

VETERINARY PRACTICE ACT 201X
(Act)

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VETERINARY PRACTICE BILL 201X

An Act to consolidate and amend the law relating to the registration of Veterinary Surgeons and Veterinary Para-Professionals, control and regulation of the practice of veterinary medicine and for national purposes to provide for certain provisions with regard to national veterinary service in the public services after registration as a veterinary practitioner; and to make provision for matters connected hereto.

BE IT ENACTED by the Parliament of Malaysia as follows:

Part I PRELIMINARY

Short title

1. (1) This Act may be cited as the Veterinary Practice Act 20xx.

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette*, and the Minister may appoint different dates for coming into operation of different provisions of this Act.

Interpretation

2. (1) In this Act, unless the context otherwise requires

“Act” means the Veterinary Practice Act 201x;

“animal” means any living creature other than a human being and includes any amphibian, arthropod, beast, bird, cephalopod, crustacean, fish, insect, mammal or reptile whether wild or tame kept in captivity or under control or in the wild, including specimens collected in the course of practice of veterinary medicine;

“annual practising certificate” means the practicing certificates issued under section 56;

“authorised officer” means any officer of the Ministry of Agriculture and Agro Based Industries who is appointed by the Director General under section 82;

“authority card” means a card issued to the authorised officer under section 82;

“body corporate” means a body incorporated under the Companies Act 1965 [*Act 125*];

“certificate” means either the certificate of registration, certificate of registration as a specialist, annual practicing certificate, temporary practicing certificate or any other certificate as may be determined by the Council from time to time and issued under this Act.

“certificate of registration” means a certificate of registration issued under section 39 or 49;

“community service” means Veterinary practice carried out at premises other than those appearing on the practicing certificate, for which no fee is charged;

“continuing professional development” means the form and manner as determined by the Council by way of directive or circular for a veterinary surgeon to acquire knowledge pertinent to the practice of veterinary medicine and who is desirous to renew an annual practicing certificate;

“Council” means the Malaysian Veterinary Council established under section 3;

“Council member” means a member of the Malaysian Veterinary Council established under Section 3;

“Council Secretary” means the Secretary of the Council appointed under paragraph 3 of the First Schedule;

“degrees and additional qualifications” under Section 50 of the Act means, certificate, diploma, degree, fellowship, internship, license, membership, post-graduate qualifications, titles by way of examination or coursework granted by a recognized institution, college, corporation or body by appointment, conferment or recognition in Malaysia or outside of Malaysia approved by the Council;

“Director General” means the Director General of Veterinary Services, Malaysia;

“food production animal” includes cattle, buffalo, sheep, goat, pig, chicken, fish, aquatic animals, and all animals whose body parts whole or in part or produce of destined as food for human consumption and excludes any animals that are reared or are for use in sport, equestrian pursuit, recreation and in competition;

“Head of Profession” means the Veterinary Para-Professionals appointed by the Director General to the post of Head of Profession for Veterinary Para-Professionals in the Department of Veterinary Services;

"license to operate or provide" means a license to operate or provide a private veterinary healthcare facility or service other than a private veterinary premise granted under Section 68(2);

"licensee" means a person to whom a license to operate or provide a private veterinary

healthcare facility or service other than a private veterinary premise granted under Section 68;

“local training institution” means an institution of higher education which grants a Veterinary degree and carries out all or part of its training within Malaysia;

“member” means a member of the Malaysian Veterinary Council;

“Minister” means the Minister at that time charged with the responsibility for veterinary matters;

“post-basic veterinary para-professional” means a veterinary para-professional whose name appears in Division B of the Veterinary Para-Professionals Register;

“practice address” means the address or addresses appearing on the annual practising certificate referred to in section 56 or the temporary practising certificate referred to in section 57;

“practising certificate” means the annual practicing certificate referred to in section 56 or the temporary practising certificate referred to in section 57;

“practitioner” means any veterinary practitioner or veterinary para-professional registered and possess a valid annual practicing certificate or a temporary practicing certificate under this Act;

“prescribed” means prescribed under this Act or by regulations made under this Act;

“premises” means any place, building or vehicle whether permanent or temporary;

“President” means the President of the Malaysian Veterinary Council;

“Principal Director” means the a senior veterinary officer in the public service in the Department of Veterinary Services, Malaysia

“principal practising address” means the address of the principal place of practice, which shall be the first practising address appearing on the practising certificate;

“Professional Qualifying Examination” means any examination determined by the Veterinary Qualifying Committee, for assessment of candidates who do not possess a registrable qualification;

“public services” has the meaning assigned to it in Article 132 of the Constitution and, in addition, it also means the service of any local authority or the service of any statutory authority exercising powers vested in it by Federal or State law, and the expression “public service” shall be construed accordingly;

“qualification” means any diploma, degree, fellowship, membership, license, authority to practice, letters, testimonial, certificate, or other status or document granted by any university, corporation, college, or other body, or by any department of, or persons acting under the authority of, the government of any country or place in or outside Malaysia;

“Register” means the Register of Veterinary Surgeons, Malaysia required to be maintained under section 38 or 46;

“registered” means registered under section 39 or 49;

“registered address” means the address appearing upon the certificate of registration issued under section 39 or 49;

“registered veterinary surgeon ” means a Veterinary practitioner whose name appears in Division II of the Veterinary Register;

“registrable qualification” means a qualification listed in Third and Fourth Schedule;

“Registrar” means the Veterinary Registrar referred to in section 37 or the Veterinary Para-Professionals’ Registrar referred to in section 46, or both;

“resident” means practising in a certain locality as defined by his principal practising address;

“society” means a body incorporated under the Societies Act 1966 [Act 335] or other non-governmental organizations;

“specimens” means items collected for the purpose of examination, laboratory diagnosis, pathological examination, research or for analysis in the course of practice of veterinary medicine;

“temporary practising certificate” means the practising certificate issued under section 57;

“unregistered person” means a person not registered as a practitioner under this Act.

"veterinary healthcare facility" means any premise given a license as a private veterinary healthcare facility or services, or an annual practicing certificate to operate a private veterinary hospital or private veterinary clinic excluding Government facilities in which one or more members of the public receive veterinary healthcare services for animals;

"veterinary healthcare professional" includes a veterinary surgeon, pharmacist, veterinary para-professional and other allied healthcare professional and any other person involved in the giving of veterinary medical, health, dental, pharmaceutical or any other healthcare services in any premise licensed as a veterinary healthcare facility excluding Government facilities;

"veterinary healthcare services" includes various classes, categories, or descriptions of services

which include-

- (a) medical, dental, nursing, allied health, pharmacy, diagnostic and ambulance services and any other service provided by a veterinary healthcare professional;
- (b) accommodation for the purpose of any service provided under this Act;
- (c) any service for the screening, diagnosis, or treatment of animals suffering from, or believed to be suffering from, any disease, injury or disability;
- (d) any service for preventive, rehabilitative, geriatric, complementary, alternative and integrative medicine or promotive health purposes;
- (e) any service provided by any veterinary para-professional;
- (f) any service for curing or alleviating any abnormal condition of the animal body by the application of any apparatus, equipment, instrument or device or any other medical technology;
- (g) any veterinary and veterinary public health-related services; or
- (h) a combination of any of the services provided above

“veterinary medicine” includes veterinary medicine per se as defined in Section 2, surgery, obstetrics, animal husbandry and all other branches or specialties and complementary practices of veterinary medicine;

“Veterinary surgeon” means a person whose name appears in the Veterinary Register;

“Veterinary Register” means the Malaysian Register of Veterinary Surgeons required to be maintained under section 37;

“Veterinary Registrar” means the Registrar of Veterinary Surgeons referred to in section 38;

“Veterinary Specialist” means a Veterinary surgeon whose name appears in the Specialists’ Division of the Veterinary Register;

“Veterinary surgeon” means a Veterinary practitioner whose name appears in Division I of the Veterinary Register;

“Veterinary Para-Professional” means a person whose name appears in Division A of the Veterinary Para-professionals Register;

“Veterinary Para-Professionals’ Committee” means the Malaysian Veterinary Para-Professionals’ Committee established under section 21;

“Veterinary Para-Professionals’ Register” means the Malaysian Register of Veterinary Para-Professionals required to be maintained under section 47;

“Veterinary Para-Professionals’ Registrar” means the Registrar of Veterinary Para-Professionals referred to in section 46;

- (2) A person shall be deemed to practise veterinary medicine within the meaning of the Act who –
- (a) treats or attempts to diagnose, inspect, prognose, treat or professes to alleviate, treat, cure, relieve, correct, change, nurse, reconstruct, restores or prevent any animal defect, deformity, disease, deficiency, illness, injury, lesion pain or other physical, dental, or mental conditions by any method or mode; including the: -
 - i. performance of any medical or surgical procedure, or
 - ii. prescription, dispensing, administration, or application of any drug, medicine, biologic, apparatus, anaesthetic, radiography, imaging or other therapeutic or diagnostic substance, or
 - iii. use of complementary, alternative, and integrative therapies, in animals which includes acupuncture, chiropractic, homeopathy, traditional medicine, aryuveda, or
 - iv. use of any procedure for reproductive management, including but not limited to the diagnosis or treatment of pregnancy, fertility, sterility, or infertility, or
 - v. determination of the health, fitness, or soundness of an animal, any animal experimentation and research or
 - vi. take action in the prevention of the spread of disease, zoonoses, veterinary public health, or
 - vii. rendering of advice or recommendation by any with regard to any of the above and
 - viii. for practises recognized to be a duty of a veterinary surgeon as determined by the Council;
 - (b) the use of any apparatus, equipment, identification system, dental, imaging or X-ray or therapeutic or diagnostic substance or technique, laboratory diagnostic testing or necropsy, pathological examination of carcass and specimens in the course of practice of veterinary medicine, or do any other act recognised to be a duty of a veterinary surgeon;
 - (c) to represent, directly or indirectly, publicly or privately, an ability and willingness to do any act described in paragraph (a) above; and
 - (d) to use any title, words, abbreviation or letters in a manner or under circumstances which is likely to induce the belief that the person using them is a veterinary surgeon or
 - (e) holds himself out whether directly or indirectly as practising veterinary medicine.

Part II

THE MALAYSIAN Veterinary COUNCIL

Establishment of the Council

3. (1) A body corporate by the name of “Malaysian Veterinary Council” is established.
- (2) The Council shall have perpetual succession and a common seal.
- (3) The Council may sue and be sued in its corporate name.
- (4) Subject to and for the purposes of this Act, and upon such terms as it deems fit, the Council may -
- (a) enter into contracts;

(b) acquire, purchase, take, lease, hold, sell and enjoy movable and immovable property of every description; and

(c) convey, assign, surrender, yield up, charge, mortgage, demise, reassign, transfer or otherwise dispose of, or deal with any movable or immovable property and any interest in any movable or immovable property, vested in the Council.

Composition of the Council

4. (1) The Council shall consist of the following members who shall be the officers of the Council who shall be veterinary surgeons unless specified otherwise: -

(a) the President, who shall be the Director General of Veterinary Services or his nominee who shall be a senior veterinary surgeon in public service ;

(b) the Registrar, who shall be a senior veterinary surgeon in public service to be appointed by the Minister;

(c) the Head of the Veterinary Department/Authority of Sabah or his nominee, who shall be a veterinary surgeon in the public service to be appointed by the Minister;

(d) the Head of the Veterinary Department/Authority of Sarawak or his nominee, who shall be a veterinary surgeon in the public service to be appointed by the Minister ;

(e) two veterinary surgeons, from among the staff of the Veterinary faculties of local training institutions granting registrable qualifications from the public sector, to be appointed by the Minister;

(f) two veterinary surgeons to be appointed by the Minister;

(g) one veterinary surgeon from the public sector nominated and elected by the veterinary surgeons in the public sector to be appointed by the Minister

(h) four veterinary surgeons from the private sector, resident in Peninsular Malaysia to be nominated and elected by the veterinary surgeons residents in Peninsular Malaysia to be appointed by the Minister;

(i) one veterinary surgeon resident in Sabah to be nominated and elected by the veterinary surgeons resident in Sabah to be appointed by the Minister;

(j) one Veterinary surgeon resident in Sarawak to be nominated and elected by the veterinary surgeons resident in Sarawak to be appointed by the Minister; and

(k) two registered Veterinary Para-Professionals who are members of the Veterinary Para-Professionals' Committee nominated by the Veterinary Para-Professionals' Committee and appointed by the Minister.

(2) No veterinary surgeon shall be appointed as a member under sub-section (1)(c) to (j) unless the veterinary surgeon-

(a) is a citizen of Malaysia;

(b) resides in Malaysia;

(c) holds a current and valid annual practising certificate; and

(d) has been registered with the Council for not less than seven years.

(3) No veterinary surgeon shall be eligible to nominate or elect a member under sub-sections (1)(f) to (j) unless the veterinary surgeon is a citizen and holds a current and valid annual practising certificate.

(4) The nomination and election of the members referred to in sub-sections (1)(f) to (j) shall be conducted in such manner as may be determined by the Council or delegated to the members of the veterinary surgeon profession on the procedure for nomination to the Council.

(5) No veterinary surgeon may at the same time serve as a member in more than one capacity.

(6) A veterinary surgeon may be appointed to be a member under sub-section (1)(c) to (e) or elected to be a member under sub-sections (1)(f) to (j) notwithstanding that he has previously been a member under any of the sub-sections of subsection (1).

Disqualification from appointment, nomination or election

5. (1) A veterinary surgeon shall not be qualified to be nominated, appointed or elected to be a member, as the case may be, under the provisions of sub-sections 4(1)(f) to (j) if -

(a) he has been found guilty by a court of any offence involving fraud, dishonesty or moral turpitude, or of any offence punishable with imprisonment (whether in itself only or in addition to or in lieu of a fine);

(b) he is an undischarged bankrupt; or

(c) his name has at any time been struck off from the Veterinary Register; or has since been removed from any register of Veterinary practitioners maintained in any place outside Malaysia as a result of disciplinary proceedings.

(2) Any Veterinary surgeon whose name has been suspended from the Veterinary Register or who has been reprimanded under section 73, shall not be eligible to be appointed, nominated or elected, as the case may be, under any of the sub-sections 4(1)(f) to (j) -

(a) in the case of a suspension, for a period of six years after the expiration of such suspension; or

(b) in the case of a reprimand, for a period of three years from the date of such reprimand.

(3) If a member who has been appointed or elected under the Act is disqualified by reason of any provision of this Act, to be appointed, nominated or elected, he shall be deemed to have vacated his seat.

Tenure of Office

6. (1) Subject to such conditions as may be specified in his instrument of appointment, every member -

(a) appointed under Sections 4(1)(c) to (e) shall, unless he sooner resigns or vacates his office or his appointment is revoked; or

(b) elected and appointed under Sections 4(1)(f) to (j) shall, unless he sooner resigns or vacates his office or his appointment is revoked;

hold office for a term not exceeding three years.

(2) Every member appointed under Sections 4(1)(c) to (j) shall be eligible for reappointment or reelection, provided that the member shall not hold office for more than two consecutive terms.

Revocation and Resignation

7. (1) The Minister may at any time, after consulting the President, revoke the appointment of any member, appointed under Sections 4(1)(c) to (k) without assigning any reason.

(2) Any member appointed under Sections 4(1)(c) to (k) may at any time resign his office by giving a written notice addressed to the President.

Vacation of Office

8. (1) The office of an officer of the Council shall be vacated if-

(a) he dies

(b) there has been proven against him or he has been convicted in Malaysia or elsewhere on a charge in respect of -

(i) an offence involving fraud, dishonesty or moral turpitude;

(ii) an offence under any law relating to corruption; or

(iii) any other offence punishable with imprisonment (whether in itself only or in addition to or in lieu of a fine);

(c) his conduct, whether in connection with his duties as a member of the Council or otherwise, has been such as to bring discredit to the Council;

(d) he becomes an undischarged bankrupt;

(e) he is of unsound mind or is otherwise incapable of discharging his duties;

(f) he absents himself from three consecutive meetings of the Council or, if he attends less than fifty percent of meetings of the Council in a year, without leave from the President;

(g) his name has at any time been struck off from the Veterinary Register, or has since been removed from any register of veterinary practitioners or veterinary para-professional maintained in any place outside Malaysia, as a result of disciplinary proceedings;

(h) his resignation is accepted by the President;

(i) he is no longer resident in the constituency that elected him;

(j) he is no longer practising in the relevant sector under which he was elected or appointed; or

(k) his appointment is revoked by the Minister.

(2) Where any veterinary surgeon who is a member by virtue of the provisions of any of the Sections 4(1)(c) to (j) dies before completion of his term of office, resigns or otherwise ceases to be a member by reason of any provision of this Act, a veterinary surgeon shall be elected in his place, for the residue of the term for which such veterinary surgeon might have held office if he had not died, resigned or ceased to be a member.

(3) Notwithstanding subsection (2) the vacancy of any member elected under any of the Sections 4(1)(c) to (j) shall not be filled for the residue of that term, if his term of office would have come to an end within twelve months by effluxion of time.

(4) The Council shall not be prevented from performing any of its functions or exercising any of its powers under this Act by any vacancy in its membership.

Power of Minister to appoint officers of the Council

9. (1) If the veterinary surgeons fail to nominate or elect as a officer of the Council, any of the veterinary surgeons referred to in Sections 4(1)(e) to (h) by such date as may be specified, the Minister may appoint in his place as a member a veterinary surgeon qualified to be so nominated or elected, and any veterinary surgeon so appointed shall be deemed to be a member as if he had been duly nominated or elected.

Functions and powers of the Council

10. (1) The Council shall have such functions and exercise such powers as may be provided under this Act or any regulations made under it.

(2) The Council shall have the following functions:

- (a)* to register veterinary practitioners;
- (b)* to enforce the period of compulsory service under section 100;
- (c)* to regulate the standards of practice of practitioners;
- (d)* to regulate the professional conduct and ethics of practitioners; and
- (e)* to register veterinary specialists.

(3) To carry out its functions the Council shall have the power -

- (a)* to recognise institutions and qualifications for registration of practitioners under this Act;
- (b)* to approve or reject any application for registration or practicing certificates as a veterinary practitioner or certification in accordance with criteria determined for the purposed under this Act, directive, guideline or regulations issued;
- (c)* to determine the criteria for registration and practicing certificates of veterinary specialists;
- (d)* to approve or reject any application for registration as a veterinary specialist or certification in accordance with this Act or regulations;
- (e)* to determine any fees or fines payable;
- (f)* to issue certificates;
- (g)* to issue directives and guidelines;
- (h)* to borrow or raise money from time to time by bank overdraft or otherwise for any of the purposes specified in this section; and
- (i)* to do such other things as may be necessary to enable it to carry out its functions effectively.

(4) The Council shall have the power to do all things expedient, necessary or incidental to discharge its functions.

(5) Notwithstanding subsection (2), the Council may regulate any examination for veterinary practitioners for the purpose of admission for registration, or the Specialist Division of the Veterinary Register or for the purpose of granting a temporary practising certificate.

(6) The Council may -

(a) through the Minister, apply to the Minister of Finance for an annual allocation of money to be paid into the funds of the Council. There shall be an account to be managed by the Council and there shall be persons authorised to operate it;

(b) accumulate funds collected from fees, penalties and other monies payable under the Act or any regulation made thereunder and any fees, penalties and other monies not paid may be recoverable by the Council; and

(a) pay out of its funds the costs and expenses of any incidentals to the performance of the functions of the Council and its committees appointed under the Act.

The Malaysian Veterinary Council Fund

11. (1) There is established a Fund to be known as the “Malaysian Veterinary Council Fund” to be controlled and administered by the Council.

(2) The Fund shall consist of -

(a) such sums as may be provided by the Government from time to time, for the purposes of this Act;

(b) all or any part of the fees for the registration of veterinary practitioners, certificate fees, administration charges or other charges imposed by or payable to the Council under this Act;

(c) all monies earned from consultancy and advisory services and any other services provided by the Council; or

(d) all other monies lawfully received by the Council, including interest.

(3) The Fund shall be expended for the following purposes: -

(a) paying any expenditure lawfully incurred by the Council;

(b) paying for remuneration, allowances or other expenses of the members of Council, members of committees and the Secretariat;

(c) paying any expenses, costs or expenditure in relation to the procurement of goods or services, including but not limited to the engagement of consultants, legal fees and costs and other fees and costs, properly incurred or accepted by the Council in the performance of its functions and the exercise of its powers under this Act; or

(d) generally, paying any expenses for carrying into effect the provisions of this Act.

Committees of the Council

12. (1) The Council may from time to time constitute one or more committees, as it thinks fit, and

may delegate to them such of the Council's functions as the Council thinks fit.

(2) The Council may appoint any veterinary surgeon as chairman of any such committee.

(3) The Council may appoint any person as a member of any such committee.

(4) The quorum of any such committee shall be three, unless otherwise determined by the Council.

(5) A member of a committee shall hold office for such term as may be specified in his letter of appointment and is eligible for reappointment.

(6) The Council may revoke the appointment of any member of a committee without assigning any reason for the revocation.

(7) A member of a committee may, at any time, resign by giving a notice in writing to the President of the Council.

(8) The Council may, at any time, discontinue or alter the composition of a committee.

(9) A committee shall be subject to, and act in accordance with, any direction given to it by the Council.

(10) The meetings of a committee shall be held at such times and places as the chairman of the committee may determine.

(11) A committee may invite any person to attend any of its meetings for the purpose of advising it on any matter under discussion but that person shall not be entitled to vote at the meeting.

(12) The members of a committee and any person invited under subsection (11) shall be paid such allowances and other expenses as determined by the Council.

Delegation of the Council's functions or powers

13. (1) The Council may, in writing, delegate any of its functions and powers, except the power to make subsidiary legislation, to-

(a) The Chairperson;

(b) a member of the Council;

(c) the Council Secretary; or

(d) a committee of the Council

(2) Any person delegated with such function and power shall be bound to observe and have regard to all conditions and restrictions imposed by the Council and all requirements, procedures and matters specified by the Council.

(3) Any function or power delegated under this section shall be performed and exercised in the name and on behalf of the Council.

(4) The delegation under this section shall not preclude the Council itself from performing or exercising at any time any of the delegated functions and powers.

Appointment of employees of the Council

14. (1) The Council may appoint or employ such number of employees on such terms and

conditions as it may think desirable and necessary, who shall be paid such remuneration, allowances and benefits, and whose appointment shall be on such terms as the Council considers appropriate for carrying out the purposes of this Act.

(2) No person shall be eligible for employment as an employee of the Council if he has, directly or indirectly, by himself or his partner, any share or interest in any contract or proposed contract with, for or on behalf of the Council.

Chief Executive Officer

15. (1) The President may appoint a Chief Executive Officer after consultation with the Council, on such terms and conditions as the Council may determine.

(2) The Chief Executive Officer shall be the Executive Secretary to the Council and be responsible for –

(a) the overall administration and management of the functions and affairs of the Council;

(b) carrying out the decisions and directions of the Council;

(c) managing the functions, programmes, staff and other resources of the Council and ensuring compliance with the mandate and objectives of the Council;

(d) preparing strategic plans, programmes and budgets for the consideration of the Council; and

(e) executing all the plans, programmes and projects of the Council for effective and optimal performance.

(3) The Chief Executive Officer shall have general control of the employees of the Council.

(4) The Chief Executive Officer shall perform such further acts and duties as the Council may direct.

(5) In discharging his duties, the Chief Executive Officer shall act under the general authority and direction of the Council.

(6) The President may appoint any officer of the Council to perform the functions of the Chief Executive Officer –

(a) if for any period the Chief Executive Officer is unable, by reason of illness, leave of absence or any other cause, to perform his functions; or

(b) during any period of vacancy in the office of the Chief Executive Officer.

Public Authorities Protection

16. The Public Authorities Protection Act 1948 [Act 198] shall apply to any action, suit, prosecution or proceeding against the Council or against any member, officer, servant or agent of the Council or its committees in respect of any act, neglect or default done or committed by him in such capacity.

Public servants

17. All officers including the Chief Executive Secretary and the Secretaries of the Council of the Veterinary Para-Professional Committee of the Council and its committees, while discharging their duties as such members, shall be deemed to be public servants within the meaning of the Penal Code [Act 574].

Application of First Schedule

18. (1) The provisions of the First Schedule shall apply to the Council and the proceedings thereof.

(2) The Minister may, from time to time, after consulting the Council, amend the First Schedule by order published in the *Gazette*.

Power of the Minister to issue directions

19. The Minister may, from time to time, issue general directions not inconsistent with the provision of this Act or any regulations made thereunder and the Council shall give effect to such directions.

Returns, reports and information

20. The Council shall furnish the Minister with all such returns and information with respect to its activities as he may from time to time require.

PART III THE MALAYSIAN VETERINARY PARA-PROFESSIONALS' COMMITTEE

Establishment of the Malaysian Veterinary Para-Professionals' Committee

21. (1) There shall be established a committee called the "Malaysian Veterinary Para-Professionals' Committee" to be responsible for all matters connected with Veterinary Para-Professionals.

(2) The Veterinary Para-Professionals' Committee shall consist of the following members:-

(a) The Principal Director who shall be the chairman (henceforth referred to as the Veterinary Para-Professionals' Chairman);

(b) The Head of Profession of the Veterinary Para-Professionals, who shall be the Registrar of Veterinary Para-Professionals;

(c) One Council member nominated by the President and appointed by the Minister;

(d) One veterinary para-professional who is employed in the Department of Veterinary Services, nominated by the Director General and appointed by the Minister;

(e) Two veterinary para-professionals who are members of the academic staff of any of the local training institutions granting registrable qualifications for the training of Veterinary Para-Professionals, nominated by the President and appointed by the Minister;

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(g) Two registered veterinary para-professionals residing in Peninsular Malaysia, nominated by the veterinary para-professionals residing in Peninsular Malaysia and appointed by the Minister;

(h) One registered veterinary para-professionals residing in Sabah, nominated by the veterinary para-professionals residing in Sabah and appointed by Minister;

(i) One registered veterinary para-professionals residing in Sarawak, nominated by the veterinary para-professionals residing in Sarawak and appointed by Minister;

(3) No veterinary para-professional shall be appointed as a member of the Veterinary Para-Professionals' Committee unless the Veterinary Para-Professional -

(a) is a citizen of Malaysia;

(b) resides in Malaysia; and

(c) holds a valid practising certificate.

(4) A veterinary Para-professional may be appointed to be a member of the Veterinary Para-Professionals' Committee under subsection (2) notwithstanding that he has previously been a member of the Veterinary Para-Professionals' Committee under any of the paragraphs of subsection (2).

(5) If the Veterinary Para-Professionals' Chairman is unable to exercise his functions under this Act or the regulations made there under due to illness or absence from Malaysia or the post becomes vacant for any other cause, his functions shall be exercised by the Veterinary Para-Professionals' Registrar.

(6) Without prejudice to subsection (5), the Veterinary Para-Professionals' Chairman may delegate any of his functions to the Veterinary Para-Professionals' Registrar who, in exercising such functions, shall be subject to the control, supervision and direction of the Veterinary Para-Professionals' Chairman.

Tenure of office

22. A member of the Veterinary Para-Professionals' Committee appointed under Sections 21(2)(d) to (i), unless he sooner resigns or vacates his office or his appointment is sooner terminated, shall hold office for a term not exceeding three years and is eligible for re-appointment provided no member of the Veterinary Para-Professionals' Committee is eligible to hold office for more than two consecutive terms.

Powers of the Minister to appoint members of the Veterinary Para-Professionals' Committee

23. If the veterinary para-professional fail to nominate any of the veterinary para-professionals referred to in Sections 21(2)(g) to (i) by such date as may be prescribed, the Minister shall appoint in his place as a member of the Veterinary Para-Professionals' Committee, a veterinary para-professionals qualified to be so nominated, and any veterinary para-professionals so appointed shall be deemed to be a member of the Veterinary Para-Professionals' Committee as if

he had been duly nominated.

Disqualification from nomination and appointment

24. (1) A veterinary para-professional shall not be qualified to be nominated and appointed to be a member of the Veterinary Para-Professionals' Committee, under Section 21(2)(d) to (i)-

(a) if he has been found guilty by a court of any offence involving fraud, dishonesty or moral turpitude, or of any offence punishable with imprisonment (in itself only or in addition to or in lieu of a fine);

(b) if he is an undischarged bankrupt; or

(c) if his name has at any time been struck off from the Veterinary Para-Professionals' Register; or has been removed from any register of Veterinary Para-Professionals maintained outside Malaysia as a result of disciplinary proceedings.

(2) A veterinary Para-professional whose name has been suspended from the Veterinary Para-Professionals' Register or who has been reprimanded under section 73 or 80 shall not be eligible to be nominated or appointed, under Sections 21(2)(d) to (i) -

(a) in the case of a suspension, for a period of six years after the expiration of such suspension; or

(b) in the case of a reprimand, for a period of three years from the date of such reprimand.

(3) If a Veterinary Para-Professionals' Committee member who has been appointed, under Sections 21(2)(d) to (i) is disqualified by reason of any provision of this Act, to be nominated and appointed, he shall be deemed to have vacated his seat.

Revocation and resignation

25. (1) The appointment of any member of the Veterinary Para-Professionals' Committee under Section 21(2)(d) to (i) may, at any time, be revoked by the Minister after consultation with the Veterinary Para-Professionals' Committee, without assigning any reason.

(2) A member of the Veterinary Para-Professionals' Committee may at any time resign his office by written notice addressed to the Chairman.

Vacation of office

26. (1) A member of the Veterinary Para-Professionals' Committee shall be deemed to have vacated his office if -

(a) he dies;

(b) he is an undischarged bankrupt;

(c) he is of unsound mind or is otherwise incapable of discharging his duties;

(d) he has been convicted by a court in Malaysia or elsewhere of any offence involving fraud, dishonesty or moral turpitude, or of any offence punishable with imprisonment whether in itself only or in addition to or in lieu of a fine;

- (e) his resignation is accepted by the Chairman;
- (f) his appointment is revoked by the Minister;
- (g) he is absent without leave of the Chairman for three consecutive meetings of the Veterinary Para-Professionals' Committee;
- (h) he ceases to be a registered veterinary para-professional or he is suspended as a registered Veterinary Para-Professionals.

Functions and powers of the Veterinary Para-Professionals' Committee

27. (1) The Veterinary Para-Professionals' Committee shall have the following functions: -

- (a) to establish a Register of Veterinary Para-Professionals (henceforth referred to as the Veterinary Para-Professionals' Register).
- (b) to register veterinary para-professionals;
- (c) to regulate the standards of practice of veterinary para-professionals;
- (d) to regulate the professional conduct and ethics of veterinary para-professionals;

(2) To carry out its functions the Veterinary Para-Professionals' Committee will have the power –

- (a) to approve or refuse any application for registration or certification of veterinary Para-professionals in accordance with this Act;
- (b) to determine any fees or fines payable;
- (c) to issue certificates;
- (d) to do such other things as may be necessary to enable it to carry out its functions effectively.

(3) Notwithstanding subsection (1), the Veterinary Para-Professionals' Committee may regulate any examination for veterinary para-professionals for the purpose of admission to the Veterinary Para-Professionals' Register.

Appointment of sub-committees

28. (1) The Veterinary Para-Professionals' Committee may appoint one or more sub-committees to assist it in carrying out its functions under this Act.

(2) The Veterinary Para-Professionals' Committee may delegate any of its functions to any of the sub-committees formed by it.

(3) A delegation under subsection (2) is revocable by the Veterinary Para-Professionals' Committee and shall not prevent the Veterinary Para-Professionals' Committee from carrying out any of its functions under this Act.

(4) The quorum of any such sub-committee shall be three, unless determined otherwise by the Veterinary Para-Professionals' Committee.

Appointment of employees of the Veterinary Para-Professionals' Committee

29. (1) The Veterinary Para-Professionals' Committee may appoint or employ such number of employees on such terms and conditions as it may think desirable and necessary, who shall be paid such remuneration, allowances and benefits, and whose appointment shall be on such

terms as the Veterinary Para-Professionals' Committee considers appropriate for carrying out the purposes of this Act.

(2) No person shall be eligible for employment as an employee of the Veterinary Para-Professionals' Committee if he has, directly or indirectly, by himself or his partner, any share or interest in any contract or proposed contract with, for or on behalf of the Veterinary Para-Professionals' Committee.

Public Authorities Protection

30. The Public Authorities Protection Act 1948 [Act 198] shall apply to any action, suit, prosecution or proceeding against the Veterinary Para-Professionals' Committee or against any member, officer, servant or agent of the Veterinary Para-Professionals' Committee or its subcommittees in respect of any act, neglect or default done or committed by him in such capacity.

Public servants

31. All members of the Veterinary Para-Professionals' Committee and its subcommittees, while discharging their duties as such members, shall be deemed to be public servants within the meaning of the Penal Code [Act 574].

Application of Second Schedule

32. (1) The provisions of the Second Schedule shall apply to the Veterinary Para-Professionals' Committee and the proceedings thereof.

(2) The Minister may, from time to time, after consulting the Veterinary Para-Professionals' Committee, amend the Second Schedule by order published in the *Gazette*.

Power of the Minister to issue directions

33. The Minister may, from time to time, issue general directions not inconsistent with the provision of this Act or any regulations made thereunder and the Veterinary Para-Professionals' Committee shall give effect to such directions.

Returns, reports and information

34. The Veterinary Para-Professionals' Committee shall furnish the Minister with all such returns and information with respect to its activities as he may from time to time require.

Part IV REGISTRATION

Veterinary Qualifying and Accreditation Committee

35. (1) The Veterinary Qualifying and Accreditation Committee shall have the function of:-
(a) determining the accreditation criteria of institutions offering a qualification to be accepted by the Council as the Council deems fit and
(b) determination of the standard of proficiency required at qualifying examinations, from candidates with qualifications which are not registrable under this Act and not listed in the Third Schedule.

(2) In order to carry out its functions the Veterinary Qualifying and Accreditation Committee shall have the power to-

(a) determine the procedure, processes and requirements for the accreditation of an institution and its maintenance of a qualification to be accepted by the Council as the Council deems fit to be entered into the Third Schedule, and

(b) determine the -

(i) acceptable admission requirements, the course content and the method of assessment used in the institution which shall be equivalent to that of a local institution or national standard which grants a registrable qualification; and

(ii) the credentials or experience necessary;

before issuing a certificate of approval to allow a candidate to appear for the Professional Qualifying Examination;

(c) determine the assessment method and the standard necessary for a candidate to achieve before registration under Section 39 of the Act or be granted a temporary practising certificate, through the -

(i) setting up of its own Professional Qualifying Examination; or

(ii) designating the examinations of any local training institution as the equivalent examination; and

(d) recommending to the Council the fees to be charged for the evaluation and registration for the Professional Qualifying Examination.

(3) The membership of the Veterinary Qualifying and Accreditation Committee shall be as determined by the Council.

(4) The members shall be appointed by the President for a term not exceeding three years, and the members may be reappointed.

(5) The Secretary to the committee will be the Secretary of the Council.

Veterinary Specialists' Qualifying Committee

36. (1) The Veterinary Specialists' Qualifying Committee shall have the function of -

(a) determining the specialties that shall be recognised under this Act;

(b) determining the accreditation criteria of institutions offering a qualification to be accepted by the Council as the Council deems fit and

(c) determining of the standard of proficiency required from candidates to be recognised as specialists

(2) In order to carry out its functions the Veterinary Specialists' Qualifying Committee shall have the power to -

(a) recommend to the Council the criteria for registration for each of the specialties;

(b) formulate guidelines on standards of practice for each specialty for endorsement by the Council;

(c) determine the criteria, procedure for the accreditation of qualifications and verify credentials and training of specialists;

(d) recommend to the Veterinary Registrar practitioners who are suitable to be entered into the Specialist Division of the Veterinary Register; and

(e) recommend to the Veterinary Registrar holders of Temporary Practising Certificates who are eligible to practice as specialists.

(3) The membership of the Veterinary Specialists' Qualifying Committee shall be as determined by the Council.

(4) The members shall be appointed by the President for a term not exceeding three years, and the members may be reappointed.

(5) The Secretary to the committee shall be the Secretary of the Council.

(6) The Council may constitute any number of committees as Specialty Boards to assist the Veterinary Specialists' Qualifying Committee in its function.

Registrar of Veterinary Surgeons

37. For the purpose of this Act there shall be a Registrar of Veterinary Surgeons appointed under Section 4(1) of the Act.

Malaysian Register of Veterinary Surgeons

38. (1) The Veterinary Registrar shall cause to be kept in the specified form or forms (including computerised records) a register of veterinary practitioners to be known as the Malaysian Register of Veterinary Surgeons which shall contain such particulars as may be specified.

(2) The Veterinary Registrar shall be responsible for the maintenance and custody of the Veterinary Register in accordance with the provisions of this Act and the regulations made under it.

(3) The Veterinary Register shall be kept in two Divisions as follows:

(a) which shall be in respect of persons registered as veterinary surgeons;

(b) Specialist Division, which shall be in respect of persons registered as veterinary specialists.

(4) The Veterinary Register shall be deemed to be a public document within the meaning of the Evidence Act 1950 [Act 56].

(5) Search on or extracts from the Veterinary Register shall be made available upon request by any person during normal office hours on payment of a fee as prescribed in the Sixth Schedule of this Act.

Registration as a veterinary surgeon

39.(1) Subject to the provisions of this Act and the regulations under it, a Malaysian citizen or a permanent resident of Malaysia may apply to the Veterinary Registrar who is the Principal Officer to be registered as a veterinary surgeon if he -

(a) holds any of the registrable qualifications listed under the Third Schedule, granted by an institution specified in relation to that qualification; and

(b) proves to the satisfaction of the Veterinary Registrar his identity and that he is fit and of good character.

(2) Notwithstanding subsection (1)(a), a Malaysian citizen or a permanent resident of Malaysia who does not hold a registrable qualification may be registered as a veterinary surgeon upon application to the Veterinary Registrar if he -

(a) proves to the satisfaction of the Council that he has been trained in a training institution where the standard of veterinary training and examination is to the standard specified by the Council;

(b) proves to the satisfaction of the Council that he has been awarded a qualification by a training institution referred to in sub-section (a);

(c) proves to the satisfaction of the Council his identity and that he is fit and of good character; and

(d) having fulfilled the requirements under sub-sections (a) to (c), passes the Professional Qualifying Examination conducted by the Veterinary Qualifications and Accreditation Committee as determined by the Council .

(3) Notwithstanding subsection (2), the Council may specify further training before allowing a person to sit for the examination referred to in sub-section 2(d).

(4) An application for registration as a veterinary surgeon shall be made to the Veterinary Registrar in such manner or form and shall be accompanied by such documents, particulars required by the Council including a qualifying examination determined by the council or met conditions required by the Council to be conducted at a prescribed institution or shown to be competent to practice veterinary medicine by the Council and fees as may be prescribed in the Sixth Schedule.

(5) The Veterinary Registrar shall consider the applications made under subsection (4), and may require the applicant to produce further information or documents in support of the application.

(6) If the Veterinary Registrar decides to approve the application, the Veterinary Registrar shall enter the applicant's name, qualification and other details as may be specified in the Veterinary Register, and the Veterinary Registrar shall issue to the applicant a certificate of registration in

the prescribed form and upon payment of a fee as prescribed in the Sixth Schedule.

(7) The Veterinary Registrar may refuse to register any person if he so deems fit.

(8) If the Veterinary Registrar refuses to register the applicant, the Veterinary Registrar shall immediately serve a notice of refusal to the applicant assigning reasons for such refusal.

(9) Any person who has been refused registration under subsection (7) shall be entitled to appeal -

(a) in writing to the Council; or

(b) in person before the Council and be heard personally or by an advocate or solicitor.

(10) The Veterinary Registrar shall publish in the *Gazette* or in any means determined by the Council the names of every new registered practitioner.

Evidence of qualification to be given before entry in the Veterinary Register

40. (1) No degree or qualification shall be entered in the Veterinary Register, either on the first registration or by way of addition to a registered name, unless the Veterinary Registrar is satisfied by such evidence as he may consider proper that the person claiming such degree or qualification is entitled thereto.

(2) Every person registered under this Act who obtains any veterinary qualification other than the qualification by virtue of which he was registered, may apply to the Council to amend the Veterinary Register so far as it relates to the qualifications of that person, and on any such application the Council shall, if satisfied that the applicant is entitled to the qualification in respect of which the application is made and that such qualification is of sufficient standing to warrant its being entered in the Veterinary Register, cause the Veterinary Register to be amended accordingly by the insertion therein of the particulars of such qualification.

(3) The Council shall have power to decide what higher degrees and additional qualifications shall be admitted to be entered in the Veterinary Register in such form and manner and shall be accompanied by such documents, particulars and fees as the Council may determine.

Restriction on registration as a Veterinary Surgeon

41.(1) If any person applying for registration -

(a) has at any time been found guilty of an offence involving fraud, dishonesty or moral turpitude or an offence punishable with imprisonment (whether in itself only or in addition to or in lieu of a fine);

(b) has after due inquiry been found by any regulatory body in Malaysia or outside or Malaysia to have been guilty of infamous conduct in any professional respect or to be otherwise not of good fame and character;

(c) has contravened any provisions of this Act or Regulations;

(d) has since been removed from the register of veterinary practitioners maintained in any place outside Malaysia, or from the roll of any veterinary college or licensing body as a result of disciplinary proceedings; or

(e) after due inquiry by a Fitness to Practice Panel, which shall consist of two medical

practitioners and one veterinary surgeon appointed by the Council, been found to be incapable, by reason of physical or mental infirmity, or found to be incompetent to perform his professional duties,

the Council may direct the Veterinary Registrar not to enter the name of such person in the Veterinary Register.

(2) The Veterinary Registrar shall forthwith give the person concerned notice in writing of such direction by the Council not to enter such person's name in the Veterinary Register.

(3) Upon any inquiry under sub-section (1)(b), the applicant shall be entitled to appear before the Council and be heard personally or by an advocate and solicitor.

Exemption of full time veterinary surgeons on ships

42. All ship's veterinary surgeons while in the discharge of their duties on board the ship shall be exempted from registration under this Act and shall be entitled to all the privileges of registered veterinary practitioners under this Act.

Persons entitled to be registered as a veterinary specialist

43.(1) Subject to the provisions of this Act, no person shall be entitled to registration as a veterinary specialist under this Act unless -

(a) he has been registered under Division I of the Veterinary Register;

(b) holds a specialist qualification approved by the Council;

(c) he has been recommended by the Veterinary Specialists' Qualifying Committee; and

(d) he has proved to the satisfaction of the Council that he is fit and of good character.

Registration as a Veterinary Specialist

44.(1) An application for registration as a veterinary specialist may be made to the Veterinary Registrar in such form and manner and shall be accompanied by such documents, particulars and fees as the Council may determine.

(2) The Veterinary Registrar will ensure that the application made under subsection (1) is complete before sending the application to the Veterinary Specialists' Qualifying Committee for their assessment.

(3) The Veterinary Specialists' Qualifying Committee shall consider the applications referred to it, and may require the applicant to produce further information or documents in support of the application.

(4) If the Veterinary Specialists' Qualifying Committee decides that the application may be approved, the Veterinary Specialists' Qualifying Committee shall so recommend to the Veterinary Registrar.

(5) If the Veterinary Registrar decides to approve the application, he shall enter the practitioner's name in the Specialist Division of the Veterinary Register, and issue to the applicant a certificate of registration as a veterinary specialist in the prescribed form and upon payment of a fee as may be prescribed in the Sixth Schedule.

(6) Notwithstanding subsection (1) and (5) veterinary practitioners who are eligible to register in the Specialist Division of the Veterinary Register and are registered with the National Specialist Register shall be exempt from paying the prescribed fee.

(7) The Veterinary Registrar may refuse to register any applicant if he so deems fit.

(8) If the Veterinary Registrar refuses to register the applicant, the Veterinary Registrar shall immediately serve a notice of refusal to the applicant assigning reasons for such refusal.

(9) Any person who has been refused registration as a specialist under subsection (7) shall be entitled to appeal -

(a) in writing to the Council; or

(b) in person before the Council and be heard personally or by an advocate or solicitor.

(10) The Veterinary Registrar shall publish in the *Gazette* the names of every practitioner newly entered into the Specialist Division of the Veterinary Register.

Persons practising as veterinary specialists

45. Any person whose name does not appear in the Specialist Division of the Veterinary Register shall not practise as a veterinary specialist in that specialty commits an offence under the Act.

Registrar of Veterinary Para-Professionals

46. (1) For the purpose of this Act there shall be a Registrar of Veterinary Para-Professionals.

(2) The Head of Profession of Veterinary Para-Professionals shall be the Veterinary Para-Professionals' Registrar.

Malaysian Register of Veterinary Para-Professionals

47. (1) The Veterinary Para-Professionals' Registrar shall cause to be maintained in the specified form or forms (including computerised records) a Register of Veterinary Para-Professionals.

(2) The Veterinary Para-Professionals' Register shall be kept in two Divisions, as follows:

(a) Division A, which shall be in respect of persons registered as veterinary para-professionals; and

(b) Division B, which shall be in respect of persons registered as Post-basic Veterinary Para-Professionals.

(3) The Veterinary Para-Professionals' Registrar shall be responsible for the maintenance and custody of the Veterinary Para-Professionals' Register.

(4) The Veterinary Para-Professionals' Register shall be deemed to be a public document within the meaning of the Evidence Act 1950 [Act 56].

(5) Search on or extracts from the Veterinary Para-Professionals' Register shall be made available upon request by any person during normal office hours on payment of the prescribed fee.

Persons entitled to be registered as Veterinary Para-Professionals

48. (1) Subject to the provisions of this Part, a Malaysian citizen or a permanent resident may apply to be registered as a veterinary para-professional upon application to the Veterinary Para-Professionals' Registrar in the prescribed form if he –

(a) holds any of the qualifications deemed registrable by the Council and listed under the Fourth Schedule, granted by an institution specified in relation to that qualification; and

(b) proves to the satisfaction of the Veterinary Para-Professionals' Registrar his identity and that he is fit and of good character.

Registration as a Veterinary Para-Professionals

49.(1) Applications for registration shall be made in such manner or form and shall be accompanied by such documents, particulars and fees as may be prescribed in the Sixth Schedule.

(2) The Veterinary Para-Professionals' Registrar shall consider the application made under subsection (1).

(3) The Veterinary Para-Professionals' Registrar may require the applicant to produce further information or documents in support of the application.

(4) If the Veterinary Para-Professionals' Registrar approves the application, he shall enter the applicant's name in Division A of the Veterinary Para-Professionals' Register and issue to the applicant a certificate of registration with or without terms and conditions of practice in the prescribed form.

(5) If the Veterinary Para-Professionals' Registrar refuses to register the applicant, the Veterinary Para-Professionals' Registrar shall notify the applicant in the mode to be specified by the Veterinary Para-Professionals' Committee assigning reasons for such refusal.

(6) Any person who has been refused registration under subsection (4) shall be entitled to appeal –

(a) in writing to the Veterinary Para-Professionals' Committee; or

(b) in person before the Veterinary Para-Professionals' Committee and be heard personally or by an advocate or solicitor.

Evidence of qualification to be given before entry in the Veterinary Para-Professionals' Register

50.(1) No degree or qualification shall be entered in the Veterinary Para-Professionals' Register, either on the first registration or by way of addition to a registered name, unless the Veterinary Para-Professionals' Registrar is satisfied by such evidence as he may consider proper that the person claiming such degree or qualification is entitled thereto.

(2) Every person registered under this Part who obtains any veterinary para-professionals qualification other than the qualification by virtue of which he was registered may apply to the Veterinary Para-Professionals' Committee to amend the Veterinary Para-Professionals' Register so far as it relates to the qualifications of that person, and on any such application the

Veterinary Para-Professionals' Committee shall, if satisfied that the applicant is entitled to the qualification in respect of which the application is made and that such qualification is of sufficient standing to warrant its being entered in the Veterinary Para-Professionals' Register, cause the Veterinary Para-Professionals' Register to be amended accordingly by the insertion therein of the particulars of such qualification.

(3) The Veterinary Para-Professionals' Committee shall have power to decide what higher degrees and additional qualifications shall be admitted to be entered in the Veterinary Para-Professionals' Register.

Restriction on registration as a Veterinary Para-Professional

51. (1) If any person applying for registration –

(a) has at any time been found guilty of an offence involving fraud, dishonesty or moral turpitude or an offence punishable with imprisonment for the period of more than two years, whether in itself only or in lieu of a fine;

(b) has after due enquiry by the Veterinary Para-Professionals' Committee or the Council, been found by it to have been guilty of infamous conduct in any professional respect in or outside Malaysia or to be otherwise not of good fame and character;

(c) has contravened any provisions of the Act or Regulations;

(d) is incapable, by reason of physical or mental infirmity, or is found to be incompetent to carry out his duties as a veterinary para-professional, as decided after due inquiry by a Fitness to Practice Panel, which shall consist of two medical practitioners, one Veterinary surgeon and one veterinary para-professional appointed by the Veterinary Para-Professionals' Committee; or

(e) has since been removed from the register of Veterinary Para-Professionals maintained in any place outside Malaysia, or from the roll of any college or licensing body as a result of disciplinary proceedings as a result of disciplinary proceedings;

the Veterinary Para-Professionals' Committee may direct the Veterinary Para-Professionals' Registrar not to enter the name of such person in the Veterinary Para-Professionals' Register.

(2) The Veterinary Para-Professionals' Registrar shall forthwith give the person concerned notice in writing of such direction by the Veterinary Para-Professionals' Committee not to enter such person's name in the Veterinary Para-Professionals' Register.

(3) Upon any inquiry under sub-section (1)(b), the applicant shall be entitled to appear before the Veterinary Para-Professionals' Committee and be heard personally or by an advocate and solicitor.

Persons entitled to be registered as Post-Basic Veterinary Para-Professionals

52. (1) A veterinary para-professional registered under Division A of the Veterinary Para-Professionals' Register may apply to be registered as a Post-Basic Veterinary Para-Professionals upon application to the Veterinary Para-Professionals' Registrar in the prescribed form if he –

(a) holds any of the qualifications approved by the Council and listed under the Fifth Schedule, granted by an institution specified in relation to that qualification; and

(b) proves to the satisfaction of the Veterinary Para-Professionals' Registrar his identity and that he is fit and of good character.

Registration as a post-basic Veterinary Para-Professional

53.(1) Applications for registration shall be made to the Veterinary Para-Professionals' Registrar in such manner or form and shall be accompanied by such documents, particulars and fees as prescribed in the Sixth Schedule as the Veterinary Para-Professionals' Committee may prescribe

(2) The Veterinary Para-Professionals' Registrar shall consider the application made under subsection (1).

(3) The Veterinary Para-Professionals' Registrar may require the applicant to produce further information or documents in support of the application.

(4) If the Veterinary Para-Professionals' Registrar approves the application, he shall enter the applicant's name in Division B of the Veterinary Para-Professionals' Register and issue to the applicant a certificate of registration with or without terms and conditions of practice in the prescribed form and upon payment of the fee as may be determined by the Veterinary Para-Professionals' Committee.

(5) If the Veterinary Para-Professionals' Registrar refuses to register the applicant, the Veterinary Para-Professionals' Registrar shall notify the applicant in the mode to be specified by the Veterinary Para-Professionals' Committee assigning reasons for such refusal.

(6) Any person who has been refused registration under subsection (4) shall be entitled to appeal –

(a) in writing to the Veterinary Para-Professionals' Committee; or

(b) in person before the Veterinary Para-Professionals' Committee and be heard personally or by an advocate or solicitor.

Practising as a Veterinary Para-Professional

54.(1) A veterinary para-professional shall practise veterinary medicine only under the supervision of a veterinary surgeon.

(2) A veterinary para-professional who practises in the private sector shall only practice veterinary medicine to the extent of the procedures listed in the Seventh Schedule.

(3) Notwithstanding subsection (2), a Post-Basic Veterinary Para-Professional who practises in the private sector, may practise veterinary medicine to the extent of the procedures listed in the Eighth Schedule in relation to the discipline for which he is qualified.

Practising certificate

55. (1) Any person who practises veterinary medicine must have a practising certificate in respect of himself in force.

(2) Any practitioner or person who desires to practice veterinary medicine including veterinary Specialists shall make an application in the prescribed form, either printed or digital, pay the

prescribed fee as in the Sixth Schedule and show evidence of **continuing professional development** as specified by the Council or the Veterinary Para-Professionals' Committee as the case may be by way of a circular or a directive.

(3) A practitioner or person who makes an application referred to in subsection (2) shall ensure that the application reaches the office of the respective Registrar not later than the first day of November of the year prior to the year for which the application is made.

(4) Notwithstanding subsection (2) a practitioner or person who has been registered within one year of applying for an annual practising certificate shall be exempt from showing evidence of sufficient continuing professional development points obtained.

(5) Notwithstanding the foregoing provisions of this section, where a practitioner applies for a practising certificate for the first time the application shall be in the prescribed form, either printed or digital, and may be made at any time during the year, and the applicant shall, upon payment of the prescribed fee, be granted a practising certificate for the remainder of the year in which the application is made.

(6) A practising certificate and an application thereof shall specify the address of the principal place of practise and all other places of practise of the applicant accompanied with prescribe fees for each copy of a certificate.

(7) Notwithstanding the foregoing provisions of this section, where a practitioner intends to practise veterinary medicine as a **community service for a period of not more than seven consecutive days**, at any location other than the premises stated in his practising certificate, he shall, prior to the commencement of such community service, apply and supply such documents as may be required, and obtain the written approval of the respective Registrar prior to the commencement of such community service.

Annual Practising Certificate

56. (1) Upon such application by a practitioner and payment referred to in subsection 55(2), the Council or the Veterinary Para-Professionals' Committee, as the case may be, if satisfied, shall cause the respective Registrar to issue an annual practising certificate authorising the applicant to practise as a veterinary surgeon or a veterinary para-professional during the period for which the annual practising certificate is issued and at such **premises which includes a veterinary hospital, clinic or private veterinary healthcare facility registered or licensed meeting prescribed requirements, conditions and restrictions**, which the applicant practises or proposed to practice veterinary medicine are suitable for such practice, as stated on the annual practising certificate.

(2) Notwithstanding Section 55(2)(a), any veterinary practitioner or veterinary specialist who fails to obtain the specified **continuing professional development points** required for renewal of his practising certificate may appeal in writing to the President.

(3) Notwithstanding Section 55(2)(a), any veterinary para-professional who fails to obtain the specified **continuing professional development points** required for renewal of his practising certificate may appeal in writing to the Veterinary Para-Professionals' Chairman.

(4) **(1) Notwithstanding anything to the contrary to Section 59 (c) and (e), a person applying for**

an annual practicing certificate for a premise for the practice of veterinary medicine using the name as a body corporate or a society, either as employee or shareholder or director, where the entity proposes to be involved in the practice of veterinary medicine or in other businesses other than the practice of veterinary medicine, if allowed by the Council shall meet the following requirements-

- (a) the body corporate or society must be incorporated under the Companies Act 1965 or the Societies Act 1966, and shall be comprise of at least one director, shareholder or office-bearer who shall be a registered veterinary surgeons residing and practicing in Malaysia;
- (b) The day-to-day affairs of the body corporate or the society for the practice of veterinary medicine shall be under the control and management of at least one registered veterinary surgeon with an annual practicing certificate and nominate a responsible person who is a registered veterinary surgeon with an annual practicing certificate responsible for the overall practice of veterinary medicine;
- (c) That all persons applying for the annual practicing certificate are authorized under a resolution of the board of directors of the body corporate or authorized in writing by the society or organization to make all final decisions on behalf of the body corporate or society in respect of the requirements of this Act for the practice of veterinary medicine;
- (d) For the purposes of this Act, the body corporate or society, upon the person who is a registered veterinary surgeons given the annual practicing certificate for the premise to carry on the business of veterinary medicine as specified in the annual practicing certificate, it shall carry no other business other than veterinary medicine or some business ancillary to the business of veterinary medicine as approved by the Council under such conditions and restrictions as may be determined by the Council;

(5) Subject to the provisions of this Act, the annual practising certificate shall be in force until the thirty first day of December of the year in respect of which it is issued.

(6) Any practitioner who fails to apply for an annual practising certificate in the manner laid down in subsection 55(2), and within the period laid down in subsection 55(3), shall be deemed to be suspended from the date that the current practising certificate lapses.

(7) Any practitioner who has been suspended under subsection (6) may, on making an application in such form and on payment of such additional fee as may be prescribed, be granted a practising certificate for the ensuing year, and the suspension shall be lifted.

(8) Any veterinary practitioner who has been suspended under subsection (6) may appeal in the specified form to the Council to have the suspension removed from his record.

(9) Any veterinary para-professionals who has been suspended under subsection (6) may appeal in the specified form to the Veterinary Para-Professionals' Committee to have the suspension removed from his record.

(10) Whenever it appears to the satisfaction of the Council that a veterinary practitioner is practising veterinary medicine in such premises or under such conditions and restrictions as are deemed by the Council to be unsuitable for such practise, the Council may direct that the practising certificate of such veterinary practitioner be cancelled, or in the case of veterinary hospital, veterinary clinic or veterinary healthcare facility and services, the license to be cancelled and such certificate or license shall thereupon cease to be in force and no further

practising certificate or license shall be issued to such practitioner or such facility thereafter either for the remainder of the year or for any other year except as provided in subsection (16) unless waived by the Council.

(11) Any veterinary practitioner aggrieved by the decision of the Council to cancel his annual practicing certificate or refusal to issue an annual practicing certificate may appeal to the Minister, whose decision shall be final, and no action or proceeding shall be maintainable in any court of law in respect of such cancellation or refusal.

(12) Whenever it appears to the satisfaction of the Veterinary Para-Professionals' Committee that a veterinary para-professional is practising in such premises or under such conditions not approved by the Council or as are deemed by the Veterinary Para-Professionals' Committee to be unsuitable for such practise, the Committee may direct that the practising certificate of such veterinary Para-professional be cancelled, and such certificate shall thereupon cease to be in force and no further practising certificate shall be issued to such veterinary para-professionals thereafter either for the remainder of the year or for any other year except as provided in subsection (13).

(13) Any veterinary para-professional aggrieved by the decision of the Veterinary Para-Professionals' Committee to cancel his annual practicing certificate or refusal to issue an annual practicing certificate may appeal to the Minister, whose decision shall be final, and no action or proceeding shall be maintainable in any court of law in respect of such cancellation or refusal.

(14) If any practitioner whose practising certificate has been cancelled under subsection (10) or (12) makes an application in such manner as may be determined and pays such fee as may be determined, the Council or the Veterinary Para-Professionals' Committee as the case may be, may, after due consideration of the circumstances of the case, direct that a practising certificate be issued to such practitioner.

Temporary practising certificate

57.(1) Notwithstanding anything to the contrary contained in this Act, the Veterinary Registrar may, upon application in such manner and form and submission of such documents and fees as prescribed in the Sixth Schedule and as determined by the Council, issue to a person who-

(a) is registered and practising as a veterinary surgeon outside Malaysia;

(b) holds a qualification listed in the Third Schedule or has passed the Professional Qualifying Examination; and

(b) shows proof of offer of employment or sponsorship or an invitation;

a temporary practising certificate to practise as a veterinary surgeon, subject to such conditions and restrictions and other requirements such as **continuing professional development** and to work under sponsorship and supervision under the practice of a registered veterinary surgeon with a current annual practicing certificate as the Registrar may specify in such certificate, for a period not exceeding six months.

(2) Notwithstanding anything to the contrary contained in this Act, the Veterinary Para-Professionals' Registrar may, upon application in such manner or form, and submission of such documents and fees as determined by the Council, issue to a person holding a qualification listed

in the Fourth Schedule, a temporary practising certificate to practise as a veterinary para-professional, subject to such conditions and restrictions such as continuing professional development and to work under sponsorship and supervision under the practice of a registered veterinary surgeon with a current annual practicing certificate as the Council may specify in such certificate, for a period not exceeding six months.

(3) Notwithstanding sub-section (1)(b), the Council may issue a Temporary Practising Certificate to a person who does not hold a registrable qualification, but is recognised as a specialist by the Council, for a period of not more than six months, subject to such terms and conditions as the Council may determine.

(4) Notwithstanding Section 45, the Council may, if it thinks fit, allow the holder of a temporary practising certificate to practice as a veterinary specialist by stating on the temporary practising certificate the specialty which he is allowed to practice in an approved premise by the Council.

(5) The Veterinary Registrar shall cause to be kept in the specified form or forms (including computerised records) a register of persons issued with temporary practising certificates which shall contain such particulars as may be specified.

(6) The register referred to in subsection (5) shall be deemed to be a public document within the meaning of the Evidence Act 1950 [Act 56].

(7) The Veterinary Para-Professionals' Registrar shall cause to be kept in the specified form or forms (including computerised records) a register of persons issued with temporary practising certificates which shall contain such particulars as may be specified.

(8) The register referred to in subsection (7) shall be deemed to be a public document within the meaning of the Evidence Act 1950 [Act 56].

(9) Any application for renewal of a temporary practising certificate shall be made in the prescribed form and be accompanied by such fees and proof of continuing professional development points obtained as determined by the Council.

(10) Any person who fails to obtain the specified continuing professional development points required for renewal of their temporary practising certificate may appeal in writing to the President.

(11) The holder of a temporary practising certificate shall, while the certificate remains in force and subject to the restrictions and conditions specified in the certificate, be deemed to be a registered veterinary surgeon or a registered veterinary para-professional.

(12) The holder of a temporary practising certificate shall not have more than one practicing address, except with the approval of the Council.

(13) The Council may at any time cancel any temporary practising certificate granted under this section, and the certificate shall thereupon lapse.

Exhibition of certificate of registration, certificate of registration as a specialist and practising certificate

58.(1) Every registered practitioner shall cause to be exhibited in a conspicuous place in the principal practising address, otherwise than as an officer in the public services or in an academic institution, the certificate of registration and the current practising certificate including temporary practicing certificate issued to him.

(2) Every registered veterinary specialist shall cause to be exhibited in a conspicuous place in the principal practising address, otherwise than as an officer in the public services or in an academic institution, the certificate of registration as a veterinary specialist issued to him.

(3) Every practitioner shall cause to be exhibited in a conspicuous place in any other premises in which he practises veterinary medicine, otherwise than as an officer in the public services or in an academic institution, the current practising certificate issued to him.

(4) Where a practitioner contravenes or fails to comply with the provisions of subsection (1), (2) or (3) he commits an offence against this Act.

(5) Any person who displays, or permits to be displayed in any premises, a certificate of registration, a certificate of registration as a specialist or a practising certificate or a certified copy of any of these bearing his name or photograph at any time when his name does not appear on the Veterinary Register or the Veterinary Para-Professionals' Register, as the case may be, or he does not hold a valid practising certificate, shall be guilty of an offence against this Act and shall on conviction be liable to a fine not exceeding one hundred thousand ringgit or imprisonment for a term not exceeding three years or both.

Practising without a practising certificate

59. A practitioner or any person who practises veterinary medicine and who -

- (a) does not have a current and valid practising certificate in respect of himself in force;
- (b) is practising with a person not having a current and valid practising certificate in force; or
- (c) is in partnership or as a shareholder or director of a body corporate or with any person in a society or any organization with a registered veterinary surgeon not having such a certificate or any other person not having such a certificate;
- (d) has employed a person to practise veterinary medicine, who does not have a current and valid practising certificate; or
- (e) is employed to carry on the business of a veterinary surgeon on behalf of any person, sole proprietor, any person in a partnership, by director or shareholder of any body corporate or society not having such a certificate or with any person not having such a certificate unless allowed to practice in a body corporate or society under Section 68.

commits an offence under the Act.

Publication of list of registered practitioners issued with practising certificates

60.(1) The Veterinary Registrar and the Veterinary Para-Professionals' Registrar shall, as soon as may be after the first day of January of every year, prepare and publish in the Gazette or in any form determined by the of the Council or the Veterinary Para-Professionals' Committee, as the case may be, a list or lists of the names, addresses, qualifications, dates of the qualifications and dates of registration of all persons to whom practising certificates have been issued for that year.

(2) A certificate under the hand of the Veterinary Registrar of the particulars appearing in the

Veterinary Register in respect of any person shall be conclusive evidence of such particulars.

(3) A certificate under the hand of the Veterinary Para-Professionals' Registrar of the particulars appearing in the Veterinary Para-Professionals' Register in respect of any person shall be conclusive evidence of such particulars.

Notification of practitioners in practice and change in practicing address

61.(1) Every practitioner shall notify any change in his practising address to the respective Registrar within thirty days of such change.

(2) A registered veterinary surgeon operating the practice of veterinary medicine shall furnish to the Registrar the name, address, qualifications and particulars of the certificate of registration and of the current annual practising certificate and such other information as may be prescribed in respect of the persons practising veterinary medicine at his place of practice, within 30 days of commencing practice including registered veterinary surgeons called to practice on a short term basis as a locum tenem.

(3) Any practitioner who contravenes subsection (1) and (2) shall be guilty of an offence against this Act.

(4) Where any notice or correspondence is to be served or sent to a practitioner, it shall be deemed to have been served or sent to him if it is served or sent by post to his principal practising address.

Endorsement against names in the Register

62.(1) Where the Council is satisfied that any person whose name appears in the Veterinary Register is deceased or is no longer practising veterinary medicine in Malaysia it shall make an endorsement accordingly against his name in the Veterinary Register.

(2) Where the Veterinary Para-Professionals' Committee is satisfied that any person whose name appears in the Veterinary Para-Professionals' Register is deceased or is no longer practising veterinary medicine in Malaysia it shall make an endorsement accordingly against his name in the Veterinary Para-Professionals' Register.

Cessation of registration

63.(1) Where the Council is satisfied that any veterinary practitioner whose name appears in the Veterinary Register -

(a) has been registered through an error as to his qualifications for registration, and was not at the time of his registration entitled to be registered;

(b) has obtained registration by fraud or misrepresentation;

(c) has at any time been found guilty of an offence involving fraud, dishonesty or moral turpitude or an offence punishable with imprisonment whether in itself only or in addition to or in lieu of a fine;

(d) after due inquiry by a Fitness to Practise Panel, which shall consist of two medical practitioners and one veterinary surgeon appointed by the Council, has been found to be

unfit to perform his professional duties by reason of his mental or physical condition or is found to be incompetent to carry out his duties as a practitioner;

(e) has contravened any provisions of the Act or Regulations; or

f) has had his registration withdrawn, suspended or cancelled from the register of veterinary practitioners maintained in any place within or outside Malaysia, or from the roll of any veterinary college or licensing body as a result of disciplinary proceedings;

the Council shall, after due inquiry, have the power to revoke the registration of such person and shall make an endorsement accordingly against the practitioner's name in the Veterinary Register.

(2) The Veterinary Registrar shall publish in the *Gazette* or in any form which is determined by the Council the names of every veterinary practitioner whose registration has been revoked.

(3) Where the Veterinary Para-Professionals' Committee is satisfied that any veterinary para-professional whose name appears in the Veterinary Para-Professionals Register -

(a) has been registered through an error as to his qualifications for registration, and was not at the time of his registration entitled to be registered;

(b) has obtained registration by fraud or misrepresentation;

(c) has at any time been found guilty of an offence involving fraud, dishonesty or moral turpitude or an offence punishable with imprisonment for the period of more than two years, whether in itself only or in addition to or in lieu of a fine;

(d) after due inquiry by a Fitness to Practise Panel, which shall consist of two medical practitioners, one veterinary surgeon and one veterinary para-professionals appointed by the Veterinary Para-Professionals' Committee, has been found to be unfit to perform his professional duties by reason of his mental or physical condition or is found to be incompetent to carry out his duties as a practitioner;

(e) has contravened any provisions of the Act or Regulations; or

(f) has since been removed from the register of Veterinary Para-Professionals maintained in any place outside Malaysia, or from the roll of any college or licensing body as a result of disciplinary proceedings;

the Veterinary Para-Professionals' Committee shall, after due inquiry, have the power to revoke the registration of such person and order the Veterinary Para-Professionals' Registrar to remove the name and particulars relating to the Veterinary Para-Professionals from the Veterinary Para-Professionals' Register.

Restoration of name in the Register

64.(1) Where the registration of a veterinary practitioner has been revoked under section 63, he may apply to the Council for his name to be restored to the Veterinary Register.

(2) The Council may at its discretion, upon application made to it, order that the name of the applicant be reinstated in the Veterinary Register or may reject reinstatement of the name.

(3) Any person who has ceased to be registered under this Act by virtue of Section 63(1)(d) shall not again be registered unless he has been certified by a Fitness to Practise Panel that his mental or physical condition, as the case may be, warrants such registration. The Council may impose such restrictions and conditions as it deems fit to the reinstatement.

(4) An appeal against the decision of the Council to reject reinstatement under subsection (2) shall be made to the Minister within thirty days from the date of the decision.

(5) The decision of the Minister shall be final.

(6) Where the registration of a veterinary para-professional has been revoked under section 63 he may apply to the Veterinary Para-Professionals' Committee for his name to be restored to the Veterinary Para-Professionals' Register.

(7) The Veterinary Para-Professionals' Committee may at its discretion, upon application made to it, order that the name of the applicant be reinstated in the Veterinary Para-Professionals' Register or may reject reinstatement of the name.

(8) Any person who has ceased to be registered under this Act by virtue of Section 63(3)(d) shall not again be registered unless he has been certified by a Fitness to Practise Panel that his mental or physical condition, as the case may be, warrants such registration. The Veterinary Para-Professionals' Committee may impose such restrictions and conditions as it deems fit to the reinstatement.

(9) An appeal against the decision of the Veterinary Para-Professionals' Committee to reject reinstatement under subsection (2) shall be made to the Council within thirty days from the date of the decision.

(10) The decision of the Council shall be final.

Alterations in the Register

65. (1) The Registrars may, from time to time, insert and attest in the respective Registers or in any other form he deems fit-

(a) any alteration which may come to his knowledge in the name or address of any practitioner registered under this Act; and

(b) any alterations in the qualifications, additional qualifications and other particulars as under this Act are required to be altered.

(2) The Registrar shall strike off from the respective Register the name of such person whose registration is revoked under this Act by making an endorsement against the name.

Privileges of registered persons

66.(1) Every veterinary practitioner whose name is for the time being borne on the Veterinary Register as registered under this Act and has a current and valid practising certificate, shall be entitled, according to his qualifications, to practise veterinary medicine in accordance with the provisions of this Act and to recover in due course of law reasonable charges for professional aid, advice, visit, veterinary operation or veterinary attendance and the value of any veterinary appliances rendered, made or supplied by him to his patients following a fee schedule in

accordance with the provisions of this Act as determined by the Council.

(2) Every veterinary para-professional whose name is for the time being borne on the Veterinary Para-Professionals' Register as registered under this Act shall be entitled, according to his qualifications, to practise veterinary medicine in accordance with the provisions of this Act and to recover in due course of law reasonable charges for professional aid, advice or veterinary procedure.

(3) Notwithstanding subsection (2), a veterinary para-professional practising veterinary medicine in the private sector shall practise veterinary medicine only to the extent listed in the Seventh Schedule.

(4) Notwithstanding subsections (1) and (2), a post-basic veterinary para-professional practising veterinary medicine in the private sector shall practise veterinary medicine only to the extent listed in the Seventh Schedule and Eighth Schedule in relation to the discipline for which he is registered.

(5) Nothing in this section shall operate to prevent the carrying out of procedures, falling within the meaning of practice of veterinary medicine, by any person in the public service employed for that purpose, where such procedures are carried out in the course of that person's employment and under the supervision of a veterinary surgeon in the public service.

(6) No person shall be entitled to recover in any court any such charges as are referred to in subsection (1) and (2) unless at the date when such charges were accrued he was a registered practitioner and had a practicing certificate in force.

Veterinary certificate

67.(1) No certificate or other document required by any written law to be signed by a duly qualified veterinary practitioner shall be valid unless signed by a registered veterinary surgeon.

(2) Any veterinary surgeon who allows any other person to sign a veterinary certificate or any other certificate required by any written law to be signed by a duly qualified veterinary practitioner shall be subject to disciplinary punishment by the Council.

(3) The words "legally qualified veterinary practitioner" or "duly qualified veterinary practitioner" or any words importing a person recognised by law as a qualified veterinary practitioner, when used in any written law with reference to such persons, shall be construed to mean a registered veterinary surgeon.

Bodies corporate and societies and private hospital, clinic or veterinary healthcare facility or services

68. (1) No person shall establish or maintain a private veterinary hospital, private veterinary clinic or a private healthcare facility or services without being granted an annual practicing certificate under Section 56(1)(a) or operate or provide any of such facilities or services without a license granted under Section 68(2)(h):

(2) In the case of a registered veterinary surgeon as a sole proprietor, partnership of registered veterinary surgeons, body corporate or a society proposing to establish or maintain a private

veterinary healthcare facility or service, a license to operate is to be obtained:-

(3) An application by a registered veterinary surgeon, sole proprietor, partnership of registered veterinary surgeons, body corporate or a society for approval to establish or maintain a private veterinary healthcare facility or service shall be made to the Council -

(a) in the prescribed form and manner;

(b) accompanied by the prescribed fee as determined by the Council ;

(c) by submitting together with the application-

(i) a comprehensive plan for the establishment or maintenance of the proposed private veterinary healthcare facility or service including the site plan, building layout plan, design, construction, specification, the type of facility or service to be provided and the proposed arrangements for manpower recruitment including arrangements for manpower training;

(ii) if the applicant is not a natural person but a company, partnership or society, a copy of its constituent document, duly verified by a statutory declaration made by an authorized officer of the applicant

(iii) meet the requirements under Section 68(1); and

(iii) and such other information, particulars or documents as may be deemed necessary for the purpose of determining the application and the suitability of the applicant

(iv) undertakes to ensure that practitioners only carry out the tasks defined as practice of veterinary medicine;

(d) At any time after receiving the application the Council may by written notice require the applicant to provide additional information, particulars or documents.

(e) The requirements under sub-section 3)(a) and (3)(c) may differ as between different applicants and classes, categories, or descriptions of applications as determined by the Council and that separate approval to establish or maintain shall be applied for private healthcare facilities or services that are not physically, administratively or organizationally linked;

(f) The Council may grant or refuse an approval for an application without giving any reasons or with conditions or restrictions after considering the following:-

(i) the nature of the healthcare facility or service to be provided;

(ii) the extent to which the healthcare facilities or services are already available in an area;

(iii) the need for the healthcare facility or service in an area;

(iv) the future need for the healthcare facility or service in an area;

(v) any other matter which in his opinion is relevant;

(vi) to the satisfaction of the Council that the applicant has the capability to perform duties as above;

(vii) the applicant or any director or shareholder has been convicted of an offence involving fraud or dishonesty or who is an undischarged bankrupt or has omitted his legal obligations in a body corporate or a society and

(viii) may require that the application be appropriately amended or completed and resubmitted or that a fresh application be submitted in its place.

(4) (1) An application for a license to operate or provide a private veterinary healthcare facility or service other than a private veterinary hospital or clinic shall be made within three years from the date of the issuance of the approval to establish or maintain in respect of such facility or service.

(2) If a license to operate or provide a private veterinary healthcare facility or service is not applied for within the time specified in sub-section (4)(1), the approval to establish or maintain granted under sub-section (4)(1) shall be deemed to have been revoked unless an extension of that time is granted by the Council.

(3) An application for a license to operate or provide a private veterinary healthcare facility or service shall be made to the Council -

(a) in the prescribed form and manner;

(b) accompanied by the prescribed fee as determined by the Council; and

(c) by submitting together with the application such information, particulars and documents as may be specified by the Council.

(d) At any time after receiving the application and before it is determined, the Council may by written notice require the applicant to provide additional information, particulars or documents.

(e) The requirement under subsection (4)(3)(a) and sub-section (4)(3)(c) may differ as between different descriptions of private veterinary healthcare facilities or services.

(f) Where additional information, particulars or documents required under sub-section (4)(3)(c) and (4)(3)(d) is or are not provided by the applicant within the specified time or extended time, the application-

(i) shall be deemed to have been withdrawn; and

(ii) shall not be further proceeded with,

without prejudice to a fresh application being made by the applicant.

(g) An application may be withdrawn at any time before it is granted or refused.

(h) The Council may grant or refuse an approval for an application without giving any reasons or with conditions or restrictions and reserves the right for an inspection of the premises at any time.

(i) A license to operate or provide a private veterinary healthcare facility or service, unless sooner suspended or revoked, remain in force for a period of two years from the date on which it is issued, and may by application in the prescribed form and on payment of the prescribed fee as determined by the Council be renewed for a similar period by the grant of a new license. A license to operate or provide a private healthcare facility or service other than a private veterinary hospital or veterinary clinic shall specify the type of private healthcare facility or service for which it is issued and the purpose for which the license may be maintained.

(j) Sub-section (3)(e) and (4)(3)(f) shall apply *mutatis mutandis* to an application for renewal of a license by the licensee to operate or provide.

(k) When renewing a license the Council may vary the terms or conditions attached to the license and may impose additional terms and conditions.

(l) A copy of the license to operate or provide a private veterinary healthcare facility

or service shall be exhibited by the licensee in a conspicuous part of the premises of the private veterinary healthcare facility or service and

(m) A licensee or a holder of a licensed healthcare facility or service shall -

(i) ensure that the licensed or registered private healthcare facility or service is maintained or operated by a person in charge;

(ii) inspect the licensed or registered private healthcare facility or service in such manner and at such frequency as may be prescribed;

(ii) ensure that persons employed or engaged by the licensed healthcare facility or service are registered under any law regulating their registration, or in the absence of any such law, hold such qualification and experience;

(iii) identify and nominate the person in charge and changes in the person in charge of the facility and services for the reporting and updating of competence of personnel, grievance procedure, compliance and incident reporting of the facility and services;

(iv) comply with such other duties and responsibilities.

(n) Notwithstanding subsection (4)(3)(m), different persons may be appointed to manage and assume the duties and responsibilities relating to non-clinical matters including financial, administration and management of non-clinical resources and

(o) An application for the extension or alteration, transfer of the license conduction shall be made to the Council in the prescribed form and manner and shall be accompanied by the prescribed fee, prior to changes to the facility and operational matters of services approved in the license, otherwise commits an offence under the Act or any of the regulations, if no approval by the Council is obtained for these changes to the licensing conditions and restrictions.

(5) Where an offence under subsection (4)(3)(m) is committed by a sole proprietor or partnership of veterinary surgeons body corporate, or a society-

(a) In the case of a sole proprietor, the sole proprietor;

(b) in the case of a partnership, every partner in the partnership;

(c) in the case of a body corporate, the person responsible for the body corporate; and

(d) in the case of a society, its office bearers.

This section shall not apply to the case of a body corporate or a society carrying on the practise of veterinary medicine if it is -

(a) a private veterinary hospital or veterinary clinic granted an annual practicing certificate;

(b) as part of a veterinary faculty or a veterinary school, in an institution of higher education;

(c) when providing veterinary treatment for its animals in a premise as approved for the practice of veterinary medicine for community service, by a veterinary practitioner otherwise than for profit;

(d) as a local authority or a statutory body when providing veterinary treatment for its animals through a practitioner;

(e) as a trustee in bankruptcy carrying on, through a registered veterinary practitioner

approved by the Council to take over the practice of veterinary medicine, the business of veterinary medicine of a bankrupt registered veterinary practitioner; or

(f) as the Minister may, after consulting the Council by order published in the Gazette, exempt from the provisions of this section.

Inspection of premises used for the practise of veterinary medicine by a registered veterinary surgeon or under a license issued for a veterinary healthcare facility.

69. (1) Subject to the provisions of Section 56(1) and Section 68(3) on the requirements of premises that shall be prescribed for all private veterinary hospitals, private veterinary clinics and private healthcare facility and services under this Act or regulations thereof in the practice of veterinary medicine and the enforcement of the Act under Section 83, the premises used for veterinary medicine shall be inspected at least once a year and no practising certificate shall be issued to a registered veterinary practitioner unless a report in the prescribed form has been received by the Veterinary Registrar, during the preceeding twelve months, to the effect that the premises and conditions of practice of that registered veterinary practitioner are satisfactory.

(2) Any person who obstructs an authorised officer appointed under Section 83 of the Act, in the entry and inspection of any premises which are used or proposed to be used or in respect of which there is reasonable cause to believe that they are being used for the practice of veterinary medicine commits an offence against this Act.

Part V DISCIPLINARY PROCEEDINGS OF THE COUNCIL

Disciplinary jurisdiction of the Council

70. (1) The Council shall have disciplinary jurisdiction over all practitioners registered and all licenses issued under this Act.

(2) The Council may exercise disciplinary jurisdiction over any registered practitioner who -

(a) has been convicted in Malaysia or elsewhere of any offence punishable with imprisonment (whether in itself only or in addition to or in lieu of a fine);

(b) has been guilty of infamous conduct in any professional respect;

(c) has contravened any provision of the code/guide of professional conduct and ethics or any guidelines endorsed or issued by the Council;

(d) allows an unregistered person to practise veterinary medicine on the premises used by or under the control of such practitioner in the performance of his professional duties;

(e) by his presence, countenance, advice, assistance, or cooperation has knowingly enabled an unregistered person, whether described as an assistant or otherwise, to practise veterinary medicine;

(f) practises veterinary medicine in premises in which an unregistered person practises veterinary medicine to the knowledge of the practitioner;

- (g)* in relation to a veterinary practitioner, allows a veterinary para-professional to practise veterinary medicine in the private sector when not under the direct supervision of a veterinary surgeon who holds a current and valid annual practising certificate;
- (h)* in relation to a veterinary practitioner, allows a veterinary para-professional practising in the private sector to carry out procedures not listed in the Seventh Schedule of this Act;
- (i)* in relation to a veterinary para-professional practising in the private sector, carries out veterinary procedures not listed in the Seventh Schedule of this Act;
- (j)* in relation to a veterinary practitioner, allows a post-basic veterinary para-professional practising in the private sector, to carry out procedures not listed in the Seventh Schedule or the Eighth Schedule of this Act in relation to the discipline for which he is registered;
- (k)* in relation to a post-basic veterinary para-professional practising in the private sector, carries out veterinary procedures not listed in the Seventh Schedule of this Act or the Eighth Schedule of this Act in relation to the discipline for which he is registered;
- (l)* has obtained registration by fraud or misrepresentation;
- (m)* was not at the time of his registration entitled to be registered;
- (n)* has since been removed from the register of veterinary practitioners maintained in any place outside Malaysia, or from the roll of any veterinary college or licensing body, as a result of disciplinary proceedings or
- (o)* found to have contravene any of the provisions of the license issued as a private veterinary healthcare facility and service.

(3) **In the case of a private veterinary healthcare facility and service,**

- (1) the Council may serve on the holder of the approval to establish or maintain or a licensee under this Act a show cause notice of his intention to suspend or revoke the approval or license or refusal to renew the license, as the case may be, and he may serve on a holder of a certificate of registration granted under this Act a show cause notice of his intention to suspend or revoke the registration.
- (2) The Council may issue the show cause notice in section 70 if he is satisfied that it is expedient so to do on the ground that the holder of the approval or the licensee or the holder of
of
the certificate of registration, as the case may be -
 - (a)* has obtained the approval, license or registration by any false or misleading statement;
 - (b)* has breached any term or condition imposed by the Council on the approval, license or registration;
 - (c)* has been convicted for an offence under this Act or any other written law;
 - (d)* has failed to comply with any direction, order or guideline given to him or it by the Minister or Council;
 - (e)* has used the premises to which the approval, license or registration relates contrary to the purpose of the approval, license or registration;
 - (f)* has operated or used the private healthcare facility or service in a manner which is

detrimental to the interest of the public as the Council may decide;
(g) has established or maintained policies or issued directives that result in healthcare professionals contravening the code of professional conduct of the veterinary or veterinary para-professional or other healthcare profession issued by the Council or any other healthcare regulatory body, as the case may be;
(h) has ceased to operate the private healthcare facility or service or
(i) to the of the approval or licensee or the holder of a certificate of registration is a body corporate, partnership or society which does not remove member of its board of directors, partner or office bearers, as the case may be from any Register pursuant to a person who-

(i) has been convicted in Malaysia or elsewhere of any offence punishable with imprisonment (whether in itself only or in addition to or in lieu of a fine;

(ii) has been guilty of infamous conduct in any professional respect; or

(iii) whose name whose name has been struck off or suspended from any Register of any professional body.

Complaints Committee

71.(1) Every complaint or information received by the Council shall be forwarded to the Complaints Committee.

(2) The Complaints Committee shall consider the complaint or information received and recommend to the President that the complaint or information shall be-

(a) investigated under the enforcement unit;

(b) resolved through an alternative dispute resolution mechanism under the enforcement unit;
or

(c) forwarded to a Preliminary Investigation Committee for disciplinary proceedings.

(3) The membership of the Complaints Committee shall be as determined by the Council .

(4) The members of the Complaints Committee shall be appointed by the President.

Preliminary Investigation Committee

72. (1) For the purpose of disciplinary proceedings under this Act, there shall be established one or more Preliminary Investigation Committees (PIC), which may consider any matter in which the Council has disciplinary jurisdiction as provided under subsection 70(2) of the Act.

(2) The PIC shall consider any complaint or information referred to it pertaining to matters in Section 70(2)(a) to (n), in accordance with the Regulations made under this Act.

(3) The PIC shall recommend whether a disciplinary inquiry shall be held by the Council based on its investigation into any complaint or information received.

Disciplinary punishments

73.(1) The Council may, in the exercise of its disciplinary jurisdiction, impose any of the following punishments: -

(2) In the case of a registered veterinary surgeon;

(a) order the name of the practitioner to be struck off from the Register;

(b) order the name of the practitioner to be suspended from the Register for such period as it may think fit;

(c) order the practitioner to be reprimanded;

(d) order that the practitioner's registration be subjected to conditions which may include but are not limited to any one or more of the following; -

(i) direct that the practitioner seek medical treatment;

(ii) direct that such conditions, relating to the practitioner's practise of veterinary medicine,

as it considers appropriate, be imposed on the practitioner's registration;

(iii) direct that the practitioner undergo educational courses or programmes as shall be specified by the Council; or

(iv) direct that the practitioner report on his veterinary practice to such practitioner or persons as shall be specified by the Council;

(e) make any such order as aforesaid but suspend the application thereof, subject to such conditions as the Council may think fit, for a period, or periods in the aggregate, not exceeding two years; or

(f) caution or advise the practitioner;

and may, in any case, make such order as the Council thinks fit with regard to the payment of the costs of the Registrar and of any complainant or of the practitioner, and any other costs incurred which may be recovered as a civil debt.

(3) In the case of a private veterinary healthcare facility and service, the Council may order the suspension or revocation of the approval of the license.

Surrender of certificate of registration, practicing certificate or license

74. (1) Where the name of any veterinary practitioner or the holder of license of the private healthcare facility or services is ordered by the Council to be struck off or suspended from the Veterinary Register, he shall within seven days surrender to the Veterinary Registrar or the Council his current practising certificate including any recent practising certificate which he may have obtained from the Veterinary Registrar and his certificate of registration or the license issued to the private healthcare facility or services.

(2) Where the veterinary practitioner or the holder of the license of the private healthcare facility or services or his advocate and solicitor were not present before the Council at the time of the pronouncement of such order, the Veterinary Registrar or the Council shall give notice to

the veterinary practitioner or to the holder of the license of the private healthcare facility and services, in writing, of the order made by the Council and require in such notice that the veterinary practitioner or the holder of the license of the private healthcare and services shall surrender to him his certificate of registration and his current practising certificate including any recent practising certificate which he may have obtained from the Veterinary Registrar or the license within seven days from the date of delivery of such notice at his principal practising address, or at his last known address, if that address differs from his principal practising address and it appears to the Veterinary Registrar or to the address stated in the license that such service will be more effective.

(3) Where the practitioner or the holder of the license of the private healthcare facility and services fails to surrender his current practising certificate including any recent practising certificate which he may have obtained from the Veterinary Registrar and his certificate of registration or the license within the time provided in subsection (2) he shall be guilty of an offence against this Act.

(4) The Registrar shall -

(a) publish in the *Gazette* and make a public announcement in any form determined by the Council, the name of any person removed from the Register or the name of the private healthcare facility or services whose license has been withdrawn ; *or*

(b) make a public announcement of the name of any person or the name of the private healthcare facility or services suspended from practise under the provisions of this section.

(5) During the period of the suspension of a current practicing certificate, an approval, license or registration or as from the date of the revocation of the current practicing certificate, approval, license or registration, as the case may be, the holder of the current practicing certificate, approval, licensee or the holder of a certificate of registration shall not practice or shall not operate the private healthcare facility or service in respect of which the current practicing certificate, approval, license or certificate of registration has been suspended, revoked or refused renewal, as the case may be, failing which commits an offence under the Act or any of the regulations under the Act.

(6) (a) Where the licensee of a private healthcare facility or service, or the holder of a certificate of registration, intends to close down, transfer, sell or otherwise dispose of the private veterinary healthcare facility or service, he or it shall give the Council not less than thirty days notice in writing of his or its intention.

(b) The licensee or a holder of a certificate of registration whose license or registration has been revoked or suspended, as the case may be, or who has been refused renewal of such license shall notify the Council in writing of his or its intention to close down, transfer, sell or otherwise dispose of the private healthcare facility or service as soon as practicable.

(c) The licensee or the holder of a certificate of registration shall comply with such directions as the Council may give with regard to the accommodation and care of the animal patients, and the care of medical records in the licensed or registered private healthcare facility or service, before closing down, transferring, selling or otherwise

disposing of the licensed or registered private healthcare facility or service.

(d) Any person who contravenes this section commits an offence.

(e) The licensee or the holder of a certificate of registration shall surrender the license or certificate of registration immediately upon the suspension, revocation, or refusal to renew the license or suspension or revocation of the certificate or registration or discontinuance or closure of the operation of the premises.

Restoration of name to the Veterinary Register

75.(1) No person whose name has been struck off from the Veterinary Register under the provisions of Section 72(1)(a) shall thereafter be entitled to be registered as a veterinary practitioner under the provisions of this Act.

(2) Where the name of a veterinary practitioner has been suspended from the Veterinary Register under Section 72(1)(b) such person shall be entitled at the expiration of the period of suspension, but not earlier, to apply for the certificate of registration and the practising certificate, if the period for which it is issued is still unexpired, to be returned to him.

(3) Notwithstanding subsection (1), the Council may, if it thinks fit, on the application of the person concerned, order that the name of such person be restored to the register, provided that a period of three years shall have elapsed since the order was made.

(4) An application under subsection (3) shall be made in such manner or form and accompanied by such document, photographs, particulars and fees as may be determined by the Council.

Appeal against order or decision of the Council

76.(1) Any person who is aggrieved by any order made in respect of him by the Council in the exercise of its disciplinary jurisdiction or by any decision of the Council in proceedings relating to him under the provisions of subsection 72(1) or by the removal of his name from the Register under any of the provisions of this Act other than Part VIII or by any refusal or failure of the Council to register or re-enter his name in the Veterinary Register (except where such removal, refusal or failure is in consequence of such person's failure to obtain a practising certificate or the cancellation of such certificate) may appeal to the High Court, and the High Court may thereupon affirm, reverse or vary the order or decision appealed against or may give such direction in the matter as it thinks proper.

(2) The High Court shall not have power to hear any appeal against an order made under subsection (1) unless notice of such appeal is given within thirty days from the date of the making of the order in the prescribed manner or where Section 73(2) is applicable within thirty days of the service of the order as described in that subsection.

(3) The procedure in relation to any such appeal shall be subject to the rules applicable in the High Court.

(4) The decision of the Court of Appeal shall be final.

PART VI DISCIPLINARY PROCEEDINGS OF THE VETERINARY PARA-PROFESSIONALS' COMMITTEE

Disciplinary Jurisdiction

77. (1) The Veterinary Para-Professionals' Committee shall have disciplinary jurisdiction over all registered Veterinary Para-Professionals.

(2) The Veterinary Para-Professionals' Committee may exercise disciplinary jurisdiction over a registered Veterinary Para-Professionals who -

(a) has been convicted in Malaysia or elsewhere of any offence punishable with imprisonment for the period of more than two years, whether in itself only or in lieu of a fine;

(b) has been guilty of infamous conduct in any professional respect;

(c) has contravened any provision of the code of conduct or guidelines endorsed or issued by the Veterinary Para-Professionals' Committee;

(d) allows an unregistered person to practise veterinary medicine on the premises used by such veterinary para-professional in the performance of his professional duties;

(e) by his presence, countenance, advice, assistance, or cooperation has knowingly enabled an unregistered person, whether described as an assistant or otherwise, to provide veterinary services;

(f) provides veterinary services in premises in which an unregistered person practises veterinary medicine to the knowledge of the veterinary para-professional;

(g) has obtained registration by fraud or misrepresentation;

(h) being a registered

(i) veterinary para-professional carries out veterinary procedures in the private sector not listed in the Seventh Schedule of this Act; or

(ii) post-basic veterinary para-professionals carries out veterinary procedures in the private sector not listed in the Seventh Schedule or the Eighth Schedule of this Act;

(i) was not at the time of his registration entitled to be registered; or

(j) has since been removed from any register of veterinary para-professionals maintained in any place outside Malaysia, or from the roll of any college or licensing body as a result of disciplinary proceedings.

Investigation into complaint or information

78. (1) Every complaint or information against any veterinary Para-professionals shall be in writing and shall be forwarded to the President.

(2) The President shall forward the complaints or information referred to in subsection (1) to either the Council or the Para-professionals' Committee to be investigated.

(3) The Veterinary Para-Professionals' Committee shall investigate into all complaints or information received from the President or it may appoint a Disciplinary Committee or committees to look into such complaints or information.

(4) The Disciplinary Committees appointed under subsection (3) shall comprise of at least three

members.

(5) The Disciplinary Committees shall investigate into the complaint or information in the manner prescribed and shall, as soon as practicable, submit a report on such complaint or information to the Veterinary Para-Professionals' Committee.

(6) Every report under subsection (5) shall -

(a) state whether there are sufficient grounds for disciplinary proceedings to be taken against the veterinary para-professional; and

(b) be accompanied by such evidence as the Disciplinary Committee may have obtained; or

(c) summarily dismiss any complaint or information based on the criteria as may be prescribed.

Conduct of a disciplinary inquiry by the Veterinary Para-Professionals' Committee

79.(1) Where the report submitted by the Disciplinary Committee states that there are insufficient grounds to support the complaint or information, the Veterinary Para-Professionals' Committee shall endorse the report.

(2) Where the report submitted by the Disciplinary Committee states that sufficient grounds exist for disciplinary proceeding to be taken against a veterinary para-professional, the Veterinary Para-Professionals' Committee shall inquire into the case

(3) A veterinary Para-professionals against whom disciplinary proceedings are taken shall be given an opportunity to make a statement against the charge laid against him before a decision is arrived at by the Veterinary Para-Professionals' Committee.

(4) After consideration of the report, the recommendation made by the Disciplinary Committee and any statement by the veterinary para-professional, the Veterinary Para-Professionals' Committee may -

(a) dismiss the complaint; or

(b) find the veterinary Para-professionals guilty and impose any of the punishments listed in subsection 80(1).

(5) The veterinary Para-professionals concerned shall be notified by the Veterinary Para-Professionals' Registrar by registered post of the decision of the Veterinary Para-Professionals' Committee as soon as possible after the making of such decision.

(6) In conducting the inquiry, the Veterinary Para-Professionals' Committee shall not be bound by the provisions of the Evidence Act 1950 [Act 56] or by any legal procedure but may conduct the inquiry in any manner it deems fit.

Disciplinary punishments

80. (1) The Veterinary Para-Professionals' Committee may, in the exercise of its disciplinary jurisdiction, impose any of the following punishments:-

(a) order the name of the veterinary para-professional to be struck off from the

Veterinary Para-Professionals' Register;

(b) order the name of the veterinary para-professional to be suspended from the Veterinary Para-Professionals' Register for such period as it may think fit;

(c) order the veterinary para-professional to be reprimanded;

(d) order that the veterinary para-professional's registration be subjected to conditions which may include but are not limited to any one or more of the following:-

(i) that the veterinary para-professional seek medical treatment;

(ii) direct that such conditions, relating to the veterinary para-professional's provision of veterinary services, as it considers appropriate, be imposed on the veterinary para-professional's registration;

(iii) order that the veterinary para-professional undergo educational courses or programmes as shall be specified by the Veterinary Para-Professionals' Committee; or

(iv) order that the veterinary para-professional report on his practice to such veterinary para-professional or veterinary practitioner as shall be specified by the Veterinary Para-Professionals' Committee;

(e) make any such order as aforesaid but suspend the application thereof, subject to such conditions as the Veterinary Para-Professionals' Committee may think fit, for a period, or periods in the aggregate, not exceeding two years; or

(f) caution or advise the veterinary para-professional,

and may, in any case, make such order as the Veterinary Para-Professionals' Committee thinks fit with regard to the payment of the costs of the veterinary Para-professionals' Registrar and of any complainant or of the veterinary para-professional, and any other costs incurred which may be recovered as a civil debt.

(2) Where the name of any veterinary para-professional is ordered by the Veterinary Para-Professionals' Committee to be struck off or suspended from the Veterinary Para-Professionals' Register, he shall within seven days surrender to the Veterinary Para-Professionals' Registrar his current practicing certificate including any recent practicing certificate which he may have obtained from the Veterinary Para-Professionals' Registrar and his certificate of registration.

(3) Where the veterinary para-professional or his advocate and solicitor were not present before the Veterinary Para-Professionals' Committee at the time of the pronouncement of such order, the Veterinary Para-Professionals' Registrar shall give notice in writing to the veterinary para-professional of the order made by the Veterinary Para-Professionals' Committee and require in such notice that the veterinary para-professional surrender to the Veterinary Para-Professionals' Registrar his certificate of registration and his current practicing certificate including any recent practicing certificate which he may have obtained from the Veterinary Para-Professionals' Registrar within seven days from the date of delivery of such notice at his principal practising address, or at his last known address, if that address differs from his principal practising address and it appears to the Veterinary Para-Professionals' Registrar that such service will be more effective.

(4) Where the veterinary para-professional fails to surrender his current practising certificate

including any recent practising certificate which he may have obtained from the Veterinary Para-Professionals' Registrar and his certificate of registration within the time provided in subsection (2) he shall be guilty of an offence against this Act.

(5) The Veterinary Para-Professionals' Registrar shall -

(a) publish in the *Gazette*; or

(b) make a public announcement of;

the name of the person removed from the Veterinary Para-Professionals' Register or suspended from practise under the provisions of this section.

Appeal

81. Any person aggrieved by an order made against him by the Veterinary Para-Professionals' Committee in the exercise of its disciplinary jurisdiction may, within thirty days from the date of the making of the order, appeal in writing to the Council whose decision shall be final.

PART VII ENFORCEMENT

Appointment of authorised officers

82.(1) The Director General or the Director may appoint in writing any person to be an authorised officer as he deems necessary for the purposes of this Act.

(2) An authorised officer shall be issued with an authority card as deem fit by the Director-General.

(3) An authorised officer may exercise all of the powers vested in him under his Act.

Power of an authorised officer to enter and inspect

83. (1) An authorised officer may enter and inspect the premises in which a registered practitioner is practising veterinary medicine in which there is reasonable grounds to believe that a person is committing an offence under this Act and-

(a) may examine any documents, apparatus or articles stored or used in connection with the practice;

(b) where a person is practising veterinary medicine without being registered under this Act, may seize any documents, apparatus or articles stored or used in connection with the practice; and

(c) may require such information relating to the practice as the authorised officer may specify to be provided to him.

(2) An authorised officer may enter and inspect the premises in which a registered practitioner is practising veterinary medicine to inquire into and to report on the conditions under which veterinary medicine is being or is proposed to be practised.

(3) Any person who-

- (a)* intimidates, obstructs or molests an authorised officer in the performance of such authorised officer's duty;
- (b)* refuses to permit an authorised officer to examine any documents, apparatus or articles;
- (c)* refuses to produce any documents, apparatus or articles for examination by an authorised officer;
- (d)* refuses to surrender any documents, apparatus or articles to an authorised officer;
- (e)* refuses to provide any information required by an authorised officer; or
- (f)* attempts to do any of the above acts,

shall be guilty of an offence against this Act.

Power to search and seize

84.(1) If it appears to a Magistrate, upon written information on oath and after such enquiry as he considers necessary, that there is reasonable cause to believe that any premises has been used or is used or is about to be used for the commission of an offence under this Act, the Magistrate may issue a warrant authorising any authorised officer named therein to enter the premises during business hours to-

- (a)* search for and seize, any record, veterinary or medical appliance, materials, equipment or any other thing that he reasonably believes to furnish evidence of the commission of the offence;
- (b)* take samples of any veterinary or medical appliance or any other thing found on the premises for the purpose of ascertaining whether an offence has been committed; and
- (c)* make copies of or take extracts from any record, materials or any other article found in the premises.

(2) An authorised officer may in the exercise of his powers under this section if it is necessary to do so-

- (a)* break open any outer or inner door of, or any fence, enclosure, gate or other obstruction to the premises in order to effect entry;
- (b)* remove by force any obstruction to entry, search, seizure or removal as he is empowered to effect; and
- (c)* detain every person found on the premises that have been searched.

Access to records and computerised data

85.(1) An authorised officer conducting a search under this Act shall be given access to manual records and computerised data whether stored in a computer or otherwise.

(2) In this section "access" includes being provided with the necessary password, encryption code, software or hardware and other means required to enable comprehension of data.

(3) Any person who contravenes subsection (1) shall be guilty of an offence against this Act.

List of things seized

86.(1) Except as provided in subsection (2), where any record, veterinary appliances, material, equipment or other thing is seized under this Act, the seizing officer shall prepare a list of the things and immediately deliver a copy signed by him to the registered person or the occupier of the premises as the case may be which has been searched under this Act.

(2) Where the premises is unoccupied, the authorised officer shall whenever possible post a list of the things seized conspicuously on the premises.

Release of things seized

87.(1) If anything has been seized under this Act, the Director General may at any time after that before it is forfeited under this Act and is not otherwise required for the purpose of any proceedings under this Act, or for the purpose of any prosecution under any other law, release the thing to the person as he determines to be lawfully entitled to the thing, and in such event neither the Director General nor the Government, shall be liable to any proceedings by any person, if the seizure and the release of the thing had been effected in good faith.

(2) A record in writing shall be made by the Director General effecting the release of anything under subsection (1) specifying the circumstances of, and the reason for, the release.

Power to seal

88.(1) Where, by reason of their nature, size or amount, it is not practicable to remove any record, veterinary or medical appliance, material or other thing under Section 87(1)(a), the authorised officer shall by any means,-

(a) place the record, veterinary or medical appliance, equipment, material or other thing in a room, compartment or cabinet located on that premises; and

(b) mark, fasten and seal the container, door or opening providing access to the room, compartment or cabinet.

(2) Where an authorised officer has reasonable cause to believe that any premises is being used as a place to practice veterinary medicine by an unregistered person, the authorised officer may by any means seal the premises.

(3) The person occupying or using the premises as a place to practise, if the premises has been sealed, may within twenty-one days of such sealing produce to the Director General the registration certificate and practising certificate of the alleged unregistered person referred to in subsection (2).

(4) The seal under subsection (2) shall be removed if the person referred to in subsection (3) complies with the requirement of that subsection.

(5) It shall be an offence for any person without lawful authority to break, tamper with or damage the seal referred to in subsections (1) or (2) or remove any record, veterinary appliance, equipment, material or other things under seal or to attempt to do so.

Power to require attendance of person acquainted with case

89.(1) An authorised officer making investigation under this Act may by order in writing require

the attendance before himself of any person who appears to the authorised officer to be acquainted with the facts and circumstances of the case, and such person shall attend as so required.

(2) If any person refuses to attend as so required, the authorised officer may report such refusal to a Magistrate who shall issue a summons to secure the attendance of the person as may be required by the order made under subsection (1).

Examination of person acquainted with the case

90.(1) An authorised officer making an investigation under this Act may examine orally or in writing any person supposed to be acquainted with the facts and circumstances of the case.

(2) The person shall be legally bound to answer all questions relating to the case put to him by the authorised officer, but the person may refuse to answer any questions which would have a tendency to expose him to a criminal charge or penalty or forfeiture.

(3) A person making a statement under this section shall be legally bound to the truth, whether or not such statement is made wholly or partly in answer to questions.

(4) An authorised officer examining a person under subsection (1) shall first inform that person of the provisions of subsections (2) and (3)

(5) A statement made by any person under this section, whether or not caution has been administered to him under subsection 90(2)(a) shall, whenever possible, be reduced into writing and signed by the person making it or affixed with his thumbprint, as the case may be :-

(a) after it has been read to him in the language in which he made it; and

(b) after he has been given an opportunity to make any correction he may wish.

Statement to be admissible in evidence

91.(1) Where any person is charged with an offence under this Act, any statement, whether the statement amounts to a confession or not, or is oral or in writing, made at any time, whether before or after the person is charged, and whether in the course of an investigation under this Act or not, and whether or not wholly or partly in answer to questions, by that person to or in the hearing of an authorised officer and whether or not interpreted to him by another authorised officer or other person, shall notwithstanding any other written law to the contrary, be admissible in evidence at his trial and, if the person charged tenders himself as a witness, any such statement may be used in cross-examination and for the purpose of impeaching his credit.

(2) The statement referred to in subsection (1) :-

(a) shall not be admissible or used under that subsection :-

(i) if the making of the statement appears to the court to have been caused by any inducement, threat or promise having reference to the charge proceeding from a person in authority and sufficient in the opinion of the court to give the person charged grounds which would appear to him reasonable for supposing that by making it he would gain any advantage or avoid any evil of a temporal nature in reference to the proceeding against him; or

(ii) in the case of a statement made by the person after his arrest, unless the court is satisfied that caution was administered to him in the following words or words to the like effect :

“ It is my duty to warn you that you are not obliged to say anything or to answer any question, but anything you say, whether in answer to a question or not may be given in evidence”; and

(b) if made by any person before there is time to caution him, shall not be rendered inadmissible in evidence merely by reason of no such caution having been administered if it has been administered as soon as possible.

(3) Notwithstanding anything to the contrary contained in any written law, a person charged for an offence to which subsection (1) applies shall not be bound to answer any question relating to the case after a caution under subsection (2) has been administered to him.

Duty to assist authorised officer

92.(1) Whenever an authorised officer exercises his power under this Act it shall be the duty of the registered practitioner or the owner or occupier of any premises used as a place to practise and any person found therein :-

(a) to provide the authorised officer with the facility and assistance as the authorised officer may reasonably require;

(b) to give the authorised officer all reasonable information required by him in respect of the premises or facility, as the case may be, relating to its management or any other matter connected therewith; and

(c) to produce any book, record or document, printed or electronic in his possession or custody or under his control or within his power to furnish relating to the affairs of the place of practice.

(2) Any person who contravenes subsection (1) shall be guilty of an offence against this Act.

Forfeiture of goods seized

93.(1) Any books, records, veterinary appliance, materials or any other thing seized in exercise of any power conferred under this Act shall be liable to forfeiture.

(2) An order for the forfeiture or for the release of all the things seized and liable to forfeiture under this Act shall be made by the court before which the prosecution with regard thereto has been held and an order for the forfeiture of the things seized shall be made, if it is proved to the satisfaction of the court that an offence under this Act has been committed and that the things seized were the subject matter of or were used in the commission of the offence, notwithstanding that no person may have been convicted of such offence.

(3) If there is no prosecution with regard to anything seized in exercise of any power conferred under this Act, such thing shall be taken and deemed to be forfeited at the expiration of one calendar month from the date of service of a notice to the last known address of the person from whom the thing was seized indicating that there is no prosecution in respect of such thing, unless before that date a claim thereto is made in the manner set out in subsections (4), (5) and (6).

(4) Any person asserting that he is the owner of the thing seized referred to in subsection (3), which is not liable to forfeiture may personally or by his agent, authorised in writing, give written notice to the authorised officer in whose custody such thing is held that he claims the thing.

(5) On receipt of the notice referred to in subsection (4), the authorised officer shall refer the matter to the Magistrate.

(6) The Magistrate to whom the matter is referred under subsection (5) shall issue a summons requiring the person asserting that he is the owner of the thing seized and the person from whom it was seized, to appear before the Magistrate, and on their appearance or default to appear, due service of the summons having been proved, the Magistrate shall proceed to the examination of the matter and on proof that an offence under this Act has been committed and that the thing seized was the subject matter of or was used in the commission of such offence, shall order the thing to be forfeited and shall, in the absence of such proof, order its release.

(7) Subject to subsection (2) anything forfeited or deemed to be forfeited shall be delivered to the authorised officer and shall be disposed as may be determined by the Director General.

Cost of holding goods seized

94. Where anything seized under this Act is held in the custody of the Government pending completion of any proceeding in respect of an offence under this Act, the cost of holding such thing in custody shall, in the event of any person being found guilty of an offence, be a debt due to the Government by such person and shall be recoverable accordingly.

No cost or damages arising from seizure to be recoverable

95. No person shall, in any proceedings before any court in respect of anything seized in the exercise or the purported exercise of any power conferred under this Act, be entitled to the costs of such proceedings or to any damages or other relief unless such seizure was made without reasonable cause.

Production of official authority card

96. An authorised officer exercising powers under this Act shall at all times carry the authority card issued under subsection 81(2) and no person shall admit to his premises or facility any person purporting to be an authorised officer except upon production of the authority card.

Compounding of offences

97.(1) No offer to compound shall be made without the written consent of the Public Prosecutor.

(2) The Director General or any person authorised in writing by the Director General may compound any of the offences specified, committed by any person under this Act, or under any Regulations made under this Act, by making a written offer to such person reasonably suspected of having committed the offence to compound the offence upon payment to the Director General or any person authorised in writing by the Director General such amount not exceeding fifty per centum of the amount of maximum fine for that offence to which that person would have been liable if he had been convicted of the offence, within such time as may be specified in the offer.

(3) An offer under subsection (2) may be made at any time after the offence has been committed but before any prosecution of it has been instituted and where the amount specified in the offer is not paid within the time specified in the offer or within such extended period as the Director General or any person authorised in writing by the Director General may grant, prosecution of the offence may be instituted at any time thereafter against the person to whom the offer was made.

(4) Where an offence has been compounded under subsection (2):

(a) no prosecution shall thereafter be instituted in respect of such offence against the person whom the offer to compound was made; and

(b) any book, record, document, apparatus, equipment, instrument, material, article, substance or any other thing seized in connection with the offence, may be released immediately subject to such terms and conditions as may be imposed.

PART VIII SUPPLEMENTARY PROVISIONS FOR NATIONAL VETERINARY SERVICES

Purpose, commencement and duration of this Part

98.(1) This Part is enacted for national purposes.

(2) This Part shall cease to be in force if Parliament, by resolution passed by each of the Houses of Parliament and published in the *Gazette*, provides that this Part shall no longer continue to remain in force.

Notice to registered person to serve as a veterinary officer in the public services

99.(1) Every person who obtains registration under section 39 shall be liable immediately upon being so registered or at any time thereafter to be served with a written notice issued by or on behalf of the Director General requiring such person to assume appointment as a Veterinary officer in such post, in such public service and on such date, as may, in each of these respects, be specified in the notice.

(2) A person served with the notice under subsection (1) shall comply with such notice, and if he fails to do so he shall be served with a show cause notice.

(3) Any person served with the show cause notice referred to in subsection (2) shall reply to the notice within thirty days of the date of the said notice.

(4) When any person replies to the show cause notice served under subsection (2) within the time specified, the reply shall be considered by the Council, and if the Council -

(a) accepts the explanation contained therein, the Council shall direct the person to assume appointment as a Veterinary officer in such post, in such public service and on such date, as shall be specified in the notice; or

(b) does not accept the explanation or any part of the explanation contained therein, the Council shall direct the Veterinary Registrar to strike off from the Veterinary Register the name of such person.

(5) When any person fails to reply to the show cause notice served under subsection (2) within the time specified, the Veterinary Registrar shall strike off from the Veterinary Register the name of such person.

(6) Where the name of a person has been struck off from the Veterinary Register under subsection (4), it shall not be restored to the Veterinary Register except upon a direction by the Minister, and the Minister may give such direction upon an application in writing being made to him by the person whose name has been struck off from the Veterinary Register.

(7) Any direction given by the Minister under subsection (6) in respect of any person may be made subject to the fulfillment of such terms and conditions as the Minister may deem fit to impose, and such terms and conditions may include terms and conditions requiring the person to serve as a veterinary officer to the satisfaction of the Director General for a continuous total period as determined by the Director General in such post or posts in one or more of the public services as may from time to time be determined by the Director General at his discretion.

(8) While the person whose name is restored under subsection (6) is fulfilling the terms and conditions imposed under subsection (7) he shall be deemed to be registered so far as is necessary to fulfill the terms and conditions imposed under subsection (7) and for such other purposes as the Minister may direct, but not further; and upon fulfillment of the terms and conditions imposed under subsection (7) he shall be entitled to a certificate issued by the Director General as evidence of such fulfillment, and his registration shall be reinstated.

(9) The decision of the Minister upon an application made to him under subsection (6) for the restoration of a name on the Veterinary Register shall be final and shall not be questioned or reviewed in any court.

(10) Where a notice under subsection (1) has been served on any person liable to be served therewith, the Director General may at any time cancel the notice, and, if he thinks fit, cause to be served on him a further notice under subsection (1).

Period of service in pursuance of a notice under subsection 99(1)

100. (1) A person who commences to serve in a post in a public service in pursuance of a notice issued under subsection 99(1), shall continue to serve in that post or such other subsequent post or posts in the same or other public service as may from time to time be determined by the Director General at his discretion, for a continuous total period to be prescribed, to the satisfaction of the Director General.

(2) Any person who fails to comply with the provisions of subsection (1) shall be served with a show cause notice.

(3) Any person served with the show cause notice referred to in subsection (2) shall reply to the notice within thirty days of the date of the said notice.

(4) When any person replies to the show cause notice served under subsection (2) within the time specified, the reply shall be considered by the Council, and if the Council -

(c) accepts the explanation contained therein, the Council shall direct the person to continue to serve in that post or such other subsequent post or posts in the same or other public service as may from time to time be determined by the Director General at his discretion; or

(d) does not accept the explanation or any part of the explanation contained therein, the Council shall direct the Registrar to strike off from the Veterinary Register the name of such person.

(5) When any person fails to reply to the show cause notice within the time specified in subsection (3), the Registrar shall strike off from the Register the name of such person.

Power of Minister to grant reduction, exemption or postponement from period of service under section 100

101.(1) The Minister may, by order published in the *Gazette* -

(a) in respect of any particular person;

(b) generally in respect of any class of persons during such period as he may specify; or

(c) generally in respect of all persons during such period as he may specify;

grant such reduction as he may consider appropriate or complete exemption from the period of service required under section 100.

(2) The Minister may, upon application being made to him in writing by any person liable to undergo the period of service required under section 100, grant to such person postponement from commencing such service, for such period as he may consider appropriate if he is satisfied that it would be just and reasonable to do so.

(3) The Minister may, upon application being made to him in writing by any person undergoing the period of service required under section 100, grant to such person postponement from completing such service, for such period as he may consider appropriate if he is satisfied that it would be just and reasonable to do so.

(4) The decision of the Minister upon an application made to him under subsection (2) or (3) shall be final and shall not be questioned or reviewed in any court.

Minister may make rules

102. The Minister may make rules for carrying into effect the objects and purposes of this Part.

PART IX General

Fraudulent registration

103.(1) Any person who fraudulently procures or attempts to procure himself or any other person to be registered by making or producing, or causing to be made or produced, any false or fraudulent representation or declaration, either orally or in writing, shall be guilty of an offence against this Act.

(2) In relation to subsection (1), if such person is registered, the Council or the Veterinary Para-Professionals' Committee shall have absolute discretion to suspend the person forthwith,

pending an inquiry or a charge being brought against him in court.

Pretends to be registered

104.(1) An unregistered person who -

(a) willfully and falsely pretends to be registered as a practitioner under this Act or to be qualified to practise veterinary medicine;

(b) willfully and falsely takes or uses the name or title of Veterinary surgeon, Veterinary doctor, Veterinarian, qualified veterinary surgeon, Doctor of Veterinary Medicine, Professor of veterinary medicine or surgeon, Veterinary Practitioner, Veterinary Specialist, Animal Doctor, veterinary para-professional or any terms equivalent in any language;

(c) willfully and falsely takes or uses any name, title, stamp, addition or description implying that he is registered as a practitioner under this Act, or that he is recognised by law as a Veterinary Surgeon, or Veterinary Para-Professional or that he is qualified to heal or treat Veterinary disorders or derangements whether by veterinary medicine or any other means of any kind or description whatsoever;

(d) willfully and falsely takes or uses any name, title, addition or description, or uses any instrument, medicines or equipments calculated to induce any person to believe that he is qualified to practice veterinary medicine;

(e) practises veterinary medicine in any form and in any premise not approved ;

(f) uses the term "Animal Clinic", Animal Dispensary, "Veterinary clinic", "Animal Centre", "Veterinary Centre", "Veterinary dispensary", "Veterinary hospital", "Veterinary Surgery", "Animal Healthcare Centre", Veterinary Centre" or the equivalent of any of these terms in any other language on the signboard over his place of practice or in any name card, professional stationery or in any item in print, in purported practise of veterinary medicine as a person registered under this Act; or

(g) uses a symbol designed by the Council or the Veterinary Para-Professionals' Committee for the use of registered practitioners only,

commits an offence against this Act

(2) For the purposes of subsection (1) -

(a) the taking or using by any person of the terms "veterinary surgeon", "qualified veterinary surgeon", "doctor of veterinary surgery", "professor of veterinary medicine", "Veterinarian" "veterinary para-professionals", "veterinary nurse", "veterinary assistant", "veterinary technologist" "veterinary dentist", "veterinary acupuncturist" or any terms in veterinary complementary medicine such as "veterinary aruyveda, holistic medicine or alternative therapy" "veterinary clinic", "veterinary dispensary", "veterinary hospital" or the equivalent of any of these terms in any other language in relation to the practice of veterinary medicine shall be deemed, unless the contrary be proved, to be the taking or using of a name, title, addition or description calculated to induce any person to believe

that he is qualified to practise veterinary medicine;

(b) the using by any person of any instrument or veterinary material used exclusively by persons qualified to practise veterinary medicine shall be deemed unless the contrary be proved to be the using of an instrument calculated to induce a person to believe that he is qualified to practise veterinary medicine; and

(c) where any person, other than a veterinary surgeon, a veterinary para-professional or a dealer in medical and veterinary equipment, appliances and instruments, has in his possession any one or more of the following instruments and appliances commonly used in the practise of veterinary medicine, that is to say, a cutting unit, a forcep, a mirror, or a probe, he shall be deemed, unless the contrary be proved, to be willfully and falsely pretending to be registered under this Act and to be qualified to practise veterinary medicine.

Employing a person who is not a registered Veterinary Para-Professional

105. Any person, employer, animal healthcare facility or agency in any premise that employs a person to perform the duties and responsibilities of a registered Veterinary Para-Professional, when such person is not registered under this Act, shall be guilty of an offence against this Act.

Offence committed by a body corporate

106.(1) If a body corporate commits an offence under this Act, any person who at the time of the commission of the offence was a director, chief executive officer, chief operating officer, manager, secretary or other similar officer of the body corporate or was purporting to act in any such capacity or was in any manner or to any extent responsible for the management of any of the affairs of the body corporate or was assisting in such management-

(a) may be charged severally or jointly in the same proceedings with the body corporate; and

(b) if the body corporate is found to have committed the offence, shall be deemed to have committed that offence unless, having regard to the nature of his functions in that capacity and to all circumstances, he proves-

(i) that the offence was committed without his knowledge, consent or connivance; and

(ii) that he took all reasonable precautions and had exercised due diligence to prevent the commission of the offence.

(2) If any person would be liable under this Act to any punishment or penalty for any act, omission, neglect or default, he shall be liable to the same punishment or penalty for every such act, omission, neglect or default of any employee or agent of his, or of the employee of such agent, if such act, omission, neglect or default was committed—

(a) by his employee in the course of his employment;

(b) by the agent when acting on his behalf; or

(c) by the employee of such agent in the course of his employment by such agent or otherwise on behalf of the agent.

Prohibition of practice of veterinary medicine by unregistered persons

107.(1) Subject to the provisions of section 111 no person other than a veterinary practitioner or a veterinary para-professional under the supervision of a veterinary surgeon shall practise veterinary medicine;

(2) Notwithstanding subsection (1) nothing in this section shall operate to prevent the general wound dressing or cleaning or assisting a veterinary surgeon in the practice of veterinary medicine under direct supervision or the application of remedies for such purposes, by registered veterinary surgeons

(3) Any person who contravenes subsection (1) shall be guilty of an offence against this Act and shall on conviction be liable to a fine not exceeding one hundred thousand ringgit or imprisonment for a term not exceeding three years or both.

Covering

108.(1) Any registered veterinary practitioner or who allows an unregistered person to practice veterinary medicine on the premises used by such registered veterinary practitioner or veterinary para-professional in the performance of his professional duties commits an offence against this Act.

(2) Any registered veterinary practitioner or veterinary para-professional who by his presence, countenance, advice, assistance, or cooperation has knowingly enabled an unregistered person, whether described as an assistant or otherwise, to practice veterinary medicine commits an offence against this Act.

(3) Any registered veterinary practitioner or veterinary para-professional who practises veterinary medicine in premises in which an unregistered person practises veterinary medicine to the knowledge of the registered practitioner commits an offence against this Act.

Penalty for registered veterinary surgeons falsely describing vocation

109.(1) A registered veterinary surgeon shall not use, in describing his vocation, any term other than that of "registered veterinary surgeon".

(2) Any registered veterinary surgeon who willfully or falsely pretends to be or takes or uses the name or title of a veterinary surgeon, veterinary dentist, qualified veterinary doctor, doctor of veterinary surgery, professor of veterinary medicine or any name, title or description implying in itself or in the circumstances in which it is used, that such registered veterinary surgeon possesses or holds any qualification to practise other than that he is registered as a registered veterinary surgeon, shall be guilty of an offence against this Act.

Prosecutions

110.(1) No prosecution in respect of an offence committed under this Act shall be instituted except with the written consent of the Public Prosecutor.

(2) In the case of an offence against section 108, any police officer may arrest without warrant any person who, not being a veterinary surgeon, a registered veterinary surgeon or a veterinary para-professionals, is practising or is believed to be practising veterinary medicine in any street

or public place.

Exemptions

111.(1) Notwithstanding anything to the contrary contained in this Act, it shall be lawful for any person who is pursuing a course of study as veterinary para-professional, to carry out, in pursuance of such course of study, any veterinary investigation, veterinary examination or veterinary treatment of animals in any hospital, clinic, health centre, or other institution which is approved by the Director General for the purpose of this section or in any University or University College or an institution of higher learning approved by the Minister, provided such investigation, examination or treatment is carried out by such person under the control and supervision of a veterinary surgeon who holds a current and valid practising certificate.

(2) Notwithstanding anything to the contrary contained in this Act, it shall be lawful for any person who is pursuing a course of study in veterinary medicine or veterinary surgery in any University or University College, to carry out, in pursuance of such course of study, any veterinary investigation, veterinary examination or veterinary treatment of animals in any hospital, clinic, health centre, or other institution which is approved by the President for the purpose of this section, provided such investigation, examination or treatment is carried out by such person under the control and supervision of a veterinary surgeon who holds a current and valid practising certificate.

(3) Notwithstanding anything to the contrary contained in this Act, it shall be lawful for any person who has been granted a certificate of approval to appear for the Professional Qualifying Examination under section 39, to carry out veterinary procedures, provided such procedures are carried out -

(a) with the approval of the Council, in the course of any training in preparation for the Professional Qualifying Examination; or

(b) as a requirement of the Professional Qualifying Examination.

(4) The veterinary hospital, veterinary clinic, veterinary health centre, or other institution approved by the Director General under the previous subsections, or the owner or owners thereof, shall not be liable for any injury, loss or damage of a civil nature occasioned to any patient or other person solely in consequence of any investigation, examination or treatment of an animal under the previous subsections by a person pursuing a course of study in veterinary medicine or veterinary surgery, or as a veterinary para-professionals in an institution, provided that nothing in this subsection shall be construed as conferring on the person pursuing such course of study, or on the institution in which he is pursuing such course of study or on any officer or employee of such institution, any immunity from any liability for such injury, loss or damage.

(5) the owner of food production animals and the owner's full time regular employee from caring for or treating the animal belonging to such owner, under the prescription, supervision or direction of a registered veterinary surgeon with a current and valid annual practicing certificate except where the ownership of the animal was transferred for the purpose of circumventing this Act;

(6) any person engaged in bona fide scientific research and in the operation of laboratory animal facilities for the purpose of veterinary or medical research under the supervision of a registered veterinary surgeon with a current and valid annual practicing certificate in an institution or educational institution approved for the purpose by the Minister which requires reasonable experimentation involving animals from carrying on acts which otherwise are prohibited or restricted by this act or any regulations made thereunder and subject to any laws in Malaysia and requirements on ethical requirements in animal research, animal welfare and the prevention of cruelty to animals;

(7) employees of the government from performing his official duties;

(8) a person from advising or consulting with respect to or performing acts which the Council has determined as accepted livestock or animal management practice;

(9) any veterinary para-professional person approved by Council from performing specified procedures and the usage of veterinary equipment in the practice of veterinary medicine in an approved premise and

(10) Notwithstanding anything to the contrary in this Act, it shall be lawful for any person to carry out procedures falling within the meaning of the practice of veterinary medicine, where that person is employed for that purpose and where such procedures are carried out in the course of that person's employment and under the supervision of a veterinary surgeon in the public service.

Veterinary practitioners authorised by the Director General to be deemed Government Veterinary Officers

112.(1) The Director General may authorise in writing any veterinary practitioner who is registered under section 39 and not being a veterinary practitioner in the public service to undertake any of the following functions, that is: -

(a) investigation, examination, treatment or management of any animal, or

(b) perform an autopsy or post-mortem investigation on any deceased animal/animal specimens

in any hospital, clinic or health centre or in any other similar institution.

(2) A veterinary practitioner who is so authorised under subsection (1) to perform any of the functions referred to in sub-sections (a) and (b) thereof shall be deemed to be a Government Veterinary Officer for the purpose of the Criminal Procedure Code and any other relevant laws in Malaysia during the time he is carrying out such functions.

Liability of the Government for torts committed by non-Government practitioners while attending to patients at the request of or by arrangement with the Government

113. A registered veterinary practitioner who holds a current and valid practising certificate,

who is not a public officer and who, at the request of or by arrangement with the Government, carries out any investigation, examination, treatment or management of any animal, or performs an autopsy or post-mortem investigation of any deceased animal or animal specimen in any Government hospital, clinic or health centre or in any other similar institution of the Government shall, while carrying out such investigation, examination, treatment or management, be deemed to be a public officer for the purpose of section 5 of the Government Proceedings Ordinance 1956; and notwithstanding subsection (4) of section 6 of the Ordinance, proceedings may be brought against the Government in respect of any act, neglect or default of such practitioner done or committed in the course of or in connection with such investigation, examination, treatment or management.

General penalty

114.(1) (1) Any person guilty of an offence against this Act shall be liable on conviction –

(a) in the case of an individual person, sole proprietor or partner-

(i) in respect guilty of an offence to a fine not exceeding one hundred thousand ringgit; and

(ii) in respect of the second or subsequent offences to a fine not exceeding two hundred thousand ringgit or imprisonment for a term not exceeding six years or both such fine and imprisonment.

(b) in the case of a body corporate or society-

(i) in respect guilty of an offence to a fine not exceeding three hundred thousand ringgit; and

(iii) in respect of the second or subsequent offences to a fine not exceeding four hundred thousand ringgit or imprisonment for a term not exceeding six years or both such fine and imprisonment.

(2) In the case of continuing offence such person shall be liable to a further penalty -

(a) in the case of an individual, sole proprietor or partner of one thousand ringgit for each day during the continuance of such offence after conviction in addition to the respective penalty under paragraphs (a) and (b) of subsection (1).

(b) in the case of body corporate or society of five thousand ringgit for each day during the continuance of such offence after conviction in addition to the respective penalty under paragraphs (a) and (b) of subsection (1).

Council may require information

115.(1) The Council may from time to time call for such information as it may require to be furnished by any practitioner whose name is on the Register and such practitioner shall furnish

the information within thirty days of being required to do so.

(2) Every person whose name is on the Register shall, within three months of any change that may occur in the particulars he has furnished to the Council, notify the Council of the change.

(3) A practitioner who fails to comply with subsection (1) or (2) in respect of himself shall be guilty of an offence against this Act.

Appointment of Legal Advisors

116. The Council may appoint one or more legal advisors -

(a) to assist the Council, the Veterinary Para-Professionals' Committee or any of their committees or subcommittees during any inquiry touching on disciplinary matters;

(b) to institute and conduct any civil proceedings on its behalf or on behalf of the Veterinary Para-Professionals' Committee; and

(c) to assist the Council, the Veterinary Para-Professionals' Committee or any of their committees or subcommittees on any matter pertaining to the Act or Regulations made thereunder.

Provisions in the Criminal Procedure Code when applicable

117. The provisions of the Criminal Procedure Code [Act 593] in relation to matters not covered by this Act shall apply in so far as they are not inconsistent with the provisions of this Act, and in the event of any inconsistency between the provisions of this Act and the Criminal Procedure Code the provisions of this Act shall prevail.

PART X REGULATIONS, SAVING AND REPEAL

Regulations

118.(1) Subject to the provisions of this Act, the Council may, with the approval of the Minister, make directives and regulations to prescribe anything which under this Act is required to be prescribed, and generally to carry out the objects and purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, such directives and regulations may prescribe -

(a) the duties of the Registrar;

(b) the form of the Veterinary Register and the Veterinary Para-Professionals' Register, the mode in which they shall be kept and the contents thereof;

(c) the fees to be paid in respect of applications and proceedings under this Act and in respect of certificates and other documents issued under this Act and provide for such exemptions therefrom as the Council or the Veterinary Para-Professionals' Committee may deem appropriate;

(d) the form, manner and requirements in which applications for registration and for practising certificates shall be made;

(e) the form of any certificate or other document required for carrying out the purpose of this Act;

(f) the manner of qualifying and accrediting institutions and qualifications to be entered into the Third and Fourth Schedules, proof of qualifications in veterinary medicine, the appointment of examiners and fees payable by examinees and to examiners;

(g) the manner of receipt of applications and approval of registration, annual practicing permits, temporary practicing permits, and issuance of licenses to veterinary healthcare facilities and services, regulating the requirements and inspection of premises for the practice of veterinary medicine and veterinary healthcare facilities and services;

(h) the management of the property of the Council, the common seal of the Council and the attesting of documents by or on behalf of the Council, the audit of its accounts, proceedings of the Council and any tribunal or committees formed by the Council;

(i) the duties to be performed by the Council Secretary and the Secretary to the Veterinary Para-Professionals' Committee;

(j) the issuance of veterinary certificates of veterinary illness;

(k) the manner for securing of legal advice by the Council and the Veterinary Para-Professionals' Committee, the provision of legal advisors therefore, the qualifications and functions of such legal advisors and the remuneration to be paid to them;

(l) the procedure for receipt of complaints or information touching on any disciplinary matter that may be inquired into by the Council and the establishment of Committees to be known as Preliminary Investigation Committees to make a preliminary investigation into complaints or information touching on any disciplinary matter involving veterinary surgeons or any private healthcare facility or services that may be inquired into by the Council and to determine whether or not there shall be an inquiry by the Council;

(m) the procedure for receipt of complaints or information touching on any disciplinary matter that may be inquired into by the Veterinary Para-Professionals' Committee and the establishment of subcommittees to be known as Disciplinary Committees to make a preliminary investigation into complaints or information touching on any disciplinary matter that may be inquired into by the Veterinary Para-Professionals' Committee and to determine whether or not there shall be an inquiry by the Veterinary Para-Professionals' Committee;

(n) the prohibition of a member of any Preliminary Investigation Committee from attending any meeting of the Council whilst it is inquiring into a complaint or information, of which he took part in the preliminary investigation;

(o) the prohibition of a member of any Disciplinary Committee from attending any meeting of the Veterinary Para-Professionals' Committee whilst it is inquiring into a complaint or information, of which he took part in the preliminary investigation;

(p) the procedure to be followed in relation to-

(i) the submission of complaints and information to the Preliminary Investigation Committees or the Disciplinary Committees;

(ii) the preliminary investigation of any complaint or information by a

Preliminary

Investigation Committee or a Disciplinary Committees;

(iii) the formulation of charges arising out of complaints and information;

(iv) the reference to the Council by the Preliminary Investigation Committee of cases

arising out of complaints and information;

(v) the reference to the Veterinary Para-Professionals' Committee by the Disciplinary

Committee of cases arising out of complaints and information; and

(vi) disciplinary inquiries held by the Council and the Veterinary Para-Professionals' Committee.

(q) exemptions from the application of the provisions of paragraph (2)(b) of section 103 in respect of the use of specific instrument by specific persons or classes of persons, subject to such restrictions and conditions as may be specified.

(r) the formation of a Veterinary Qualifying and Accreditation Committee for the purpose of evaluation of applications for the Professional Qualifying Examination, and conducting the Professional Qualifying Examination for veterinary practitioners;

(s) the formation of a Veterinary Specialists' Qualifying Committee for the purpose of evaluation of applications for recognition as specialists; and

(t) any other matters for the purpose of this Act.

Saving and transitional provisions

119.(1) Every person who immediately before the coming into force of this Act was registered in the Veterinary Register under the Veterinary Surgeons Act 1974, shall on the coming into force of this Act be deemed to be registered veterinary surgeon under the provisions of this Act.

(2) Every person who immediately before the coming into force of this Act had a current and valid practising certificate in respect of himself under the Veterinary Surgeons Act 1974, shall on the coming into force of this Act be deemed to have a practising certificate for the remainder of the year in which this Act comes into force.

(4) All the members of the Council appointed or elected before the date of coming into operation of this Act, shall continue to hold office for a period of six months from the date of coming into operation of this Act.

(5) Every person who immediately before the date of coming into operation of this Act was undergoing a period of employment or attachment under the provisions of subsection 12(3) of the Veterinary Surgeons Act 1974 shall on the date of coming into operation of this Act be allowed to complete the period of employment or attachment and be allowed to be registered under section 39 of this Act, if and when they fulfill the provisions of subsection 12(3) of the Veterinary Surgeons Act 1974.

(6) All applications, approvals or decisions on appeal or otherwise, pending before the Council under the Veterinary Surgeons Act 1974 shall, on the date of coming into operation of this Act, be

dealt with by the Council in accordance with the provisions applying under this Act.

(7) All instruments, certificates and documents lodged with the Council under the Veterinary Surgeons Act 1974 before the date of coming into operation of this Act shall, on the date of coming into operation of this Act, be deemed to have been lodged with the Council.

(8) Any person who, on or before the date of coming into operation of this Act, is studying or graduating from any of the veterinary school as listed in the Second Schedule of the Veterinary Surgeons Act 1974 is eligible to be registered under section 39 of this Act within five years from date of coming into operation of this Act.

(9) Any proceedings, whether disciplinary, civil or criminal, pending on the date of coming into operation of this Act before the Preliminary Investigation Committee or the Council established under the Veterinary Surgeons Act 1974 shall, after the date of coming into operation of this Act, be continued as if the Veterinary Surgeons Act 1974 had not been repealed by this Act.

(10) Section 40 (1) and (2) of the Veterinary Surgeons Act, 1974 shall be preserved.

Repeal

120. The Veterinary Surgeons Act 1974 is hereby repealed

FIRST SCHEDULE
SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL

Chairperson of Council Meetings

1. (1) The President, if present, shall be the chairman at meetings of the Council.
- (2) The Registrar shall chair meetings in the absence of the President.
- (3) Provided that if the President and the Registrar shall be absent from any meeting of the Council the members present at such meeting shall elect one of themselves to act as chairman at that meeting.

Meetings of the Council

- 2.(1) The Council shall meet at such times and places as the President or Registrar may appoint, provided that there shall be held at least four meetings in a year.
- (2) Where not less than five members submit to the President a written request to convene a meeting of the Council, the President shall convene such meeting within one month of the receipt of such request.
- (3) The quorum for a meeting of the Council shall be seven and the decision of the Council shall be by a simple majority of the members present and voting.
- (4) A Council member attending less than fifty percent of Council meetings in a year or absent from three consecutive meetings without acceptable reasons or leave from the Council shall cease to be a member of the Council.
- (5) When any vacancy occurs amongst the members, the Council shall, as soon as practicable, take the necessary action to fill such vacancy.
- (6) The Chairman at any meeting shall have an original vote and also, if upon any question the votes shall be equally divided, a casting vote.
- (7) There shall be paid to all members of the Council or any committee appointed by the Council such fees for attendance at meetings of the Council and of any committee appointed by the Council and such reasonable traveling expenses and subsistence allowances for such attendance and for journeys undertaken in the discharge of their duties under this Act.
- (8) The Council may invite any person to attend a meeting or deliberation of the Council for the purpose of advising it on any matter under discussion but that person shall not be entitled to vote at the meeting or deliberation.
- (9) A person invited to attend a Council meeting under sub-section (8) may be paid such allowances as the Council may determine.
- (10) Minutes made of meetings of the Council shall, if duly signed, be admissible in evidence in all legal proceedings without further proof.
- (11) Every meeting of the Council in respect of the proceedings of which minutes have been so made shall be deemed to have been duly convened and held, and all members present thereat to have been duly qualified to act.
- (12) Subject to provisions of this Act, the Council may make standing orders regulating its own

procedure generally, and, in particular, regarding the holding of meetings, the notice to be given of such meetings, the proceedings thereat, the keeping of minutes and the custody, production and inspection of such minutes.

Secretary of the Council

3.(1) The President may appoint a veterinary officer employed by the Department of Veterinary Services, Ministry of Agriculture and Agro-based Industries to be the Secretary of the Council.

(2) The President may appoint one or more veterinary officers employed by the Department of Veterinary Services, Ministry of Agriculture and Agrobased Industries to be Assistant Secretaries of the Council.

Office of the Council

4 The office of the Council shall be at such place as the Director General may determine.

**SECOND SCHEDULE
SUPPLEMENTARY PROVISIONS RELATING TO
THE VETERINARY PARA-PROFESSIONALS' COMMITTEE**

Chairperson of the Veterinary Para-Professionals' Committee

1. (1) The Principal Director if present, shall be the chairman at meetings of the Veterinary Para-Professionals' Committee.
- (2) The Registrar shall chair meetings in the absence of the Principal Director.
- (3) Provided that if the Principal Director and the Registrar shall be absent from any meeting of the Veterinary Para-Professionals' Committee the members present at such meeting shall elect one of themselves to act as chairman at that meeting.

Meetings of the Veterinary Para-Professionals' Committee

2. (1) The Veterinary Para-Professionals' Committee shall meet at such times and places as the Chairman may appoint, provided that there shall be held at least two meetings in a year.
- (2) Where not less than five members submit to the Chairman a written request to convene a meeting of the Veterinary Para-Professionals' Committee, the Chairman shall convene such meeting within one month of the receipt of such request.
- (3) The quorum for a meeting of the Veterinary Para-Professionals' Committee shall be five and the decision of the Veterinary Para-Professionals' Committee shall be by a simple majority of the members present and voting.
- (4) A Veterinary Para-Professionals' Committee member absent from three consecutive meetings of the Veterinary Para-Professionals' Committee without acceptable reasons or leave from the Chairman shall cease to be a member of the Veterinary Para-Professionals' Committee.
- (5) When any vacancy occurs amongst the members, the Veterinary Para-Professionals' Committee shall, as soon as practicable, take the necessary action to fill such vacancy.
- (6) The Chairman at any meeting shall have an original vote and also, if upon any question the votes shall be equally divided, a casting vote.
- (7) There shall be paid to all members of the Veterinary Para-Professionals' Committee and any sub-committee appointed by the Veterinary Para-Professionals' Committee such fees for attendance at meetings of the Veterinary Para-Professionals' Committee or of any sub-committee and such reasonable traveling expenses and subsistence allowances for such attendance and for journeys undertaken in the discharge of their duties under this Act.
- (8) The Veterinary Para-Professionals' Committee may invite any person to attend a meeting or deliberation of the Veterinary Para-Professionals' Committee for the purpose of advising it on any matter under discussion but that person shall not be entitled to vote at the meeting or deliberation.
- (9) A person invited to attend a Veterinary Para-Professionals' Committee meeting under subsection (8) may be paid such allowances as the Veterinary Para-Professionals' Committee may determine.
- (10) Minutes made of meetings of the Veterinary Para-Professionals' Committee shall, if duly signed, be admissible in evidence in all legal proceedings without further proof.

(11) Every meeting of the Veterinary Para-Professionals' Committee in respect of the proceedings of which minutes have been so made shall be deemed to have been duly convened and held, and all members present thereat to have been duly qualified to act.

(12) Subject to provisions of this Act, the Veterinary Para-Professionals' Committee may make standing orders regulating its own procedure generally, and, in particular, regarding the holding of meetings, the notice to be given of such meetings, the proceedings thereat, the keeping of minutes and the custody, production and inspection of such minutes.

Secretary of the Veterinary Para-Professionals' Committee

3. (1) The President shall appoint a veterinary para-professional who is employed by the Department of Veterinary Services, Ministry of Agriculture and Agro-based Industries to be the Secretary of the Veterinary Para-Professionals' Committee.

(2) The President may appoint one or more veterinary para-professionals who are employed by the Department of Veterinary Services, Ministry of Agriculture and Agro-based Industries to be Assistant Secretaries of the Veterinary Para-Professionals' Committee.

Office of the Veterinary Para-Professionals' Committee

4. The office of the Veterinary Para-Professionals' Committee shall be at such place as the Director General may determine.

THIRD SCHEDULE
REGISTRABLE QUALIFICATIONS FOR REGISTRATION OF VETERINARY SURGEONS

Country in which Qualification is granted	Institution granting Qualification	Description of qualification
Australia	University of Melbourne	Bachelor of Veterinary Science
	University of Queensland	Bachelor of Veterinary Science Bachelor of Veterinary Science (Hons) (recognized from 27-Aug-2015) P.U. (A) xxx/2015
	University of Sydney	Bachelor of Veterinary Science
	Murdoch University	Bachelor of Veterinary Medicine and Surgery P.U. (A) 172/2013
Bangladesh	Bangladesh Agricultural University	Doctor of Veterinary Medicine
	Eastern Pakistan Veterinary College, University of Decca	Licentiate in Veterinary Science
	Eastern Pakistan Veterinary College, University of Decca	Diploma of Veterinary Medicine and Surgery
	East Pakistan Agricultural University, Mymensingh	Licentiate in Veterinary Science
	East Pakistan Agricultural University, Mymensingh	Bachelor of Science (Veterinary Science and Animal Husbandry)
	East Pakistan Agricultural University, Mymensingh	Diploma of Veterinary Medicine and Surgery
	East Pakistan College of Veterinary Science and Animal Husbandry	Doctor of Veterinary Medicine
Canada	Ontario Veterinary College University of Guelph	Doctor of Veterinary Medicine
	Western College of Veterinary Medicine, University of Saskatchewan	Doctor of Veterinary Medicine
India	Bengal Veterinary College	Graduate in Veterinary Science
	University of Calcutta	Bachelor of Veterinary Science
	Bidhan Chandra Krishi Viswaridyalaya (Bengal Veterinary College)	Bachelor of Veterinary Science and Animal Husbandry

Bihar Veterinary College, Magadh, University	Bachelor in Veterinary Science and Animal Husbandry
Rajendra Agricultural University, Bihar (Bihar Veterinary College)	Bachelor in Veterinary Science and Animal Husbandry
Bombay Veterinary College	Graduate of the Bombay Veterinary College
Bombay Veterinary College (Mahatma Phule Krishi Vidyapeeth Agricultural University)	Bachelor in Veterinary Science and Animal Husbandry
Bombay Veterinary College (Konkan Krishi Vidyapeeth, Dapoli)	Bachelor in Veterinary Science and Animal Husbandry
University of Bombay	Bachelor of Veterinary Science
Orissa College of Veterinary Science and Animal Husbandry, Utkal University	Bachelor in Veterinary Science and Animal Husbandry
Utkal University, Orissa State	Bachelor of Veterinary Science
University of Agra	Bachelor of Veterinary Science
Andra Pradesh Agricultural University, Hyderabad	Bachelor of Veterinary Science
University of Mysore	Bachelor of Veterinary Science
University of Agricultural Sciences, Mysore	Bachelor of Veterinary Science
Kerala Veterinary College and Research Institute	Bachelor of Veterinary Science
Kerala Agricultural University, Mannuthy	Bachelor of Veterinary Science
Uttar Pradesh Agricultural University, Pantnagar	Bachelor of Veterinary Science
Govind Ballabh Pant University of Agriculture and Technology Pantnagar	Bachelor of Veterinary Science and Animal Husbandry
University of Udaipur, Rajasthan	Bachelor of Veterinary Science
Madras Veterinary College	Graduate of the Madras Veterinary College
University of Madras	Bachelor of Veterinary Science

	Tamil Nadu Agricultural University (Madras Veterinary College) TANUVAS	Bachelor of Veterinary Science P.U. (A) xxx/2015
	University of Agricultural Science, Bangalore	Bachelor of Veterinary Science
	Jawaharlal Nehru Krishi Vishwa Vidyalaya Jabalpur	Bachelor of Veterinary Science and Animal Husbandry
	Assam Agricultural University	Bachelor of Veterinary Science and Animal Husbandry
Indonesia	Fakultas Kedokteran Hewan dan Penternakan, Bogor Institut Pertanian, Bogor	Doktor Hewan
	Universiti Gadjah Mada, Jogjakarta	Doktor Hewan
	Universitas Air Langga	Doctor of Veterinary Medicine P.U. (A) 416, P.U. (A) 172/2013 Recognized on 23 Dec 2011
Malaysia	Universiti Pertanian Malaysia/Universiti Putra Malaysia Universiti Malaysia Kelantan	Doctor of Veterinary Medicine P.U. (A) 229 02 May 1978 P.U. (A) 416 22 Dec 2011 Doctor of Veterinary Medicine P.U. (A)135/2014 Recognized on 28 Feb 2014
New Zealand	Massey University	Bachelor of Veterinary Science
Pakistan	Punjab Veterinary College	Licensed Veterinary Practitioner, Punjab
	College of Animal Husbandry, Lahore, University of Punjab	Bachelor of Veterinary Science and Bachelor of Science (Animal Husbandry)
	University of Veterinary & Animal Sciences, Lahore	Doctor of Veterinary Medicine
	College of Animal Husbandry, Lahore, University of Agriculture, Lyallpur	Doctor of Veterinary Medicine
	University of Agriculture,	Doctor of Veterinary Medicine

	Lyallpur	
	West Pakistan Agricultural University, Lyallpur	Doctor of Veterinary Medicine
Sri Lanka/Ceylon	University of Ceylon/Sri Lanka/Peradeniya	Bachelor of Veterinary Science
Taiwan	National Taiwan University	Bachelor of Veterinary Medicine P.U. (A) 416/2011 P.U. (A) 172/2013 Recognized on 23 Dec 2011
	National Chung Hsing University	Doctor of Veterinary Medicine P.U. (A) 416/2011 P.U. (A) 172/2013 P.U. (A) xxx/2015 Recognized on 23 Dec 2011
United Kingdom	Royal College of Veterinary Surgeons	Membership (institutions recognized by MRCVS) Membership (by examinations not recognized after 1-Jan-2016 P.U. (A) xxx/2015
	University of Bristol	Bachelor of Veterinary Science
	University of Cambridge	Bachelor of Veterinary Medicine
	University of Edinburgh	Bachelor of Veterinary Medicine And Surgery
	University of Glasgow	Bachelor of Veterinary Medicine And Surgery
	University of Liverpool	Bachelor of Veterinary Science
	University of London	Bachelor of Veterinary Medicine
United States of America	Colorado State University	Doctor of Veterinary Medicine P.U. (A) 172/2013 Recognized on 15 Apr 2013

FOURTH SCHEDULE
**REGISTRABLE QUALIFICATIONS FOR REGISTRATION OF VETERINARY PARA-
PROFESSIONALS**

Country	Discipline	Education/ Institute/ Organisation	Qualification
Malaysia	Veterinary nurses	Department of Veterinary Services	Certificate – Veterinary Nurse
		Veterinary Management Institute/ Veterinary Association Malaysia	
	Veterinary technologists Veterinary assistants	Veterinary Institute	Certificate – Veterinary Assistant
			Certificate – Competency in Artificial Insemination in Ruminants
	Veterinary laboratory assistants/ Technologists	Veterinary Research Institute	Certificate – Veterinary Laboratory Assistant
	Animal scientists Animal productionists Nutritionists Agronomists Other qualifications	Universiti Malaysia Kelantan	Bachelor of Applied Science with Honours (Animal Science)
		Universiti Pertanian Malaysia Universiti Putra Malaysia	Bachelor of Agriculture with Honours (Animal Science and Production) Diploma in Animal Health and Production Bachelor of Fisheries
		Universiti Malaysia Kelantan	Bachelor of Science (Agricultural Science - Livestock Production)
		Universiti Darul Iman Malaysia	Bachelor of Science (Animal Health and Production)
		Universiti Malaysia Sabah	Bachelor of Science (Agricultural Science - Livestock Production)
Universiti Malaysia Sarawak		Bachelor of Science (Animal Science and Management) Bachelor of Science (Aquatic	

			Science and Management)
		Universiti Sains Malaysia	Bachelor of Science with Honours (Animal Biology)
		Universiti Sultan Zainal Abidin	Bachelor of Science (Animal Production and Health) with Honours
Australia		Animal Industries Resource Centre and Provet - Australia TAFE NSW Sydney Institute of Australia	Certificate in Veterinary Nursing Diploma in Veterinary Nursing Veterinary Nursing Program
United Kingdom		Royal College of Veterinary Surgeons, United Kingdom	Veterinary Nurse

FIFTH SCHEDULE

**REGISTRABLE QUALIFICATIONS
FOR REGISTRATION OF POST-BASIC VETERINARY PARA-PROFESSIONALS**

Country	Discipline	Education/ Institute/ Organisation	Qualification

**SIXTH SCHEDULE
FEES & FINES**

FEES

No.	Items	Fees (RM)
1.	Registration as a Veterinary Surgeon	200
2	Registration as a Veterinary specialist (per specialty)	1000
3	Registration as a Veterinary Para-Professionals	50
4	Registration as a Veterinary Post-Basic Para-professionals	100
5	Annual practicing certificate	100
6,	Late renewal of annual practising certificate	100
7.	Certified true copy/Duplicate of documents/Copies of documents/Letter of good standing including translation – per copy basis	100
8.	Temporary permit to practice	200
9.	Temporary permit to practice for a specialist	500
10.	Alteration of qualification and additional qualifications	100
11.	Search for/on extracts from Veterinary Register or Veterinary Para-Professional Register	300
12	Copy of disciplinary proceedings	250

**SEVENTH SCHEDULE
PROCEDURES THAT MAY BE CARRIED OUT
BY A VETERINARY PARA-PROFESSIONALS IN THE PRIVATE SECTOR**

1. A Veterinary Para-Professional employed in the private sector may carry out the following procedures:

- (a) Veterinary health promotion, education and instruction; and
- (b) Photography on instruction of the veterinary surgeon.
- (c) Clinical procedures that may be carried out by a veterinary para-professionals under supervision in the private sector shall be limited to the following:

1. Restraining and handling of animals;
2. General taking of body temperature, respiration, pulse rates;
3. Application of dressings/bandages on wounds;
4. General handling of instruments under direct supervision of a veterinary surgeon during treatment and surgery and
5. Venipuncture, blood taking and setting up of intravenous drip line

**EIGHTH SCHEDULE
PROCEDURES THAT MAY BE CARRIED OUT
BY A POST-BASIC VETERINARY PARA-PROFESSIONALS IN THE PRIVATE SECTOR**

A veterinary para-professionals registered in Division B of the Veterinary Para-Professionals' Register as a post-basic veterinary para-professional may carry out, in addition to the procedures in the Seventh Schedule, the following procedures in addition to those permitted for veterinary para-professionals in relation to the discipline for which he is trained.

1. Removal of sutures
2. Assisting in the injection of non-scheduled poisons
3. Simple post-surgical wound dressing
4. Scrub nurse and runner in the operating theatre
5. Preparation of equipment and materials for sedation procedures.
6. Removal of splints
7. Equipment – i.e. ultrasound/imaging for which the person has competency certificates
8. For equine management
 - (i) Management practices – i.e. hoof trimming, teeth rasping
9. For livestock and poultry production
 - (i) vaccination
 - (ii) injections
 - (iii) castrations of piglets/removal of retained testicles/repair of hernia