
GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NOTICE 551 OF 2021****VETERINARY AND PARA-VETERINARY PROFESSIONS ACT, 1982, AS AMENDED
ACT No. 19 OF 1982, AS AMENDED****AMENDMENT OF THE RULES RELATING TO THE PRACTISING OF PARA-VETERINARY
PROFESSION OF VETERINARY TECHNOLOGIST – COMMENTS INVITED**

The South African Veterinary Council, with the approval of the Minister of Agriculture, Land Reform & Rural Development, intends to amend the rules for the para-veterinary profession of veterinary technologist by revoking the rules published in Government Gazette number 13230, GNR.1064, on 17 May 1991, with the following Schedule hereby published for public comments. All interested parties who have any comments to the proposed amendments are called upon to submit such comments to the SAVC: Director Legal Affairs within thirty (30) days from the date of publication of this Notice to: Mrs D Stoltz at e-mail address director.legalaffairs@savc.org.za (Telephone number (012) 345-6360/083-632-3904), with a copy to legalsecretary@savc.org.za.

SCHEDULE**1. Definitions**

Any word or expression in this Schedule to which a meaning has been assigned in the Act shall have that meaning, and "the Act" means Veterinary and Para-Veterinary Professions Act, 1982 (Act No. 19 of 1982), and the regulations made thereunder

"Act" means the Veterinary and Para-Veterinary Professions Act, 1982 (Act No.19 of 1982), and the regulations made there under;

"client" means a person who uses the professional services of a veterinary technologist and includes veterinary professionals;

"impairment" means such a level of physical or mental impairment, which includes substance abuse or addiction, that may affect the practice of the veterinary technologist to such an extent that the welfare of the patients, the interest of a client and/or the image of the profession may be compromised;

"inquiry body" means an ad hoc committee of the Council acting under powers delegated to it by the Council in terms of section 12 of the Act to preside at inquiries;

"investigation committee" means a committee appointed by Council in terms of Section 12 of the Veterinary Act to evaluate and screen complaints against professionals;

"sample" means a subset, for example collecting whole blood specimens from 10 animals from a group of 100 would constitute a sample:

“**specimen**” means a single subject (for example a single blood collection tube containing whole blood).

“**supervision**” means, unless otherwise indicated:

“**direct supervision**” means that a registered veterinary professional is readily available on the premises where the patient is being treated or other professional services are being rendered, and who assumes responsibility for the veterinary care given to the patient or services rendered by a person working under his/her indirect supervision;

“**indirect supervision**” means a registered veterinary professional need not be on the premises where an animal is being treated or other professional services are being rendered, that he/ she has given either written or verbal instructions for, but that s/he is readily available by telephone or other form of communication and assumes responsibility for the veterinary care given to the patient or services rendered by a person working under his/her indirect supervision;

“**unprofessional conduct**” means unprofessional, dishonourable or unworthy conduct as set out in rule 4;

“**veterinary laboratory**” means a facility which has the specific purpose of diagnostic and/or research testing, any mobile service unit linked to the permanent facility, and in-house laboratories that form part of a veterinary facility where the service is not only rendered for the facility’s own requirements;

“**veterinary technology**” is a branch of veterinary science that has as its goal the application of technology and laboratory techniques to analyse a diverse set of specimens of animal, plant, feed and/or environmental origin to assist with the diagnosis, prevention, control, treatment, rehabilitation and monitoring of illness and disease in animals; and

“**veterinary technologist**” is a person who practices veterinary technology by applying technologies and performing laboratory techniques to produce a test / laboratory result which can be used for various veterinary purposes.

SERVICES PERTAINING SPECIALLY TO THE PARA-VETERINARY PROFESSION OF VETERINARY TECHNOLOGIST

2. General Services

- (1) For the purposes of the Act the following shall be deemed to be services which pertain specially to the para-veterinary profession of veterinary technologist:
 - (a) Laboratory analysis on any specimens(s) from animal origin of which the test result will be used for diagnostic-, disease surveillance- and / or disease monitoring purposes or monitoring the health status of an animal but excluding samples of human origin.
 - (b) The collection of specimens, including blood smears, brain smears, impression smears, skin scrapings, urine specimens, semen specimens, sheath washes or sheath scrapes and faecal samples necessary for laboratory analysis. The

- collection of any samples by other clinical procedures and/or anaesthesia and/or only under the direct or indirect supervision of a veterinary professional.
- (c) The collection of blood and other specimens from donor animals used in the preparation of laboratory media and/or reagents such as but not limited to blood agar and blood reagents used in serological testing.
 - (d) The collection of post-mortem samples under the direct or indirect supervision of a veterinary professional.
 - (e) The evaluation of a specimen or sample submitted for laboratory testing for suitability.
- (2) A veterinary technologist may also assist a person registered to practice a veterinary profession with any other service that such a person may perform, if such assistance is rendered under the indirect or direct supervision of the veterinary professional, in the event of an emergency only or if the veterinary technologist was granted an extension of his/her scope of registration by Council. The veterinary professional takes full responsibility for the procedure or action performed in terms of this rule.
- (3) Rule 1 (1) shall not be construed in a manner so as to prohibit any other person registered to practise the veterinary or another para-veterinary profession from performing procedures that pertain to their profession or allowed by any other Act.

3. Execution of services –

- (1) A veterinary technologist may perform the services listed in Rule 2:
- (a) For his/her own account operating his/her own veterinary laboratory; or
 - (b) during the course of employment by a person-
 - (i) registered to practice the veterinary profession;
 - (ii) registered to practice the veterinary technology profession;
 - (iii) employing a person registered to practice a veterinary profession; or
 - (iv) employing a person registered to practice the veterinary technology profession.
- (2) Laboratory results from a veterinary laboratory as envisaged in rule 3(1)(a) above may only be released to:
- (a) the referring veterinary professional or a veterinary professional referred to in rule 3(1)(b)(i) or (iii);
 - (b) upon instruction of the referring veterinarian also to the client of the referring veterinarian; or
 - (c) the local state veterinarian in instances required by the Animal Diseases Act; or
 - (d) the referring laboratory/employer employing a person registered to practice a veterinary profession.
- (3) Notwithstanding the provision of Rule 3 (2) (b) laboratory results shall not be released to a client, who is not a veterinarian, without the knowledge and/or consent of the referring veterinarian or state veterinarian as in rule 3(2)(c).

CONDUCT OF PERSONS PRACTISING VETERINARY TECHNOLOGY PROFESSION

4. General principles

- (1) A veterinary technologist must base his/her personal and professional conduct thereon that he/she is a member of a learned and honourable profession and is required to act at all times in such a manner as will maintain and promote the prestige, honour, dignity and interests of the profession and of the persons by whom it is practised.
- (2) All persons practising the veterinary technology profession are working towards the same common good cause, whether they are in private practice or in the service of an employer, and they must co-operate with each other and with the authorities concerned to promote that cause.
- (3) As a professional a veterinary technologist is required to comply with the following fundamental principles:
 - (a) **Integrity:** To be honest and ethical.
 - (b) **Professional Competence:**
 - (i) To maintain the professional knowledge and skill required to ensure that a client receives competent professional services based on current developments in and act diligently and in accordance with applicable technical and professional standards benchmarked against what is expected of the reasonable veterinary technologist considering the circumstances and geographic and demographic realities at hand;
 - (ii) To comply with continuing professional development (CPD), which enables a laboratory animal technologist to develop and maintain the capabilities to perform competently within the professional environment; and
 - (iii) to keep record of CPD credits obtained to ensure CPD requirements are met to ensure that registration with Council is maintained.
 - (c) **Confidentiality:** To respect the confidentiality of information acquired as a result of professional services and the relationships emanating therefrom, and, therefore, not disclose any such information to third parties except his or her employer without proper and specific authority, unless there is a legal or professional right or duty to disclose, nor use the information for the personal advantage of the laboratory animal technologist or third parties.
 - (d) **Professional conduct includes but is not limited to:**
 - (i) To be informed and comply with all the legal directives which are relevant to the practice of his/her profession and which include the Act, its regulations and Rules, the current Code of Ethics as well as all other relevant legislation;
 - (ii) To avoid any action that the veterinary technologist knows or ought to have known that may discredit the profession;
 - (iii) To be morally obliged to serve the public to the best of his/her ability and in the light of acceptable scientific knowledge and procedures;
 - (iv) Execute the instructions of a person registered to practice a veterinary profession discerningly and faithfully;
 - (v) Refuse to take part in any unethical behaviour, procedure or activity;
 - (vi) He or she shall not seek any personal advantage at the expense of any colleague in the profession;

- (vii) At all times, keep detailed and accurate records of all information and procedures performed, which shall be kept on file for at least five years or longer, as required by the relevant quality system;
 - (viii) To refrain from expressing criticism through which the reputation, status or practise of a colleague in the profession, other para-veterinary profession or veterinary profession is or could be undermined or injured, or through which a reflection is or could be cast on the integrity, skill, methods or conduct of such a colleague;
 - (ix) Not to permit himself/herself to be exploited in a manner which may be detrimental to the client, the public or the profession;
 - (x) The place at or from which a person practises the veterinary technology profession must be registered with Council and must comply with the applicable general minimum standards for that facility;
 - (xi) Any registered person at a registered facility must inform the Council within thirty (30) days of any changes to the identity or address of the principal; if the principal should pass away, Council should immediately be informed;
 - (xii) A veterinary technologist must inform Council within thirty (30) days of entering into employment or partnership at another registered facility or any change in his/her contact details and/or addresses;
 - (xiii) A laboratory animal technologist must inform Council within thirty (30) days of entering into employment or partnership at another registered facility; and
 - (xiv) A copy of any record kept by an animal research facility must be submitted to Council within seventy-two (72) hours of being requested to do so by Council.
- (4) Unprofessional conduct is unprofessional, dishonourable or unworthy conduct on the part of a veterinary technologist, including, *inter alia*, the following acts and omissions:
- (a) failure to comply with the Act, the regulations and/or Rules promulgated under the said Act, and/or the Code of Conduct and/or guidelines issued by Council from time to time;
 - (b) a contravention of the provisions of the Medicines Act and/or the regulations promulgated under it;
 - (c) failure to comply with any other relevant legislation;
 - (d) performing professional services outside the scope of his/her education, training and/or experience, regard being had to both the extent and limits of his/her professional expertise;
 - (e) making a diagnosis;
 - (f) releasing test results to a person other than those set out in rule 3(2);
 - (g) failing to adequately supervise his/her staff;
 - (h) failure to provide an itemised account when requested to, within the period set out in Rule 7(3);
 - (i) treating a client in a disrespectful and/or discourteous manner, unless justifiable reasons exist;
 - (j) incompetence, gross negligence or any form of negligence in the practising of the veterinary technology profession;
 - (k) fraud or dishonesty in making any kind of application to Council or the reporting of

- any test result for disease in an animal or in charging for a test that was not performed or services not rendered;
- (l) falsifying and/or backdating any laboratory report in part or in full;
 - (m) in any way directly or indirectly assisting, allowing or enabling an unqualified person and/or unregistered person to perform professional work which by law only a (veterinarian and/or a para-veterinary professional is allowed to perform);
 - (n) referring work, the performance of which is reserved by law to a veterinarian, specialist veterinarian or para-veterinary professional to a person not registered with Council;
 - (o) non-payment after demand of any fee, levy or other charge payable to the Council;
 - (p) failure to comply with an order, requirement, request, sentence or sanction of the Council and/ or the Registrar or any official appointed by the Council or the Registrar to perform any function in furtherance of the Council's objectives;
 - (q) failure to submit to an inspection of a veterinary laboratory required by Council where the veterinary technologist is the principal of said veterinary laboratory;
 - (r) failure to advise Council of any change in his/her physical residential or employment address, and other contact details, within thirty (30) days of such change being effected;
 - (s) operates for gain a veterinary laboratory which is not registered or does not comply with the minimum standards set out in the Rules;
 - (t) practising outside the scope of registration for a veterinary technologist;
 - (u) being convicted of being involved in any criminal or illegal activity, if it relates to the practising of the veterinary technology profession or is deemed to bring the profession into disrepute;
 - (v) to permit himself/herself to be exploited in a manner which may be detrimental to the client, the public or the profession, or allow bias, conflict of interest or influence of others, to compromise professional judgment;
 - (w) failing to cooperate, obstructing or delaying an investigation into unprofessional conduct by Council;
 - (x) contempt and/or disrespect of Council; and
 - (y) any other conduct which in the opinion of Council constitutes unprofessional conduct.

5. Acceptance and payment of commission

- (1) Subject to Rule 4(2) a veterinary technologist may not:
 - (a) Accept any commission from any person as a consideration for referrals of any clients by such veterinary technologist to such person; and
 - (b) Charge or accept any fee for the same test or laboratory procedure from both the referring veterinarian and the owner of the animal of which a specimen or sample(s) was tested.
- (2) The provisions of Rule 4(1) shall not be so construed as to prohibit a veterinary technologist:
 - (a) From introducing a loyalty scheme for a particular laboratory, provided that the loyalty scheme, including discount, does not include the payment of money;

- (b) From paying to a debt collection agency any commission in respect of debts which are collected by such agency on his/her behalf; or
- (c) From accepting any royalty or similar compensation in respect of an article or product to which he/she holds the patent rights.

6. Business ownership & sharing

- (1) A veterinary technologist may:
 - (a) Offer an appointment in his/her practice to another veterinary professional or para-veterinary professional who is registered in terms of the Act to practice the profession concerned;
 - (b) Employ another person in a professional capacity at his/her laboratory; or
 - (c) Share his/her laboratory or premises with another person involved in practising a veterinary or para-veterinary profession.
- (2) Any appointment, employment or sharing anticipated in Rule 6(2) is subject to the condition that:
 - (a) Specimen or sample integrity and confidentiality of client records are not compromised; and
 - (b) Sufficient biosecurity measures, according to relevant health and safety legislation and including isolation facilities, are in place to ensure that the wellbeing of humans and animals are not at risk.

7. Fees

- (1) Fees for standard laboratory tests and procedures may be advertised in the reception area of the laboratory.
- (2) A list of fees for all laboratory tests and procedures must be made available to clients of the laboratory upon request either as a separate document or part of a specimen and/or sample submission guideline.
- (3) Any veterinary technologist claiming payment from a person in respect of any service rendered by him/her must furnish such person with an itemised account as soon as possible but not later than thirty (30) days after the final test report was issued to such a person.

8. Intrusion

- (1) If a veterinary technologist has obtained any confidential information regarding the nature and extent of the business or laboratory of a veterinary professional or colleague in the veterinary technology profession, such veterinary technologist may not use such information to promote his/her own business or laboratory.
- (2) If a veterinary technologist renders professional services to an employer, he/she may not use his/her association with or the intellectual property of such employer in any manner whatsoever to promote his/her own business or laboratory at the expense of that employer in the profession.

- (3) Contravention of Rules 8(1) & 9(2) for own gain is a serious offence which may lead to deregistration.

9. Advertising

- (1) A veterinary technologist may advertise his/her laboratory services, facilities, products and prices or permit another person to do so without limitation on the size, format, artistic or literary style: Provided that the advertisement complies with the provisions of these Rules and may in no way compromise or impair any of the following, namely:
- (a) The client's freedom to consult a veterinary laboratory of his/her choice; and
 - (b) The good reputation of the veterinary technology profession.
- (2) All advertising by a veterinary technologist of his/her veterinary laboratory services must be in good taste with regard to content, prominence and medium and may not be offensive to any cultural, religious or linguistic community or be contrary to the spirit of the Code of Conduct of the Advertising Standards Authority of South Africa and the Code of Conduct of Practise issued by the Council.
- (3) Advertisements may not -
- (a) Be misleading in any respect;
 - (b) Compare the quality of services, products, the standards of facilities and/or the knowledge or expertise of a veterinary technologist with that of another veterinary technologist, veterinary laboratory or the veterinary technology profession generally, nor may it claim to be superior in any respect; or
 - (c) Criticise the quality of services or products provided by another veterinary technologist or veterinary laboratory.

10. Identification of veterinary laboratories

- (1) A veterinary laboratory must be identified by means of an identification board,
- (2) An identification board referred to in Rule 10(1) must contain at least the following:
- (a) Identify the facility as a veterinary laboratory;
 - (b) Hours of operation;
 - (c) A telephone number of the veterinary laboratory;
- (3) A veterinary laboratory may be identified by means of a direction board, which must comply with the provincial or municipal regulations governing direction boards.

MINIMUM STANDARDS FOR VETERINARY LABORATORIES

11. Veterinary Laboratory

- (1) All veterinary laboratories must be registered with Council. Should a veterinary laboratory not meet the minimum standards set out in the Rules, its registration may be suspended for such a period as Council deems fit.
- (2) A veterinary laboratory at or from which a registered person renders a laboratory service must:
- (a) Be a permanent structure and any mobile unit operated from the facility shall be linked to permanent facility (see section on mobile units);

- (b) Have a neat appearance (external and internal);
 - (c) Have signage that complies with regulations of the local authority and where applicable also meets any regulation and / or Rules set by the Council;
 - (d) Be compliant with local regulations pertaining to health and safety, including fire protection;
 - (e) Have separate areas for receiving members of the public and specimens and samples;
 - (f) Have access to toilet facilities for members of the public;
 - (g) As far as possible have separate laboratory areas to prevent cross contamination of specimens;
 - (h) Have, where applicable, appropriate facilities for the storage of specimens in order to prevent degradation of samples before testing;
 - (i) Have facilities meeting the applicable regulations for the safe storage of chemicals and pharmaceuticals;
 - (j) Have facilities for the safe storage of scheduled medicines, if applicable;
 - (k) Have applicable equipment available to carry out the required tasks;
 - (l) Have adequate facilities available for the washing, cleaning and sterilisation of all equipment;
 - (m) Have proper facilities and containers for the storage of disposed hazardous waste including but not limited to sharps, chemicals, used test kits, biological specimens, etc. prior to collection by a licensed waste removal company as per regulations of the local authority;
 - (n) The internal walls, floors and work surfaces shall be of such a nature that they can be properly cleansed and disinfected in order to maintain hygienic conditions and prevent contamination of specimens;
 - (o) Drainage and washing water according to local authority requirements;
 - (p) Where applicable make provision for the storage and disposal of carcasses in a manner that will ensure that they will not start to decompose before they are disposed of;
 - (q) Where an on-site incinerator exists for the disposal of carcasses the incinerator shall be licensed according to the relevant local authority as well as environmental regulations;
 - (r) drainage and washing water according to local authority requirements;
 - (s) Where applicable have animal housing that complies with relevant legislation;
 - (t) Where applicable ensure that personnel are trained in the safe and humane handling of animals;
 - (u) Employ personnel who are in possession of the applicable prescribed qualifications and are registered at the Council to perform the testing;
 - (v) Provide personnel with protective clothing and protective equipment applicable to the level of risk involved; and
 - (w) Be compliant with local regulations pertaining to health and safety, including fire protection.
- (3) Mobile laboratory units must:
- (a) Be linked to a permanent facility and cannot be registered as an individual facility;
 - (b) Be identified as a part of the permanent facility by listing the vehicle registration number at the time of applying for facility registration;

- (c) Comply with all applicable traffic regulations;
 - (d) Be operated while in transit by a person with a driver's permit applicable to the type of vehicle;
 - (e) Have a fire extinguishing apparatus which meets the requirements of the local authorities and is suited for the types of fire hazard based on the content of the mobile unit;
 - (f) Have facilities for the safe transport and storage of chemicals and reagents that adhere to the regulations applicable to the transport of the chemicals and / or reagents;
 - (g) Meet all the relevant regulations for transport of chemicals if applicable;
 - (h) Have proper facilities for the storage of the specimen types to be tested;
 - (i) Have containers that meet the relevant regulations for disposal of hazardous waste including but not limited to sharps, chemicals, used test kits, biological samples, etc. until it can be discarded at or from the permanent facility; and
 - (j) Have applicable equipment available to carry out the required tasks.
- (4) The laboratory must comply with the following procedural aspects:
- (a) The Laboratory must have a documented quality manual;
 - (b) The Laboratory must have documented standard operating procedures for all tests performed at the facility;
 - (c) Where international or national standardised methods exist these must be used, unless reasonable ground for deviation exist;
 - (d) The Laboratory must have a documented maintenance schedule for all equipment used in testing of specimens and evidence that maintenance is done;
 - (e) The Laboratory must have a documented calibration schedule for all applicable equipment used in testing of specimens and evidence that calibration is done;
 - (f) The Laboratory must have a documented procedure for the retention of records including laboratory results that indicate how records will be secured, protected from loss and alterations, protected from unauthorised use and what the retention period will be; and
 - (g) The laboratory must have a documented system that ensures correct identification of specimens through the process of receiving, processing, evaluating and writing of the test report.
- (5) In addition to the minimum standards listed the following also apply as far as testing of patient specimens and/or other samples are concerned:
- (a) Any analysis performed to certify or confirm diagnosis of a controlled animal disease must be accredited by SANAS according to the latest version of the ISO 17025 standard and upon accreditation of the analysis the laboratory facility must be approved by the Department of Agriculture, Forestry and Fisheries to perform the analysis; and
 - (b) Any in-house analyser used for testing patient specimens must:
 - (i) Be maintained and serviced according to a documented schedule and evidence that this is done must be kept; and
 - (ii) Be calibrated at a set and documented interval to ensure that the analyser can still detect all analytes accurately and evidence of the calibration shall be kept.

12. Records at veterinary laboratories

- (1) Separate records shall be kept for each laboratory submission.
- (2) Such records shall be kept for at least five (5) years.
- (3) For the purpose of the Rules the following are regarded as records at a veterinary laboratory
 - (a) Specimen and sample submission form; and
 - (b) Test report.
- (4) Specimen and sample submission forms must contain areas to capture the following minimum information:
 - (a) The date on which the specimen or sample was received by the laboratory;
 - (b) Name and contact details of the referring veterinarian;
 - (c) Name and contact details of the owner of the animal;
 - (d) Date of sample collection;
 - (e) Animal identification, as well as the species, gender and age; and
 - (f) Test or laboratory procedure to be performed on the specimen or sample submitted;
- (5) Test reports shall include at least the following information:
 - (a) A title indicating that the document is a test report, e.g. "Laboratory Report";
 - (b) The name, address and contact details of the laboratory;
 - (c) Unique identification number for the specific submission;
 - (d) The name and address of the referring veterinarian;
 - (e) The name and address of the animal owner, if available;
 - (f) If the information in (e) is not available, it should be stipulated as such.
 - (g) Identification of the method(s) used to test the specimen or sample(s);
 - (h) Identification of the specimen or sample(s) tested;
 - (i) The test result(s) including units of measurement where applicable;
 - (j) The name and signature of the person responsible for the test(s); and
 - (k) A statement that the test result(s) only relate to the specimen or sample(s) received for testing.
- (6) Proper arrangements must be made to protect records from loss, fire, alterations, additions, supplements or unauthorised use; electronic records must be backed up.
- (7) Any alterations, additions and/or supplements to any records must be entered as a supplement to said record and must be dated and clearly defined as such.
- (8) A copy of any record kept by the veterinary laboratory must be submitted to Council within seventy-two (72) hours of being requested to do so by Council.

13. Exemption

The Council may, on written application, and at its own discretion, grant exemption from the provisions of specific Rules.

14. Reporting of impairment or of unprofessional conduct

- (1) A student, a veterinarian or para-veterinary professional must;

- a) Report impairment or suspected impairment in a student, a veterinary professional or para-veterinary professional to the Council if he/she is convinced that any student, veterinary or para-veterinary professional is impaired; and/or
- b) Report his/her own impairment or suspected impairment to the Council if he/she is aware of his/her own impairment or has been publicly informed, or has been seriously advised by a colleague to act appropriately to obtain help in view of an alleged or established impairment;

if such a level of physical or mental impairment has been identified that the welfare of the patients, the interests of the clients and/or the image of the profession will be compromised.

- (2) A student, a veterinary or para-veterinary professional is obliged to report any unprofessional, illegal or unethical conduct by another student, veterinary or para-veterinary professional, particularly where it involves the employment of unregistered professionals or where an animal's welfare may be compromised.

15. Repeal and transitional arrangements

The Rules relating to the practising of the para-veterinary profession of veterinary technologist published on 17 May 1991 in Government Gazette number 13230, Notice number R.1064, are hereby repealed.