

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 552 OF 2021

VETERINARY AND PARA-VETERINARY PROFESSIONS ACT, 1982, AS AMENDED
ACT No. 19 OF 1982, AS AMENDEDAMENDMENT OF THE RULES RELATING TO THE PRACTISING OF PARA-VETERINARY PROFESSION OF
LABORATORY ANIMAL 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 professions of laboratory animal technologist by revoking the rules published in Government Notice number 18313, GNR.1445, on 3 October 1997, 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;

"experimental animal" means all live, non-human vertebrates (including fertilised eggs, foetuses and embryos; i.e., fish, amphibians, reptiles, birds and mammals; including domestic animals, feral animals, purpose-bred animals, farm animals, agricultural animals and wildlife) and higher invertebrates such as the advanced *Cephalopoda* and *Decapoda* (e.g., octopus, squid, cuttlefish), which are bred or acquired for the purpose of using the animals, their tissues or progeny for scientific purposes;

"impairment" means such a level of physical or mental impairment, which includes substance abuse or addiction, that may affect the practice of the laboratory animal technician 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;

"profession" means the para-veterinary profession of laboratory animal technologist;

“research animal facility” means any facility or area where animals may be used, maintained or bred for scientific purposes, including for research, testing, teaching, validation, production or observation;

“scientific purposes” means using an experimental animal for any scientific reason, including for research, testing, teaching, validation, production or observation, including for any of the purposes contemplated in rule 2(1)(w);

“supervision” means, unless otherwise indicated:

“direct supervision” means that the laboratory animal technologist receives instructions from a person registered to practice a veterinary profession, within his/her scope of practice and carries out the instructions in that person's presence provided that the person gives the laboratory animal technologist and the patient, his/her undivided attention;

“indirect supervision” means that the laboratory animal technologist receives written or verbal instructions, within his/her scope of practice, from a person registered to practice a veterinary profession, and carries out the instructions while the registered veterinary professional need not be on the premises where professional services are being rendered, but must be readily available by telephone or some other form of communication and assume responsibility for the veterinary services 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;

“vivarium” means an enclosure, structure or area, such as a laboratory, where live animals are bred or maintained under semi-natural conditions, as for research, teaching, testing or observation.

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

2. General Services

- (1) For the purposes of the Act, the following services shall be deemed to be services, which pertain to the para-veterinary profession of laboratory animal technologist:
 - (a) Care and husbandry of experimental animals, including providing the necessary accommodation for housing, in accordance with National Standards; including the latest issue of the South African National Standards (SANS) 10386; for that particular species, including the provision of appropriate environmental enrichment;
 - (b) Monitoring, servicing and maintenance of the animal room environmental conditions, including barrier units;
 - (c) Maintenance and monitoring of the animal cage / accommodation environment;

- (d) Use and management of specialised, technically advanced animal housing and caging systems such as individually ventilated cages (IVCs) and micro-isolator units;
- (e) Control of sanitation and hygiene in the vivarium;
 - (i) Supervision of sterilisation and disinfection of the vivarium, vivarium equipment and items including use of specialised equipment such as autoclaves, and other sterilising methods and procedures.
 - (ii) Supervision of the use and management of specialised cleaning and sterilisation equipment such as cage changing stations and cage washing machines;
- (f) Supervision of the provision and monitoring of food and water of experimental animals, including the preparation of feed for special diets;
- (g) Daily general health and wellbeing monitoring of experimental animals;
- (h) Conduct clinical examinations and observations of experimental animals and recording of observations;
- (i) Supervision of the issue, transportation and receipt of experimental animals;
- (j) Management and control of animal breeding programmes, including of genetically modified strains, and the production of specified pathogen-free (SPF), gnotobiotic and barrier-bred animals;
- (k) Biohazard containment in the vivarium, including endogenous and exogenous biocontainment;
- (l) Knowledge, understanding and practical application of health and safety principles, including personal protective equipment requirements;
- (m) Knowledge and understanding of laboratory animal facility design principles;
- (n) Use and management of specialised experimental equipment, including calibration and servicing of such equipment;
- (o) Handling and restraint of experimental animals, and basic animal care, including the clipping of nails, beaks and teeth in relevant species;
- (p) Be able to apply animal marking identification using various methods humanely, acceptable and appropriate to the species;
- (q) Conduct behavioural experiments, including the use of mazes, swimming, and other cognitive testing;
- (r) Enteral and parenteral administration of medicines, experimental and other substances, including by oral gavage, rectal, vaginal, oro-nasal and percutaneous administration, inhalation and injection (including subcutaneous, intramuscular, intravenous, intraperitoneal, and intradermal routes);
- (s) Intravenous and arterial catheter placement, infusion of fluids and blood and pressure readings;
- (t) Urinary catheterisation (of animals of both sexes, including but not limited to sheep, pigs, primates and dogs), endo-tracheal intubation, the passing of stomach tubes, other internal tubes or catheters;
- (u) Administration of scheduled substances, including for anaesthesia, chemical immobilisation, sedation, tranquilisation, analgesia and euthanasia; maintenance of applicable scheduled substance records;

- (v) The administration of pre-medication and the induction and maintenance of general anaesthesia, but excluding epidural anaesthesia or nerve blocks;
- (w) Euthanasia of animals, including by physical (e.g., pithing, decapitation, cervical dislocation) and other methods, appropriate to the particular species and life-stage and in accordance with SANS 10386; and confirming death;
- (x) Collection and processing of specimens, including blood, body fluids, saliva, ascites, urine by free flow and faeces; and the collection of tissues including smears, vaginal smears, impression smears, skin scrapings, post mortal samples and swabs for diagnostic and experimental purposes, but excluding the collection of internal organs by biopsy;
- (y) The examination of specimens in order to record and report findings to a veterinarian, including haematology, serum chemistry, urine analysis, faeces analysis, skin scrapings, cytology examination, and post-mortem examinations;
- (z) Preparation of animals for aseptic procedures and surgery;
- (aa) Monitoring of animals before, during and after anaesthesia or surgery;
- (bb) Performing of minor surgical procedures, such as lancing of abscesses (including in dogs, pigs or primates after fighting), suturing of superficial wounds (including following premature stitch removal by animals after surgery), superficial surgical procedures not involving bone, skeletal muscle or body cavities (e.g., subcutaneous implants), and skin biopsy via biopsy punch;
- (cc) Within his/her scope of training, experience and competence assisting a person registered or authorised to practice a veterinary profession with surgical procedures;
- (dd) Use of the tranquilliser dart gun and blow pipe within the vivarium facility;
- (ee) Capture of wildlife for scientific purposes by manual methods (i.e., excluding chemical tranquilisation, sedation, immobilisation or anaesthesia), e.g., by nets, trapping in cages, enclosures, snares, other traps, etc.;
- (ff) The marking and identification of wildlife and/or attachment of tracking devices to wildlife;
- (gg) Assessment of competence of practical skills of trainee laboratory technologists;
- (hh) Assessment of competence of research personnel in the required aspects of laboratory animal technology;
- (ii) Training and examination of trainee laboratory animal technologists;
- (jj) Teaching and training of research personnel and staff in required aspects of laboratory animal technology;
- (kk) General supervision and management of the vivarium;
- (ll) Knowledge, understanding and practical application of regulatory requirements and quality management systems regarding the use of animals for scientific purposes;
- (mm) Demonstrate a basic working knowledge and understanding of research methodology;
- (nn) Conduct scientific activities with experimental animals for any of the following purposes:
 - (i) The advancement of knowledge;
 - (ii) To test a hypothesis;

- (iii) To supply a product or produce a biological substance;
 - (iv) To provide organs, tissues, cells, gametes, biological substances including blood, blood products or serum, fertilised eggs, embryos or foetuses;
 - (v) To act as a host;
 - (vi) To impart or demonstrate existing knowledge;
 - (vii) To learn or teach surgical and other procedures, techniques or methods, invasive and non-invasive, including behavioural experiments, that fall within their Scope of Practice as defined in this Schedule;
 - (viii) To test or collect data on any substance or product, including to comply with statutory requirements; and
 - (ix) To conduct observational studies, or to make audio and/or visual recordings of any of the above;
- (2) A laboratory animal 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 laboratory animal 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) Notwithstanding the provisions of rules 2.1 and 2.2, a laboratory animal technologist shall perform the services referred to in these rules only during the course of his or her employment by and under the direct or indirect supervision of—
- (a) A person registered to practice the veterinary profession; or
 - (b) A person employing a person registered to practice a veterinary profession; or
 - (c) A veterinary consultancy registered with the South African Veterinary Council.
- (4) The services referred to in rule 2 shall be performed on experimental animals only.
- (5) In a case of emergency, a laboratory animal technologist may also render other services which fall within his or her scope of training and experience and which are essential to save lives or relieve suffering in animals, on condition that a report thereon is made to the veterinary professional referred to in rule 2(3) as soon as possible, and that the further treatment of such animal is entrusted to that veterinary professional or to another person registered to practice a veterinary profession.
- (6) Surgical procedures that fall outside the Scope of Practice need to be approved through extension of registration or authorisation.

3. Exception in respect of rule 2:

The provisions of rule 2 shall not be construed so as to prohibit the procedures allowed in terms of a veterinary or a para-veterinary professional's registration and scope of practice under the Act.

4. CONDUCT OF PERSONS PRACTISING LABORATORY ANIMAL TECHNOLOGY PROFESSION

General principles

- (1) The fundamental responsibility of a laboratory animal technologist is to provide optimal and exemplary standards of humane care and use of experimental animals at all times.
- (2) A laboratory animal 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.
- (3) All persons practising the laboratory animal 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.
- (4) As a professional a laboratory animal 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 competent professional services are rendered based on current developments in techniques and act diligently and in accordance with applicable technical and professional standards benchmarked against what is expected of the reasonable laboratory animal 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) A laboratory animal technologist may only practice at a research animal facility registered with Council.
 - (ii) To be informed of and comply with all the legal directives and standards of animal ethics (SANS 10386) which are relevant to the practice of his/her profession and which include the Act, its regulations and Rules, the current Ethical Code as well as all other relevant legislation and shall, as far as within his or her power, assist in the application of these laws and standards, including all relevant institutional animal ethics committee policies and requirements.

- (iii) To avoid any action that the laboratory animal technologist knows or ought to have known that may discredit the profession;
 - (iv) To be morally obliged to serve the public to the best of his/her ability by maintaining, at all times, the highest standards of humane care and use of experimental animals and professional conduct, in the light of acceptable scientific knowledge and procedures;
 - (v) Execute the instructions of a person registered to practice a veterinary profession discerningly and faithfully;
 - (vi) Refuse to take part in any unethical behaviour, procedure or activity;
 - (vii) He or she shall not seek any personal advantage at the expense of any colleague in the profession;
 - (viii) 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;
 - (ix) 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;
 - (x) 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.
 - (xi) A laboratory animal technologist must inform Council within thirty (30) days of entering into employment or partnership at another registered facility.
 - (xii) 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.
 - (xiii) Execute the instructions of the responsible veterinarian discerningly and faithfully.
- (5) Unprofessional conduct is unprofessional, dishonourable or unworthy conduct on the part of a laboratory animal 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) failure to comply with any other relevant legislation;
 - (c) performing professional services outside the scope of his/her education, training, experience and/or competence, regard being had to both the extent and limits of his/her professional expertise;
 - (d) failing to adequately supervise his/her staff;
 - (e) failure to provide an itemised account when requested to, within the period set out in Rule 7(3);
 - (f) treating a client in a disrespectful and/or discourteous manner, unless justifiable reasons exist;
 - (g) incompetence, gross negligence or any form of negligence in the practising of

- the laboratory animal technology profession;
- (h) fraud or dishonesty in making any kind of application to Council or in charging for a test that was not performed or for services not rendered;
 - (i) falsifying and/or backdating any laboratory report in part or in full;
 - (j) in any way directly or indirectly assisting, allowing or enabling an unqualified person and/or unregistered person to perform professional services which by law only a (veterinarian and/or a) para-veterinary professional is allowed to perform;
 - (k) 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;
 - (l) non-payment after demand of any fee, levy or other charge payable to the Council;
 - (m) 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;
 - (n) failure to submit to an inspection of an animal research facility required by Council where the laboratory animal technologist is the principal of said animal research facility;
 - (o) operates an animal research facility which is not registered with Council or does not comply with the minimum standards set out in the Rules;
 - (p) practising outside the scope of registration for a laboratory animal technologist;
 - (q) being convicted of being involved in any criminal or illegal activity, if it relates to the practising of the laboratory animal technology profession or is deemed to bring the profession into disrepute;
 - (r) to permit himself/herself to be exploited in a manner which may be detrimental to the animals, client, the public or the profession, or allow bias, conflict of interest or influence of others, to compromise professional judgment;
 - (s) 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;
 - (t) failing to cooperate, obstructing or delaying an investigation into unprofessional conduct by Council;
 - (u) contempt and/or disrespect of Council; and
 - (v) 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 laboratory animal technologist may not:
 - (a) Accept any commission from any person as a consideration for referrals of any clients by such laboratory animal technologist to such person;
 - (b) Share with any person, fees charged for a service unless -
 - (i) Such sharing is commensurate with the extent of such other person's participation in the rendering of the service concerned;

- (ii) He/she is a para-veterinary or veterinary professional associated with the laboratory animal technologist as a partner, shareholder or employee; and/or
 - (c) 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 was tested.
- (2) The provisions of Rule 4(1) shall not be so construed as to prohibit a laboratory animal 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 laboratory animal technologist may not enter into a partnership or allow any shareholding or interest in his/her practice with another person, unless that person is registered with Council as a veterinary professional or para-veterinary professional.
- (2) A laboratory animal technologist may:
 - (a) Offer an appointment in his/her practice to another veterinary professional or para-veterinary professional who are 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.
- (3) Any appointment, employment or sharing anticipated in Rule 5(2) is subject to the condition that:
 - (a) Specimen integrity, animal wellbeing and confidentiality of client records are not compromised; and
 - (b) Sufficient bio-security 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 services rendered may be advertised in the reception area of the laboratory.
- (2) A list of fees for services rendered may be made available to clients of the laboratory upon request either as a separate document or part of a sample submission guideline.
- (3) Any laboratory animal 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 laboratory animal technologist has obtained any confidential information regarding the nature and extent of the business or laboratory of a veterinary professional or of a colleague in the profession, such laboratory animal technologist may not use such information to promote his/her own business or laboratory.
- (2) If a laboratory animal 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) & 8(2) for own gain is a serious offence which may lead to deregistration.

9. Advertising

- (1) A laboratory animal technologist may advertise his/her animal research 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 utilise an animal research facility of his/her choice; and
 - (b) The good reputation of the laboratory animal technology profession.
- (2) All advertising by a laboratory animal technologist of his/her animal research facilities' 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. There must be awareness of public opinion and of any possible implications that may prove detrimental to the profession of laboratory animal technology.
- (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 laboratory animal technologist with that of another laboratory animal technologist, animal research facility or the laboratory animal 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 laboratory animal technologist or animal research facility.

10. Exemptions

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

11. 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.

12. Repeal and transitional arrangements

The Rules relating to the practising of the para-veterinary profession of laboratory animal technologist published in Government Gazette number 18313, Notice number 1445 on 3 October 1997 are hereby repealed.