he has obtained his registration fraudulently; or
  - (i) he has been registered in error.
- (2) If the registration of any person is so terminated, the registrar shall—
- (a) inform the person concerned thereof by means of a written notice addressed to his permanent postal address as entered in the appropriate register; and
  - (b) delete the particulars entered in respect of such person in the appropriate register.
- (3) A person whose registration is so terminated shall return his certificate of registration to the registrar within 30 days of the date of a notice referred to in subsection (2) (a).
- (4) If—
- (a) it appears to the judge referred to in section 19 of the Mental Health Act, 1973, from the documents submitted to him in terms of section 18 (3) of that Act, or it is brought to the notice of such judge in any other manner, that the person to whom the documents relate is a person registered or deemed to be registered in terms of this Act, and such person is declared a mentally ill person as contemplated in section 19 (1) (b) of that Act; or
  - (b) it is brought to the notice of a court that an accused person appearing before it is registered or deemed to be registered in terms of this Act, and the court in terms of section 77 (6) or 78 (6) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), directs that the accused person be detained pending the signification of the decision of the State President,
- the judge or court shall direct that a copy of the order declaring the person concerned a mentally ill person, or, as the case may be, a copy of the direction that the accused person be detained

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pending the signification of the decision of the State President, be transmitted to the council.

(5) An application for reinstatement of registration shall be submitted and further dealt with in the manner contemplated in section 25.

29. (1) The Minister may prescribe the designations which are reserved for allocation to persons registered or deemed to be registered in terms of this Act to practise veterinary professions or para-veterinary professions. Allocation of designations.

10 (2) A person so registered or deemed to be so registered shall only employ the appropriate prescribed designation for himself in the practice of his profession.

30. (1) The council may make rules as to— Rules.

15 (a) the services which shall for the purposes of this Act be deemed to be services pertaining specially to a veterinary profession or a para-veterinary profession;

(b) the course of conduct to be followed by students;

20 (c) the course of conduct to be followed by persons practising a veterinary profession or a para-veterinary profession;

(d) requirements to be complied with in connection with the advertising of the practice of a person practising a veterinary profession or a para-veterinary profession, including requirements relating to name-plates and signboards, speeches, lectures and interviews, publications in the lay press and printing on letterheads and prescription and account forms;

25 (e) the minimum standards for consulting rooms, clinics, animal hospitals or other places at or from which a veterinary profession or a para-veterinary profession is practised;

30 (f) canvassing or touting of clients, tendering of services, professional appointments, consultations, concealment, supersession and intrusion, professional secrecy and undermining or prejudicing colleagues or the authority of the council by persons who are registered or deemed to be registered in terms of this Act; and

35 (g) any matter which the council deems necessary or expedient for the achievement or promotion of its objects or for the exercise of its powers or for the performance of its functions.

(2) Different rules may be made in terms of subsection (1) in respect of different veterinary professions and para-veterinary professions.

45 (3) No rule made in terms of subsection (1) or any amendment or withdrawal thereof shall be of force and effect until approved by the Minister and published in the *Gazette* by the registrar.

31. (1) The council may, either as a result of a complaint or charge or allegation lodged with it or of its own accord, institute an inquiry into the conduct of a person who is registered or deemed to be registered in terms of this Act, or into an act or omission or alleged act or omission by such person in the practising of his profession, or into a contravention or alleged contravention of this Act or the rules by such person. Inquiry by council.

55 (2) If such conduct, act, omission or contravention or alleged act, omission or contravention forms or is in the opinion of the council likely to form the subject of criminal or civil proceedings in a court of law, the council may postpone the inquiry until such proceedings have been determined.

60 (3) The acquittal or the conviction by a court of law upon a criminal charge of a person who is registered or deemed to be registered in terms of this Act, shall not be a bar to an inquiry in respect of him in terms of this section, even if the facts being

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inquired into would, if proved, constitute the offence set forth in the criminal charge on which he was so acquitted or convicted, or any other offence of which he might have been convicted at his trial on the said criminal charge.

5 (4) Whenever in the course of any proceedings before any court of law it appears to the court that there is *prima facie* proof of unprofessional, improper or disgraceful conduct on the part of a person who is registered or deemed to be registered in terms of this Act, or of conduct which, when regard is had to the  
10 profession of such person, is unprofessional, improper or disgraceful, the court shall direct that a copy of the record of such proceedings, or such portion thereof as is material to the issue, be transmitted to the council.

15 (5) If any person's conduct or any act, omission or contravention or alleged act, omission or contravention by any person is likely to be inquired into in terms of this Act, such person shall be notified in writing by the registrar of the matter to be inquired into, and such person may furnish the council with a written explanation, in the form of an affidavit, concerning it.

20 32. (1) Any such inquiry shall be held on such date and at such time and place as may be determined by the president of the council, and the registrar shall inform the person concerned in writing thereof. Procedure at inquiry.

25 (2) The council may in its discretion appoint one or more persons to advise the council at such inquiry on matters pertaining to law, procedure or evidence, and the council may remunerate any such person as it may deem fit.

(3) The council may for the purposes of such inquiry—

30 (a) summon in the prescribed manner any person who, in the opinion of the council, is able to furnish information of material importance to the inquiry, or who the council has reason to believe has in his possession or custody or under his control any book, document or record relating to the subject of the inquiry, to appear  
35 at a time and place specified in the summons to be examined or to produce such book, document or record, and may retain for examination any book, document or record so produced; and

40 (b) through the person presiding at the inquiry, administer an oath to, or accept an affirmation from, any person present at the inquiry, and examine him or cause him to be examined by a person designated by the council to lead the evidence at the inquiry, and instruct him to produce any book, document or record in his possession or custody or under his control.  
45

(4) A summons referred to in subsection (3) shall contain the prescribed information and shall be served in the prescribed manner, and the provisions of section 51 (2) of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944), shall apply *mutatis*  
50 *mutandis* in respect of any person on whom such summons has been so served.

(5) The law relating to privilege, as applicable to a witness summoned to give evidence or to produce a book, document or record in a civil trial before a court of law, shall *mutatis mutandis*  
55 apply in relation to the examination of or the production of any book, document or record by any person summoned in terms of this section.

(6) If the conduct or an act, omission or contravention or alleged act, omission or contravention of a person which is the  
60 subject of an inquiry in terms of this section, amounts to an offence of which such person has been convicted by a court of law, a certified copy of the record of the judgment relating to his trial and conviction by that court shall, upon identification of the person concerned as the person referred to in the record, be

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sufficient proof of the commission by him of such offence, unless the conviction has been set aside by a superior court.

(7) Any person against whom an inquiry is instituted in terms of this section, shall be entitled either in person or through his legal representative to answer the charge and to be heard in his defence.

(8) Any person who, having been duly sworn or having made an affirmation, tenders false evidence at an inquiry held under this section, knowing such evidence to be false, shall be guilty of an offence and liable on conviction to the penalties which may lawfully be imposed for the offence of perjury.

33. (1) If the council, after an inquiry held under section 32, finds a person who is registered or deemed to be registered in terms of this Act guilty of unprofessional, improper or disgraceful conduct, the council may—

Disciplinary powers of council.

- 15 (a) reprimand or caution him;  
 (b) impose conditions and restrictions subject to which the person concerned may, for a specified period, practise the profession in respect of which he is registered;  
 20 (c) suspend his registration for such period and subject to such conditions as the council may in each case determine; or  
 (d) withdraw his registration.

(2) The council may—  
 25 (a) postpone the imposing of a penalty upon any person so convicted; or  
 (b) suspend the execution of a penalty mentioned in subsection (1) (c) or (d) and so imposed upon a person,  
 30 for such period and subject to such conditions as it may in each case determine.

(3) The registrar shall—  
 (a) inform a person who is so found guilty, in writing of his conviction and of the grounds on which it is based;  
 35 (b) enter the particulars of any penalty imposed upon a person under subsection (1) (a), (b) or (c), opposite his name in the appropriate register;  
 (c) remove the name of a person whose registration is withdrawn under subsection (1) (d), from the appropriate register.  
 40

(4) (a) Any person whose registration is suspended under subsection (1) (c) of this section shall, except for the purposes of section 26, for the period of such suspension be deemed not to be so registered.  
 45 (b) The council may at any time before the expiration of the period for which any registration has been suspended under subsection (1) (c), on application in the prescribed manner terminate such suspension subject to such conditions as it may in each case determine.

50 (5) (a) If at the end of the period for which the imposition of a penalty has been postponed under subsection (2) (a), the council is satisfied that the person concerned has observed all the relevant conditions, the registrar shall inform the person concerned that no penalty will be imposed upon him.  
 55

(b) If the execution of a penalty has been suspended under subsection (2) (b) and the council is satisfied that the person concerned has observed all relevant conditions throughout the period of suspension, the registrar shall inform such person that such penalty will not be executed.  
 60

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(6) If a person fails to comply with any conditions determined in terms of subsection (2), the council shall impose a penalty upon him or execute the penalty imposed upon him, unless he satisfies the council that the non-compliance with such conditions was due to circumstances beyond his control.

(7) A penalty imposed in terms of this section by a committee authorized thereto in terms of section 12, shall only come into effect after it has been confirmed by the council.

(8) For the purposes of imposing a penalty under this section upon a person who is registered or deemed to be registered in terms of this Act, "unprofessional, improper or disgraceful conduct", in relation to such person, means—

- (a) the contravention of or the failure to comply with any provision of this Act or the rules;
- (b) becoming mentally or physically disabled to such extent that it would be detrimental to the public interest to allow him to continue practising his profession;
- (c) becoming unfit to purchase, acquire, keep, use, administer, prescribe, order, supply or possess any Scheduled substance as defined in the Medicines and Related Substances Control Act, 1965 (Act No. 101 of 1965), or using, possessing, prescribing, administering or supplying any such Scheduled substance for purposes other than a medicinal purpose as defined in the said Act, or becoming addicted to the use of any such Scheduled substance; or
- (d) conducting himself, through any other act or omission, in the opinion of the council unprofessionally, improperly or disgracefully, when regard is had to his profession.

34. (1) A person who is registered or deemed to be registered in terms of this Act to practise a veterinary profession, may personally compound or dispense any medicine which is prescribed by himself or by any other person with whom he is in partnership or with whom he is associated as a principal or an assistant or a *locum tenens*, for use in the treatment of an animal which is under his professional care: Provided that he shall not be entitled to keep an open shop or pharmacy.

Dispensing  
of medicine.

(2) A person referred to in subsection (1) shall not accept or obtain any commission or other reward from a pharmacist or other supplier in connection with medicine which is compounded or dispensed by virtue of a prescription.

35. (1) No remuneration shall be recoverable in respect of the rendering of any service which in terms of the rules is deemed to pertain specially to a veterinary profession or a para-veterinary profession when rendered by a person who is not registered or deemed to be registered in terms of this Act to practise the profession concerned.

Charges for  
the rendering  
of services.

(2) Unless the circumstances render it impossible for him to do so, any person registered or deemed to be registered in terms of this Act shall inform the person in charge of an animal in respect of which a service is to be rendered beforehand of the approximate fee which he intends to charge for such service—

- (a) when so requested by the person in charge of the animal;
- (b) when such fee exceeds the fee usually charged for such service; or
- (c) when he is of the opinion that such fee exceeds the economic, functional or sentimental replacement value of the animal concerned,

and shall in a case to which paragraph (b) relates, also inform the person in charge of the animal of the usual fee.

(3) Any person registered or deemed to be registered in terms of this Act who in respect of any service contemplated in subsection (1) which was rendered by him, claims payment

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from any person, shall furnish such person with a detailed account within 30 days after being so requested by that person.

- 5 (4) (a) A person who has been furnished with any such detailed account may within 30 days of the date of issue thereof apply in writing to the council to determine the amount which in the opinion of the council should have been charged in respect of the service to which the account relates, and the council shall, as soon as possible after receipt of the application, determine the said amount and notify such person, and the person who furnished the account, in writing of the amount so determined: Provided that before the council determines the said amount, it shall afford the person who furnished the account an opportunity to submit to it in writing his case in support of the amount charged.
- 10
- 15 (b) A determination by the council under this section shall be final.

20 36. (1) Any person who employs a person who is registered or deemed to be registered in terms of this Act to practise a veterinary profession or a para-veterinary profession, shall not cause such person to perform any work which he may not perform in terms of the rules. Obligation of employers.

25 (2) The council may require an employer of a person who is registered or deemed to be registered in terms of this Act to submit to it a copy of the service contract which has been concluded with such person.

30 37. No person shall, except for the purposes of carrying out his functions or performing his duties under this Act or for the purpose of legal proceedings under this Act or when required to do so by any court or under any law, disclose to any other person any information acquired by him in the carrying out of his functions or the performance of his duties under this Act and relating to the business or affairs of any person registered or deemed to be registered in terms of this Act. Secrecy.

38. (1) The registrar may authorize—

- 40 (a) the correction of any clerical error or error in translation appearing in any document submitted or issued in terms of this Act, or in a register kept in terms of this Act; Correction of errors.
- (b) the amendment of any document for the amendment of which no express provision is made in this Act;
- 45 (c) the condonation or correction of any irregularity in procedure in any proceedings before him, if such condonation or correction is not detrimental to the interests of any person.

(2) The registrar may exercise the authority under subsection (1) of his own accord or upon request in writing.

50 (3) Where the registrar intends exercising his authority under subsection (1) of his own accord, he shall give notice of his intention to any person who in his opinion has an interest in the matter, and shall give such person an opportunity of being heard before exercising his authority.

55 39. A defect in the form of any document which is in terms of any law required to be executed in a particular manner, or in a notice issued in terms of this Act, shall not render unlawful any administrative act performed in terms of this Act in respect of the matter to which such document or notice relates, and shall not be a ground for exception to any legal procedure which may be taken in respect of such matter, if the requirements and meaning thereof are set forth substantially and intelligibly. Defect in form not to invalidate documents.

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40. No person, including the State, shall be liable in respect of anything done in good faith in the exercise or performance of a power or duty conferred or imposed by or under this Act. Limitation of liability.

41. (1) Any person who— Offences and penalties.
- 5 (a) by means of a false or misleading statement, whether verbally or in writing, procures for himself or any other person registration in terms of this Act, or any certificate, receipt, approval or other document issued under this Act;
- 10 (b) makes any unauthorized entry or addition or alteration in or removal from a register which is kept in terms of this Act, or an extract therefrom, or any certificate, receipt, approval or other document issued under this Act;
- 15 (c) wilfully destroys or damages or renders illegible any entry in a register kept in terms of this Act or, without the permission of the holder thereof, a certificate, receipt, approval or other document issued under this Act;
- 20 (d) forges or, knowing it to be forged, utters any document purporting to be a certificate, receipt, approval or other document issued in terms of this Act;
- (e) impersonates any person registered or deemed to be registered in terms of this Act;
- 25 (f) contravenes or fails to comply with the provisions of section 23 (1), 29 (2) or 36 (1), or fails to comply with any requirement under section 36 (2);
- (g) having appeared as a witness at an inquiry in terms of section 32, refuses or fails without lawful cause to be sworn or to make an affirmation or to answer any question or to produce any book, document or record which he may lawfully be required to answer or to produce;
- 30 (h) having been duly summoned to appear at an inquiry in terms of section 32, refuses or fails without lawful cause so to appear;
- 35 (i) refuses or fails to comply with any condition or restriction imposed by the council in terms of section 33 (1) (b) or (c);
- 40 (j) refuses or fails without lawful cause to make any statement or give any explanation which may lawfully be demanded from him in the application of this Act, or makes or gives a false statement or explanation knowing it to be false;
- 45 (k) obstructs or hinders a member of the council or of the executive committee or of any other committee of the council or the registrar, in the exercise of his powers or the performance of his functions under this Act;
- 50 (l) fails or refuses to furnish particulars to the council in terms of section 20 (2) (a);
- (m) prevents a person designated in terms of section 20 (2) (b) from entering the premises of a university or other educational institution, or fails or refuses to afford the reasonable assistance required there by such person;
- 55 (n) is a student without having been registered in terms of this Act;
- (o) refuses or fails to comply with any condition determined by the council under section 25 (3);
- 60 (p) refuses or fails to comply with any condition referred to in section 25 (7) (b);
- (q) contravenes or fails to comply with the provisions of section 25 (8), 28 (3) or 35;
- 65 (r) supplies or offers to supply to any person who is not registered or deemed to be registered in terms of this Act, any instrument or appliance which can primarily

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- 5 be used for services which in terms of the rules are deemed to pertain specially to a veterinary profession or a para-veterinary profession, knowing that the instrument or appliance concerned will be used by such unregistered person for the rendering for gain of services of a kind of which he is in terms of this Act prohibited to perform for gain,
- shall be guilty of an offence and—
- 10 (i) on a first conviction of a contravention referred to in paragraph (a), (b), (c), (d), (e), (f), (g), (h), (i), (j) or (k), be liable to a fine not exceeding R2 000 or to imprisonment for a period not exceeding one year, or to both such fine and such imprisonment;
- 15 (ii) on a second or subsequent conviction of any contravention referred to in subparagraph (i), whether the same or any other contravention referred to in that subparagraph, to a fine not exceeding R10 000 or to imprisonment for a period not exceeding five years, or to both such fine and such imprisonment;
- 20 (iii) on a first conviction of an offence referred to in paragraph (l), (m), (n), (o), (p), (q) or (r), be liable to a fine not exceeding R500 or to imprisonment for a period not exceeding three months, or to both such fine and such imprisonment;
- 25 (iv) on a second or subsequent conviction of any contravention referred to in subparagraph (iii), whether the same or any other contravention referred to in that subparagraph, to a fine not exceeding R2 000 or to imprisonment for a period not exceeding one year, or to both such fine and such imprisonment.
- 30 (2) Any fine paid or recovered in respect of an offence under this Act shall be paid over to the council.
- (3) A magistrate's court shall have jurisdiction to impose any penalty provided for by this section.

- 35 42. (1) In any prosecution for a contravention of section 23 Presumptions.  
(1), read with any provision of section 23 (2), the accused shall, unless the contrary is proved, be deemed not to have been registered in terms of this Act or the Veterinary Act, 1933 (Act No. 16 of 1933), at the time of the commission of the alleged  
40 offence.
- (2) In any prosecution for a contravention of section 23 (1), read with section 23 (2) (a), the accused shall, unless the contrary is proved, be deemed to have performed the act in respect of which the prosecution is instituted, for gain.

- 45 43. (1) The Minister may, after consideration and approval of Regulations.  
any relevant recommendation by the council, make regulations regarding—
- (a) the election of members of the council;
- 50 (b) the entry of particulars in any register kept in terms of this Act;
- (c) the degrees, diplomas and certificates which serve as a prerequisite for the registration of the holders thereof in terms of this Act;
- 55 (d) the furnishing of particulars relating to students enrolled at universities or other educational institutions in the Republic for degrees, diplomas and certificates prescribed in terms of section 20;
- (e) matters concerning para-veterinary professions;
- 60 (f) the registration of students in terms of this Act, the conditions subject to which they are registered, and the maintenance of such registration;
- (g) the registration of persons in terms of this Act to practise veterinary professions and para-veterinary

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- professions, the conditions subject to which they are registered, and the maintenance and alteration of such registration;
- 5 (h) the payment of fees;
- (i) the registration of consulting rooms, clinics, animal hospitals and other places at or from which a veterinary profession or a para-veterinary profession is practised;
- 10 (j) any matter which in terms of this Act is required or permitted to be prescribed by regulation, and, in general, in relation to any matter which he may consider necessary or expedient to prescribe in order to attain or promote the objects of this Act, and the generality of this provision shall not be limited by the preceding paragraphs of this subsection.
- 15 (2) Different regulations may be made under this section in respect of different veterinary professions or para-veterinary professions or in such other respects as the Minister may determine.
- 20 (3) A regulation may prescribe penalties not exceeding a fine of R500 or not exceeding imprisonment for a period of three months, or both such fine and such imprisonment, for any contravention of or failure to comply with its provisions.
- 25 44. Subject to the provisions of sections 5 (2), 6 (2), 9 (1), 14 (6), 18 (2) and (4) and 25 (7), the laws specified in the Schedule are hereby repealed. Repeal of laws.
45. (1) This Act shall be called the Veterinary and Para-Veterinary Professions Act, 1982, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*. Short title and commencement.
- 30 (2) Different dates may be fixed under subsection (1) in respect of different provisions of this Act.

**Schedule**

LAWS REPEALED

Number and year of law	Short title
Act No. 16 of 1933 .....	Veterinary Act, 1933
Act No. 49 of 1963 .....	Veterinary Amendment Act, 1963
Act No. 19 of 1972 .....	Veterinary Amendment Act, 1972
Act No. 20 of 1974 .....	Veterinary Amendment Act, 1974