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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 551 OF 2021

VETERINARY AND PARA-VETERINARY PROFESSIONS ACT, 1982, AS AMENDED ACT No. 19 OF 1982, AS AMENDED

AMENDMENT OF THE RULES RELATING TO THE PRACTISING OF PARA-VETERINARY PROFESSION OF VETERINARY TECHNOLOGIST – COMMENTS INVITED

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

SCHEDULE

1. Definitions

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

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

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

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

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

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

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

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

“supervision” means, unless otherwise indicated:

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

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

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

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

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

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

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

2. General Services

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

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

3. Execution of services –

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

CONDUCT OF PERSONS PRACTISING VETERINARY TECHNOLOGY PROFESSION

4. General principles

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

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

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

5. Acceptance and payment of commission

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

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

6. Business ownership & sharing

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

7. Fees

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

8. Intrusion

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

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

9. Advertising

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

10. Identification of veterinary laboratories

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

MINIMUM STANDARDS FOR VETERINARY LABORATORIES

11. Veterinary Laboratory

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

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

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

12. Records at veterinary laboratories

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

13. Exemption

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

14. Reporting of impairment or of unprofessional conduct

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

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

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

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

15. Repeal and transitional arrangements

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

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 552 OF 2021

VETERINARY AND PARA-VETERINARY PROFESSIONS ACT, 1982, AS AMENDED

ACT No. 19 OF 1982, AS AMENDED

AMENDMENT OF THE RULES RELATING TO THE PRACTISING OF PARA-VETERINARY PROFESSION OF
LABORATORY ANIMAL TECHNOLOGIST – COMMENTS INVITED

The South African Veterinary Council, with the approval of the Minister of Agriculture, Land Reform & Rural Development, intends to amend the rules for the para-veterinary professions of laboratory animal technologist by revoking the rules published in Government Notice number 18313, GNR.1445, on 3 October 1997, with the following Schedule hereby published for public comments. All interested parties who have any comments to the proposed amendments are called upon to submit such comments to the SAVC: Director Legal Affairs within thirty (30) days from the date of publication of this Notice to: Mrs D Stoltz at e-mail address director.legalaffairs@savc.org.za (Telephone number (012) 345-6360/083-632-3904), with a copy to legalsecretary@savc.org.za.

SCHEDULE

1. Definitions

Any word or expression in this Schedule to which a meaning has been assigned in the Act shall have that meaning, and –

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

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

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

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

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

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

“supervision” means, unless otherwise indicated:

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

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

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

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

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

2. General Services

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

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

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

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

3. Exception in respect of rule 2:

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

4. CONDUCT OF PERSONS PRACTISING LABORATORY ANIMAL TECHNOLOGY PROFESSION

General principles

- (1) The fundamental responsibility of a laboratory animal technologist is to provide optimal and exemplary standards of humane care and use of experimental animals at all times.
- (2) A laboratory animal technologist must base his/her personal and professional conduct thereon that he/she is a member of a learned and honourable profession and is required to act at all times in such a manner as will maintain and promote the prestige, honour, dignity and interests of the profession and of the persons by whom it is practised.
- (3) All persons practising the laboratory animal technology profession are working towards the same common good cause, whether they are in private practice or in the service of an employer, and they must co-operate with each other and with the authorities concerned to promote that cause.
- (4) As a professional a laboratory animal technologist is required to comply with the following fundamental principles:
 - (a) **Integrity:** To be honest and ethical.
 - (b) **Professional Competence:**
 - (i) To maintain the professional knowledge and skill required to ensure that competent professional services are rendered based on current developments in techniques and act diligently and in accordance with applicable technical and professional standards benchmarked against what is expected of the reasonable laboratory animal technologist considering the circumstances and geographic and demographic realities at hand;
 - (ii) To comply with continuing professional development (CPD), which enables a laboratory animal technologist to develop and maintain the capabilities to perform competently within the professional environment; and
 - (iii) To keep record of CPD credits obtained to ensure CPD requirements are met to ensure that registration with Council is maintained.
 - (c) **Confidentiality:** To respect the confidentiality of information acquired as a result of professional services and the relationships emanating therefrom, and, therefore, not disclose any such information to third parties except his or her employer without proper and specific authority, unless there is a legal or professional right or duty to disclose, nor use the information for the personal advantage of the laboratory animal technologist or third parties.
 - (d) **Professional conduct includes but is not limited to:**
 - (i) A laboratory animal technologist may only practice at a research animal facility registered with Council.
 - (ii) To be informed of and comply with all the legal directives and standards of animal ethics (SANS 10386) which are relevant to the practice of his/her profession and which include the Act, its regulations and Rules, the current Ethical Code as well as all other relevant legislation and shall, as far as within his or her power, assist in the application of these laws and standards, including all relevant institutional animal ethics committee policies and requirements.

- (iii) To avoid any action that the laboratory animal technologist knows or ought to have known that may discredit the profession;
 - (iv) To be morally obliged to serve the public to the best of his/her ability by maintaining, at all times, the highest standards of humane care and use of experimental animals and professional conduct, in the light of acceptable scientific knowledge and procedures;
 - (v) Execute the instructions of a person registered to practice a veterinary profession discerningly and faithfully;
 - (vi) Refuse to take part in any unethical behaviour, procedure or activity;
 - (vii) He or she shall not seek any personal advantage at the expense of any colleague in the profession;
 - (viii) At all times, keep detailed and accurate records of all information and procedures performed, which shall be kept on file for at least five years or longer, as required by the relevant quality system;
 - (ix) To refrain from expressing criticism through which the reputation, status or practise of a colleague in the profession, other para-veterinary profession or veterinary profession is or could be undermined or injured, or through which a reflection is or could be cast on the integrity, skill, methods or conduct of such a colleague;
 - (x) Any registered person at a registered facility must inform the Council within thirty (30) days of any changes to the identity or address of the principal; if the principal should pass away, Council should immediately be informed.
 - (xi) A laboratory animal technologist must inform Council within thirty (30) days of entering into employment or partnership at another registered facility.
 - (xii) A copy of any record kept by an animal research facility must be submitted to Council within seventy-two (72) hours of being requested to do so by Council.
 - (xiii) Execute the instructions of the responsible veterinarian discerningly and faithfully.
- (5) Unprofessional conduct is unprofessional, dishonourable or unworthy conduct on the part of a laboratory animal technologist, including, *inter alia*, the following acts and omissions:
- (a) failure to comply with the Act, the regulations and/or Rules promulgated under the said Act, and/or the Code of Conduct and/or guidelines issued by Council from time to time;
 - (b) failure to comply with any other relevant legislation;
 - (c) performing professional services outside the scope of his/her education, training, experience and/or competence, regard being had to both the extent and limits of his/her professional expertise;
 - (d) failing to adequately supervise his/her staff;
 - (e) failure to provide an itemised account when requested to, within the period set out in Rule 7(3);
 - (f) treating a client in a disrespectful and/or discourteous manner, unless justifiable reasons exist;
 - (g) incompetence, gross negligence or any form of negligence in the practising of

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

5. Acceptance and payment of commission

- (1) Subject to Rule 4(2) a laboratory animal technologist may not:
 - (a) Accept any commission from any person as a consideration for referrals of any clients by such laboratory animal technologist to such person;
 - (b) Share with any person, fees charged for a service unless -
 - (i) Such sharing is commensurate with the extent of such other person's participation in the rendering of the service concerned;

- (ii) He/she is a para-veterinary or veterinary professional associated with the laboratory animal technologist as a partner, shareholder or employee; and/or
 - (c) Charge or accept any fee for the same test or laboratory procedure from both the referring veterinarian and the owner of the animal of which a specimen was tested.
- (2) The provisions of Rule 4(1) shall not be so construed as to prohibit a laboratory animal technologist:
 - (a) From introducing a loyalty scheme for a particular laboratory, provided that the loyalty scheme, including discount, does not include the payment of money;
 - (b) From paying to a debt collection agency any commission in respect of debts which are collected by such agency on his/her behalf; or
 - (c) From accepting any royalty or similar compensation in respect of an article or product to which he/she holds the patent rights.

6. Business ownership & sharing

- (1) A laboratory animal technologist may not enter into a partnership or allow any shareholding or interest in his/her practice with another person, unless that person is registered with Council as a veterinary professional or para-veterinary professional.
- (2) A laboratory animal technologist may:
 - (a) Offer an appointment in his/her practice to another veterinary professional or para-veterinary professional who are registered in terms of the Act to practice the profession concerned;
 - (b) Employ another person in a professional capacity at his/her laboratory; or
 - (c) Share his/her laboratory or premises with another person involved in practising a veterinary or para-veterinary profession.
- (3) Any appointment, employment or sharing anticipated in Rule 5(2) is subject to the condition that:
 - (a) Specimen integrity, animal wellbeing and confidentiality of client records are not compromised; and
 - (b) Sufficient bio-security measures, according to relevant health and safety legislation and including isolation facilities, are in place to ensure that the wellbeing of humans and animals are not at risk.

7. Fees

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

8. Intrusion

- (1) If a laboratory animal technologist has obtained any confidential information regarding the nature and extent of the business or laboratory of a veterinary professional or of a colleague in the profession, such laboratory animal technologist may not use such information to promote his/her own business or laboratory.
- (2) If a laboratory animal technologist renders professional services to an employer, he/she may not use his/her association with or the intellectual property of such employer in any manner whatsoever to promote his/her own business or laboratory at the expense of that employer in the profession.
- (3) Contravention of Rules 8(1) & 8(2) for own gain is a serious offence which may lead to deregistration.

9. Advertising

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

10. Exemptions

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

11. Reporting of impairment or of unprofessional conduct

- (1) A student, a veterinarian or para-veterinary professional must;
 - a) Report impairment or suspected impairment in a student, a veterinary professional or para-veterinary professional to the Council if he/she is convinced that any student, veterinary or para-veterinary professional is impaired; and/or
 - b) Report his/her own impairment or suspected impairment to the Council if he/she is aware of his/her own impairment or has been publicly informed, or has been seriously advised by a colleague to act appropriately to obtain help in view of an alleged or established impairment;if such a level of physical or mental impairment has been identified that the welfare of the patients, the interests of the clients and/or the image of the profession will be compromised.
- (2) A student, a veterinary or para-veterinary professional is obliged to report any unprofessional, illegal or unethical conduct by another student, veterinary or para-veterinary professional, particularly where it involves the employment of unregistered professionals or where an animal's welfare may be compromised.

12. Repeal and transitional arrangements

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

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NOTICE 553 OF 2021****VETERINARY AND PARA-VETERINARY PROFESSIONS ACT, 1982, AS AMENDED
ACT No. 19 OF 1982, AS AMENDED****AMENDMENT OF THE RULES RELATING TO THE PRACTISING OF PARA-VETERINARY
PROFESSION OF ANIMAL HEALTH TECHNICIAN – COMMENTS INVITED**

The South African Veterinary Council, with the approval of the Minister of Agriculture, Land Reform & Rural Development, intends to amend the rules for the para-veterinary profession of animal health technician by revoking the rules published in Government Notice number 30184, GNR.770, on 24 August 2007, with the following Schedule hereby published for public comments. All interested parties who have any comments to the proposed amendments are called upon to submit such comments to the SAVC: Director Legal Affairs within thirty (30) days from the date of publication of this Notice to: Mrs D Stoltz at e-mail address director.legalaffairs@savc.org.za (Telephone number (012) 345-6360/083-632-3904), with a copy to legalsecretary@savc.org.za.

SCHEDULE**1. Definitions**

Unless the context otherwise indicates, words and phrases in these Rules shall have the meaning assigned thereto in the Act, and:

“Act” means the Veterinary and Para-Veterinary Professions Act, 1982, Act No.19 of 1982 as amended, and the regulations made there under;

“animal” means any living organism, except humans, having sensation and the power of voluntary movement and requiring oxygen and organic nutrients for its existence;

“animal transport vehicle” means a vehicle equipped to safely transport animals;

“authorised person” means a person authorised in terms of the Act, Section 23(1)(c);

“client” means a person who uses the professional services of a veterinarian or para-veterinary professional;

“collaboration” means a written agreement between an animal health technician and one or more veterinary professionals from one or more veterinary facilities, to establish and describe a structured relationship of mutual cooperation between the parties, with the purpose that an animal health technician intends to open a PAHC facility and from that facility render the services set out in Rule 2(2) & (3) for own account, under direct or indirect supervision, direction, instruction or after discussion with the veterinary professional where relevant;

“complaint” means a complaint, charge or allegation of unprofessional, improper or disgraceful conduct against a respondent;

“consultancy” means an interaction between the animal health technician and an owner, farmer, client or group of clients where animals may be examined away from a registered physical facility, treatment protocols drawn up, stock remedies recommended and/or provided, and professional advice given regarding primary animal health care, production and veterinary extension;

“consultation” means an interaction between an animal health technician and an owner in accordance with the ‘animal health technician-client-patient relationship’ concerning an animal patient, where the patient is examined or assessed for a fee;

“impairment” means such a level of physical or mental impairment, which includes substance abuse or addiction, that may affect the practise of the animal health technician to such an extent that the welfare of the patients, the interest of a client and/or the image of the profession may be compromised;

“Medicines Act” means the Medicines and Related Substances Act, 1965, Act No.101 of 1965;

“medicines” in these rules means scheduled medicine scheduled as schedule 1 and above as defined by the Medicines Act;

“mobile, or field animal service” means a primary animal health care facility, which is registered with the Council in the name of the principal of the base primary animal health care facility from which it operates;

“owner” means any person over the legal age having the possession, charge, custody or control of an animal for which para-veterinary services are rendered, or the owner’s representative;

“PAHC facility” means a Primary Animal Health Care facility registered with Council from where an animal health technician may render services in accordance with Rule 2(2) & (3) for own account and which complies with the minimum standards;

“patient” means an individual animal or group of animals as a unit examined and/or treated;

“primary animal health care” means the following services rendered by an animal health technician to an animal owner/handler:

- (i) detect signs of disease;
- (ii) appreciate the role of good animal husbandry;
- (iii) daily observation of an animal or animals;
- (iv) basic examination of an animal;
- (v) manage and treat disease or disease conditions with the use of a stock remedy and/or any other product permitted to be used by an animal health technician;
- (vi) apply various preventative measures, such as parasite control and vaccination; and
- (vii) Refer a matter to another para-veterinary professional or veterinarian where applicable.

“principal” means the para-veterinary professional in whose name the Primary Animal Health Care facility is registered and who takes responsibility for minimum standards of the facility, or his/her appointed agent who must be a registered para-veterinary professional;

“registered facility” means a para-veterinary facility which complies with the minimum standards, and is registered with Council;

“registered person” means a person registered in terms of the Act;

“sample” refers to a subset, for example collecting whole blood specimens from 10 animals from a group of 100 would constitute a sample;

“scope of practise” means the scope of work or certain aspects thereof which a veterinary or para-veterinary professional may perform by law, and which is stipulated in the rules of that profession and also thus defines the minimum standards of the facility that will be registered for that purpose;

“Stock Remedy Act” means the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act 1947, Act No. 36 of 1947, or any relevant Act it may be substituted with;

“stock remedy” means a stock remedy as defined in the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act 1947, Act No. 36 of 1947;

“supervision” means, unless otherwise indicated:

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

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

“unprofessional conduct” means unprofessional, dishonourable or unworthy conduct as set out in Rule 4; and

“veterinary professional or veterinarian” means a person registered to practise the veterinary profession as a veterinarian or veterinary specialist.

2. SERVICES PERTAINING SPECIALLY TO THE ANIMAL HEALTH TECHNICIAN PROFESSION

General Services

- (1) For the purposes of the Act the following services shall be deemed to be services, which pertain specially to the para-veterinary profession of an animal health technician that may be rendered **in employment to the State or under the supervision of a veterinarian:**

- (a) Surveillance and inspection of all animals, and where relevant the reporting of all diseases listed by the World Organisation of Animal Health (OIE), where relevant;
- (b) Formulation and implementation preventative measures, including biosecurity measures, in animals, in order to prevent, and/or control animal diseases;
- (c) Formulation and implementation of parasite control programmes in animals;
- (d) To carry out abattoir inspections, audits at abattoirs & processing plants and report to the relevant authorized veterinary professional/authorities in accordance with relevant legislation;
- (e) Registration and renewal of abattoirs, promote upgrading of abattoirs, facilitate and encourage the establishment of new abattoirs in disadvantaged areas in accordance with relevant legislation;
- (f) To carry out abattoir inspections and report in writing to the Veterinary Public Health Directorate/s of the National and Provincial Departments of Agriculture in respect of essential national standards, provided that the Animal Health Technician is trained to perform such a task;
- (g) To carry out meat inspections and other duties under the relevant legislation, if authorized/delegated thereto by the Provincial executive officer and have undergone training on meat inspection;
- (h) Perform delegated duties pertaining to regulated animal diseases, listed under the relevant animal disease control legislation, including the various eradication schemes, including but not limited to the:
 - (i) Brucellosis eradication scheme or any animal disease declared as a controlled or notifiable disease in the country;
 - (ii) Collecting of samples or specimens for testing of diseases for the diagnosis to be made by a veterinarian; and
 - (iii) Conducting of testing of animals for tuberculosis by means of an intradermal tuberculin test, including interpretation of the test, provided that the animal health technician passed an accredited course;
- (i) Extension services (including training and education) to protect and promote the health and well-being of animals and humans;
- (j) The collection, capturing and evaluation of data and the compiling of reports;
- (k) The collection of specimens to assist in the investigation of reproductive and fertility related problems in animals on referral of or in collaboration with a veterinarian;
- (l) The collection and preparations of specimens, including blood smears, brain smears, impression smears, skin scrapings, wool scrapings, faeces specimens and biopsy, except where anaesthesia is required, from animals on referral of or in consultation with a veterinarian;
- (m) Carry out basic post-mortem examination of specimens for the collection and submission of specimens for microbiological, toxicological, histopathological and serological investigation animals on referral of or in consultation with a veterinarian;
- (n) An animal health technician may assist a veterinary professional within his/her scope of practice;
- (o) Issue a record of vaccination;

- (p) Fluid therapy, where indicated; and
 - (q) The performing of euthanasia on highly suspect rabies by the use of medicines under the **direct** supervision/instruction of a State veterinarian or veterinarian (extension of registration as an AHT required).
- (2) For the purposes of the Act the following services shall be deemed to be services, which pertain to the para-veterinary profession of an animal health technician that may be **performed from a PAHC facility for the purpose of own account**, provided a collaboration between a veterinary and para-veterinary professional is agreed to in writing in accordance with Rule 15:
- (a) conduct testing of animals for tuberculosis by means of an intradermal tuberculin test, including interpretation of the test, provided that the animal health technician passed an accredited course, and only in conjunction with either a private veterinarian or a State veterinarian, as the case may be;
 - (b) The collection, capturing and evaluation of data and the compiling of reports;
 - (c) Carry out basic post-mortem examinations for the collection and submission of samples for microbiological, toxicological, histopathological and serological investigation animals on referral of or in consultation with a veterinarian; and
 - (d) The administration of injections and medicines registered under the Medicines and Related Substances Act, Act 101 of 1965, only as prescribed by a veterinary professional for a particular patient; and
 - (e) The treatment of septic wounds, where indicated, in consultation with or under direction of a veterinarian.
- (3) An animal health technician may carry out the following procedures on animals without veterinary supervision:
- (a) Primary animal healthcare;
 - (b) Castrations of:
 - i. cattle with a Burdizzo;
 - ii. sheep and goats with a Burdizzo; and
 - iii. pigs up to 7 (seven) days.
 - (c) Dehorning of immature animals under 4 (four) months;
 - (d) Trimming of bloodless tip of horn;
 - (e) Tail docking of:
 - i. pigs up to 7 (seven) days; and
 - ii. sheep: open method or the open method in combination with a **Burdizzo** under 1 (one) month of age;
 - (f) Hoof/claw trimming;
 - (g) Animal recording, identification and traceability tasks in terms of the Animal Identification Act, Act no 6 of 2002, including branding and implantation of microchips;
 - (h) The administration of injections and stock remedies registered under the Stock Remedies Act, including vaccines;
 - (i) Veterinary extension: (Creating awareness, education and training in Primary Animal Health Care);
 - (j) The performing of euthanasia on highly suspect rabies animals without the use of medication. ;
 - (k) Treatment of bloating;
 - (l) Administration of electrolytes for the treatment of diarrhoea;
 - (m) Parasite control- internal and external control of ticks;
 - (n) Meat inspection provided that the animal health technician passed a relevant course accredited by the Department of Agriculture;

- (o) Artificial insemination and pregnancy testing provided that the animal health technician is registered under the Animal Improvement Act, Act 62 of 1998 as a reproductive operator, in accordance with the conditions pertaining to the category of such registration;
- (p) Vaccination with Act 36 registered stock remedies, except where a law indicates otherwise in respect of controlled and notifiable diseases; and
- (q) Issue a record of vaccination.

3. EXCEPTION IN RESPECT OF RULE 2

- (1) The provisions of Rule 2(3)(o) shall not be construed so as to prohibit the procedures allowed in terms of the Animal Improvement Act, Act 62 of 1998, provided that all requirements of the said Act are met;
- (2) Rule 2 must not be construed in a manner so as to prohibit any other person registered to practise a veterinary or para-veterinary profession from performing procedures that pertain to their profession.

4. CONDUCT OF PERSONS PRACTISING ANIMAL HEALTH TECHNICIAN PROFESSION

General principles

- (1) An animal health technician must base his/her personal and professional conduct thereon that he/she is a member of a learned and honourable profession and is required to act at all times in such a manner as will maintain and promote the prestige, honour, dignity and interests of the profession and of the persons by whom it is practised.
- (2) All persons practising the animal health technician veterinary para-profession are working towards the same common good cause, whether they are self-employed or in the service of an employer, and they must co-operate with each other and with the authorities concerned to promote that cause.
- (3) An animal health technician must have relevant training to do procedures.
- (4) An animal health technician must be registered with the Council.
- (5) As a para-veterinary professional an animal health technician is required to comply with the following fundamental principles:
 - (a) **Integrity:** To be honest and ethical.
 - (b) **Professional Competence:**
 - (i) To maintain the professional knowledge and skill required to ensure that a client receives competent professional services based on current developments in practice, legislation and techniques and act diligently and in accordance with applicable technical and professional standards benchmarked against what is expected of the reasonable animal health technician considering the circumstances and geographic and demographic realities at hand;
 - (ii) To comply with continuing professional development (CPD), which enables an animal health technician to develop and maintain the capabilities to perform competently within the professional environment; and/or

- (iii) To keep record of CPD hours obtained to ensure CPD requirements are met to ensure that registration with Council is maintained.
- (c) **Confidentiality:** To respect the confidentiality of information acquired as a result of professional services and the relationships emanating there from, and, therefore, not disclose any such information to third parties without proper and specific authority, unless there is a legal or professional right or duty to disclose, nor use the information for the personal advantage of the animal health technician professional or third parties.
- (d) **Professional conduct includes but is not limited to:**
 - (i) To be informed and comply with all the legal directives which are relevant to the practice of his /her profession and which include the Act, its regulations and rules, the current Code of Conduct and Practise, the Stock Remedies Act and its regulations, as well as all other relevant legislation;
 - (ii) To avoid any action that the animal health technician knows or ought to have known that may discredit the profession;
 - (iii) To be morally obliged to serve the public to the best of his/her ability and in the light of acceptable scientific knowledge;
 - (iv) To refrain from expressing unfounded criticism through which the reputation, status or practise of a colleague in the profession is or could be undermined;
 - (v) The place at or from which a person practises the animal health technician's para-veterinary profession for own account, must be registered with Council and must comply with the applicable general minimum standards for that Primary Animal Health Care facility;
 - (vi) The principal of a registered facility must inform the Council within thirty (30) days of any changes to the identity or address of the principal; if the principal should pass away, Council should immediately be informed.
 - (vii) An animal health technician must inform Council within thirty (30) days of change of address or entering into employment or partnership at another registered facility.
 - (viii) An animal health technician shall at all times adhere to animal welfare principles.
 - (ix) Apply for an extension of registration should procedures be performed outside the scope of practise of an animal health technician.
- (e) **"Unprofessional conduct"** is unprofessional, dishonourable or unworthy conduct on the part of an animal health technician, including, *inter alia*, the following acts and omissions:
 - (i) Failure to comply with the Act, the regulations and/or rules promulgated under the said Act, and/or the Code of Conduct and/or guidelines issued by Council from time to time;
 - (ii) Contravention of the provisions of the Stock Remedies Act, the Medicines Act and/or the regulations promulgated thereunder;
 - (iii) Failure to comply with any other relevant legislation;
 - (iv) Issuing any document which is not in compliance with the relevant rules;

- (v) Without reasonable cause or excuse, failing to perform professional work, or work of a kind commonly performed by a registered animal health technician, with such a degree of skill, care or attention, or of such a quality or standard, as in the opinion of the Council may be expected of the reasonable animal health technician, as the case may be;
- (vi) Performing professional services outside the scope of practice;
- (vii) Performing professional services in the absence of either veterinary employment or collaboration, which constitutes very serious unprofessional conduct, and which if found guilty, may lead to removal from the register;
- (viii) Neglecting to give proper attention to his/her clients and/or patients or in any way failing to attend or refer to patient welfare while under the animal health technician's care without valid reason;
- (ix) Failing to adequately supervise his/her staff;
- (x) Treating a client in a disrespectful and/or discourteous manner, unless justifiable reasons exist;
- (xi) Over-servicing a patient;
- (xii) Incompetence, gross negligence or any form of negligence in the practising of the animal health technician profession;
- (xiii) The inability to practise with reasonable skill and safety due to a physical and/or mental disability, including deterioration of mental capacity, loss of motor skills, or substance abuse to a sufficient degree to diminish the person's ability to render a competent service;
- (xiv) Fraud or dishonesty in making any kind of application to Council or any reporting done in the course of duty, including the reporting of any test for disease in an animal or in charging for a test that was not performed or services not rendered;
- (xv) Falsifying and/or backdating any report in part or in full;
- (xvi) In any way directly or indirectly assisting, allowing or enabling an unqualified person and/or unregistered person to perform professional work which by law only a veterinary and/or para-veterinary professional is allowed to perform;
- (xvii) Referring work, the performance of which is reserved by law to a veterinary and/or para-veterinary professional, to a person not registered with Council;
- (xviii) Non-payment after demand of any fee, levy or other charge payable to the Council;
- (xix) Failure to comply with an order, requirement, request, sentence or sanction of the Council and/ or the Registrar or any official appointed by the Council or the Registrar to perform any function in furtherance of the Council's objectives;
- (xx) Failure to submit to an inspection of a Primary Animal Health Care facility required by Council;
- (xxi) Practising from a facility which is not registered or does not comply with the minimum standards set out in the rules;
- (xxii) Failure to advise Council of any change in his/her physical residential or employment address, and other contact details, within thirty (30) days of such change being effected;

- (xxiii) Being convicted of being involved in any criminal or illegal activity, if it relates to the practising of the veterinary professions or is deemed to bring the profession into disrepute;
- (xxiv) To permit himself/herself to be exploited in a manner which may be detrimental to the patient, client, the public or the profession, or allow bias, conflict of interest or influence of others, to compromise professional judgment;
- (xxv) Failing to cooperate, obstructing or delaying an investigation into unprofessional conduct by Council;
- (xxvi) Contempt and/or disrespect of Council; and
- (xxvii) Any other conduct which in the opinion of Council constitutes unprofessional conduct.

5. Acceptance and payment of commission for services rendered in accordance with Rule 2(2) & (3)

- (1) Subject to Rule 5(2) an animal health technologist may not:
 - (a) Accept any commission from any person as a consideration for referrals of any clients by such veterinary physiotherapist to such person;
 - (b) Share with any person, fees charged for a service unless: -
 - (i) Such sharing is commensurate with the extent of such other person's participation in the rendering of the service concerned; or
 - (ii) He/she is a veterinary physiotherapist or veterinary professional or para-veterinary professional associated with the veterinary physiotherapist as a partner, shareholder or employee.
 - (c) Charge or accept any fee for the same procedure from both the referring veterinarian and the owner of the animal.
- (2) The provisions of Rule 5(1) shall not be so construed as to prohibit an animal health technologist: -
 - (a) From introducing a loyalty scheme for a particular primary animal health care facility, provided that the loyalty scheme, including discount, does not include the payment of money;
 - (b) From paying to a debt collection agency any commission in respect of debts which are collected by such agency on his/her behalf; or
 - (c) From accepting any royalty or similar compensation in respect of an article or product to which he/she holds the patent rights.
 - (d) From entering into a franchise, license or similar agreement where the franchisor, licensor or the like is a person not registered with Council, subject to the following:
 - (i) Income (all income generated by that primary animal health care facility) had to accrue to a person registered with Council (para-veterinary professionals);
 - (ii) Franchise fees or license fees will be deemed a legitimate business expense, even if those fees are linked to a percentage of the turnover in the veterinary physiotherapy facility, **provided that no target for turnover to be achieved is set;**
 - (iii) The agreement must provide that there will be no interference in the running of the practice and/or veterinary physiotherapy decisions and/or or equipment must be purchased, i.e. standards for practice

must be maintained, decision making had to be independent and no over-servicing should occur;

- (iv) The agreement must provide that the agreement is subject to the Act, the regulations promulgated under the Act, the rules for the para-veterinary profession of veterinary physiotherapist and that any clause in the agreement that is contrary to the Veterinary and Para-Veterinary Act, its regulations and the rules pertaining to the veterinary profession will be invalid and unenforceable;
- (v) The agreement must be submitted to Council prior to its signature, to vet it against the Act, the regulations and the veterinary rules to ensure compliance with the Act, the regulations and the rules for the para-veterinary profession of veterinary physiotherapist (no other aspect of the agreement will be vetted, and the veterinary physiotherapist must obtain legal advice of his/her own accord regarding all other aspects of the agreement); and
- (vi) A copy of the signed agreement/s must be submitted to Council;
- (vii) Any amendments to the agreement/s which may impact on the sharing of fees and/or the autonomy of the veterinary physiotherapist must be submitted to Council for vetting; and
- (viii) A copy of the signed amendment must be submitted to Council.

6. Covering

- (1) An animal health technician may not enter into a partnership or allow any shareholding or interest in his/her practice with another person, unless that person is registered with Council as a veterinary professional or para-veterinary professional.
- (2) An animal health technician may:
 - (a) Offer an appointment in his/her practice to another veterinary professional or para-veterinary professional who are registered in terms of the Act to practice the profession concerned;
 - (b) Employ another person in a professional capacity at his/her facility; or
 - (c) Share his/her facility or premises with another person involved in practising a veterinary or para-veterinary profession.
- (3) Any appointment, employment or sharing anticipated in Rule 5(2) is subject to the condition that:
 - (a) Ethical work principles and confidentiality of client records are not compromised; and
 - (b) Sufficient bio-security measures, according to relevant health and safety legislation and including isolation facilities, are in place to ensure that the wellbeing of humans and animals are not at risk.

7. Issuing of para-veterinary documents

- (1) Record, reports or other documents, which are issued by an animal health technician in his/her professional capacity, must contain facts which are professionally verifiable, save for the historical information and identity supplied by the owner, which must be stipulated as such.
- (2) An animal health technician may only report those matters of which -

- (a) He/she has personal knowledge;
 - (b) Can be ascertained by him/her personally; or
 - (c) Are the subject of a supporting report or record from a veterinary professional or another para-veterinary professional, who has personal knowledge of the matter in question and is authorised to provide such a supporting document.
- (3) The document referred to in Rule 7(1) must:
- (a) Be prepared with care and accuracy;
 - (b) Be legible;
 - (c) Be unambiguous and easy to understand;
 - (d) Be produced on one sheet of paper or, where more than one page is required, these must be consequentially numbered and initialled;
 - (e) Contain dates that are clear and correct and cannot be misinterpreted; and
 - (f) Not attest to future events.
- (4) All documents thus issued must indicate all details relevant to the purpose of the document and can include–
- (a) The name and residential address of the owner of the animal concerned;
 - (b) The address of the premises where the animal is kept, if different from the owner's;
 - (c) The breed, sex, colour and age of the animal;
 - (d) Name or identification of the animal as reported by the owner;
 - (e) Any positive identification of the animal such as tattoo numbers, body markings, microchip number and date of micro-chipping where possible;
 - (f) The purpose for which the report is submitted, (e.g., proof of vaccination, suspected notifiable disease, etc), where applicable; and
 - (g) The date of issue of the report, as well as the date of examination of the animal.
- (5) Any record or other document which is issued in a professional capacity by an animal health technician must be signed by such an animal health technician personally.
- (6) When issuing a record, an animal health technician must ensure that –
- (a) The record contains his/her signature and in clear, legible lettering, his/her name, qualifications, registration number and the physical address of the registered facility, if applicable;
 - (b) An exception to 5(6)(a) is allowed for pre-printed vaccination report documents where the printed space does not allow for all the information and only the required detail must be filled in;
 - (c) He/she completes any manuscript portions in ink;
 - (d) The documents contain no deletions, other than those, which are indicated on the face of the document to be permissible, and subject to such deletions being initialled by the animal health technician;
 - (e) No correction fluid to be used on a document; and
 - (f) No blank spaces on any document exist that may be used by another person to alter the original.
- (7) All vaccination record cards must indicate –
- (a) The name of the owner of the animal concerned;
 - (b) The specie, sex, colour and name of the animal;
 - (c) The name of the vaccine and batch number, or its self-sticking label; and
 - (d) The date of vaccination of the animal concerned.

- (8) Laboratory result reports communicated by the animal health technician to the veterinarian shall contain the minimum following information, as applicable:
 - (a) date specimen was collected, date received, date completed, and date of release of result;
 - (b) owner information;
 - (c) animal identification as submitted;
 - (d) tests performed and methods used;
 - (e) final test results;
 - (f) signature of person authorizing the release of the results and the date.

8. Records at primary animal health care facilities

- (1) The animal health technician must maintain records, which are legible, accurate and permit prompt retrieval of information.
- (2) Records must contain the following information:-
 - (a) The date of service rendered;
 - (b) Name of the animal health technician who treated the patient;
 - (c) The referral letter from the veterinarian;
 - (d) Client's identification;
 - (e) Patient name;
 - (f) Relevant history and information;
 - (g) Vaccination record.
 - (h) Description of services rendered;
- (4) All records including laboratory results must be retained by the principal of the PAHC facility for a period of five (5) years from the patient's last visit.
- (6) Records referred to in Rule 8 relating to a complaint, charge or allegation lodged with Council in terms of section 31(1) of the Act must be presented to Council within seventy-two (72) hours of being requested to submit such records, or as otherwise arranged with Council.
- (7)
 - (a) The principal of a Primary Animal Health Care facility will be responsible for confirming the identity of the attending animal health technician to Council, where a complaint is lodged against his/her Primary Animal Health Care facility.
 - (b) Should the principal of a facility fail to comply with the provisions of Rule 8(7)(a) he/she will be held accountable for any unprofessional conduct arising from such a complaint.

9. Estimate of fees

- (1) An animal health technician must inform the client in charge of an animal in respect of which a service is to be rendered of the approximate fee which he/she intends to charge for such service:
- (2) Fees for standard procedures may be advertised in the reception area, in which event an estimate of fees need not be given to the client.
- (3) Any animal health technician claiming payment from a person in respect of any service rendered by him/her must furnish such person with an itemised account as soon as possible but not later than 30 days after the service was rendered.

10. Use of stock remedies

- (1) Whenever an animal health technician administers stock remedies to an animal or recommends the administering thereof, he/she must satisfy himself that the administering thereof is justified with due allowance for the benefits and risks which that remedy may hold for –
 - (a) The animal to which it is administered, including withdrawal times of residues where relevant in the animal and/or the effect on the environment;
 - (b) The person by whom it is administered; and
 - (c) The consumer of the products of that animal if residues of the stock remedy concerned should be present in those products.
- (2) An animal health technician must inform the owner of an animal to which a stock remedy is administered, fully with regard to –
 - (a) The application and effect of and precautionary measures in connection with that remedy; and
 - (b) The period, if any, during which the products of that animal are to be withheld from human consumption.

11. Intrusion

- (1) If an animal health technician has obtained any confidential information regarding the nature and extent of the business or facility of a veterinary professional or colleague in the animal health profession, such animal health technician may not use such information to promote his/her own business or facility.
- (2) If an animal health technician renders professional services to an employer, he/she may not use his/her association with or the intellectual property of such employer in any manner whatsoever to promote his/her own practice at the expense of those of his/her colleagues in the profession.
- (3) Contravention of Rules 11(1) & (2) for own gain is a serious offence which may lead to deregistration.

12. Advertising

- (1) An animal health technician may advertise his/her services, facilities, products and prices or permit another person to do so without limitation on the size, format, artistic or literary style: Provided that the advertisement complies with the provisions of these rules and may in no way compromise or impair any of the following, namely:-
 - (a) The client's freedom to consult an animal health technician of his/her choice; and
 - (b) The good reputation of the animal health technician profession.
- (2) All advertising by the animal health technician must be in good taste with regard to content, prominence and medium and may not be offensive to any cultural, religious or linguistic community or be contrary to the spirit of the Code of Conduct of the Advertising Standards Authority of South Africa and the Code of Conduct of Practise issued by the Council.
- (3) An advertisement describing a specific primary animal health care service direct to the public must contain the telephone number of the animal health technician concerned as well as information regarding emergency and out-of-hours service, if required.
- (4) Advertisements may not –

- (a) Be misleading in any respect;
- (b) Compare the quality of services, products, merchandise and/or foodstuffs provided, the standards of facilities and/or the knowledge or expertise of an animal health technician with that of another animal health technician or the animal health technician's profession generally, nor may it claim to be superior in any respect; or
- (c) Criticise the quality of services, products, merchandise and/or foodstuffs provided by another animal health technician.

13. Identification of primary animal health care facilities where primary animal health care services are rendered

- (1) A primary animal health care facility must be identified by means of an identification board, if primary animal health care services are rendered from the facility.
- (2) An identification board referred to in Rule 13(1) must contain at least the following –
 - (a) The type of registered primary animal health care facility;
 - (b) The consulting hours; and
 - (c) A telephone number of the primary animal health care facility.

MINIMUM STANDARDS FOR PRIMARY ANIMAL HEALTH CARE FACILITIES

14. Compliance with Rules

All primary animal health care facilities must be registered with Council. Should a primary animal health care facility not meet the minimum standards set out in the rules, its registration may be suspended for such a period as Council deems fit.

15. Mandatory requirements for the registration of a PAHC facility

- (1) A collaboration agreement between a veterinary and para-veterinary professional must be agreed to in writing;
- (2) A copy of the signed agreement/s must be submitted to Council together with the application to register a veterinary PAHC facility;
- (3) A copy of any collaboration agreements entered into subsequent to the registration of the PAHC facility must be submitted to Council by the animal health technician within two (2) weeks of it being signed;
- (4) Should a collaboration agreement be terminated for any reason, Council must be informed of the termination by the animal health technician within two (2) weeks of its occurrence; where such an agreement is terminated the facility may only continue to function if a new agreement ratified by Council is in place;
- (5) The agreement must contain details of:
 - (i) any financial involvement by the veterinary professional
 - (ii) what level of interaction and oversight will take place between the animal health technician and the veterinary professional;
 - (iii) how instructions regarding patient care and/or treatment will be given to the animal health technician by the veterinary professional

- (iv) how often and in what format the animal health technician would report back to the veterinary professional; and
- (v) how emergencies which may occur will be dealt with;

16. General structural requirements for primary animal health care facilities

- (1) A primary animal health care facility at or from which a person practises an animal health technician must -
 - (a) Be a permanent structure. (This is not intended to exclude buildings, which are factory produced and site assembled, e.g., a prefabricated building or a container as the word "permanent" relates to the materials used and not the building itself);
 - (b) Have a source of good general lighting, which is also adequate to ensure the completion of a service in progress;
 - (c) Have adequate ventilation;
 - (d) Have a fire extinguishing apparatus in accordance with the requirements of the Occupational Health and Safety Act 1993, Act 85 of 1993, which meets the requirements of the relevant local authority;
 - (e) Be so constructed as to minimise the escape of an animal and to ensure the effective, safe and comfortable confinement of animals at all times; and
 - (f) Be registered with Council.
- (2) Subject to any requirements of a local or other authority, a primary animal health care facility must consist of -
 - (a) A reception and office area;
 - (b) A waiting room for clients with access to toilet facilities; and
 - (c) One or more consultation rooms.
- (3) The internal walls and floor surfaces, shelves and tables of a primary animal health care facility must be of such a nature that they can be properly cleaned and disinfected so as to maintain optimum hygienic conditions.
- (4) The drainage and washing water of a primary animal health care facility must run into an adequate sewer and/or septic tank and must comply with the requirements of local authorities.
- (5) The primary animal health care facility must have a direct public entrance unless the facility is not intended to provide services to the public but to a specific organisation or other entity.
- (6) Provision must be made at a primary animal health care facility for a hygienic, insect and rodent free environment within the facility as well as where products and nutritional products are stored.
- (7) Adequate facilities must be available for the preparation of food and washing and cleaning of all equipment.

17. General requirements

- (6) Personnel must be trained in the basics of aseptic technique, animal handling and welfare and such training must be relevant to the scope of practise.
- (7) The telephone of a primary animal health care facility of which the number is used in all official communication (shown in the telephone directory, signboards, advertisements and correspondence), must be answered at all times during the consulting hours,

- (8) All stock remedies must be stored at the prescribed temperature;
- (9) No stock remedies may be stored on the floor;
- (10) Storage areas must be large enough to allow orderly arrangement of stock and proper stock rotation;
- (11) Refrigerator must be equipped with a suitable thermometer and capable of storing stock remedies at a temperature suitable for the contents of the refrigerator. The refrigerator must be cleaned, defrosted and checked regularly to ensure efficient running. This refrigerator must be used only for storing stock remedies; and
- (12) A suitable range of amenities to administer stock remedies.

18. Mobile primary animal services for an animal health technician practicing from a registered PAHC facility

- (1) If mobile PAHC services are rendered, it must:
 - (a) Function as an integral part of the registered physical PAHC facility to visit clients;
 - (b) Be operated by an animal health technician; and
 - (c) Comply with the requirements of adequate record keeping.
- (2) A service delivery vehicle must comply with the following structural and procedural requirements where applicable, the vehicle:
 - (a) Have a cold storage system that can maintain approximately 5°C for the transport and storing of all biological products;
 - (b) Have equipment for the disposal or collection of all waste including carcasses, if required;
 - (c) Carry an appropriate range of stock remedies, equipment and protective clothing, according to the type of service and species serviced, in a manner that is consistent with professional standards, while ensuring occupational safety and biosecurity; and
 - (d) Have access to a means of communication to contact the base facility, if required.
- (3) An animal transport vehicle must be constructed in such a way as to facilitate comfort, be easily sanitized, as well as minimize injury, stress and escape.

19. Exemption

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

20. Reporting of impairment or of unprofessional conduct

- (1) An animal health technician must:
 - a) Report impairment or suspected impairment in another para-veterinary professional or veterinary professional to the Council if he/she is convinced that para-veterinary professional or veterinary professional is impaired;
 - b) Report his/her own impairment or suspected impairment to the Council if he/she is aware of his/her own impairment or has been publicly informed, or has been seriously advised by a colleague to act appropriately to obtain help in view of an alleged or established impairment;

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NOTICE 554 OF 2021****VETERINARY AND PARA-VETERINARY PROFESSIONS ACT, 1982, AS AMENDED
ACT No. 19 OF 1982, AS AMENDED****DRAFT RULES RELATING TO THE DISCIPLINARY PROCESSES AGAINST THE VETERINARY
AND PARA-VETERINARY PROFESSIONS- COMMENTS INVITED**

The South African Veterinary Council, with the approval of the Minister of Agriculture, Land Reform & Rural Development, intends to promulgate the rules for the disciplinary process against the veterinary and the para-veterinary professions, as per the Schedule to this Notice. All interested parties who have any comments to the proposed amendments are called upon to submit such comments to the SAVC: Director Legal Affairs within thirty (30) days from the date of publication of this Notice to: Mrs D Stoltz at e-mail address director.legalaffairs@savc.org.za (Telephone number [012] 345-6360/083-632-3904), with a copy to legalsecretary@savc.org.za.

Schedule**1. Definitions**

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

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

PROCEDURE AT INQUIRIES INTO PROFESSIONAL CONDUCT**2. Lodging of complaints**

- (1) A complaint must be in writing in the form of a sworn affidavit, signed in the presence of a commissioner of oaths or police officer and be addressed to the Registrar.
- (2) No complaint which is submitted more than twelve (12) months after the date on which the complaint arose, will be considered.
- (3) A person who submits a complaint more than twelve (12) months after the date on which the complaint arose may apply for condonation of the late submission of the complaint to the Investigation Committee.
- (4) The application for condonation must be substantiated.
- (5) The decision of the Investigation Committee regarding the condonation application is final.
- (6) No complaint will be considered, unless the account of the veterinary technologist against whom the complaint is filed, is fully paid.
- (7) The Registrar may, in his/her discretion, request that the complaint be mediated, if both parties to the complaint agree to such mediation.
- (8) If the mediation is successful, the complaint file will be closed.
- (9) If the mediation is not successful, the complaint must be investigated and considered by the Investigation Committee.

- (10) Information provided by the respondent during a mediation, must be kept confidential.

3. Preliminary investigation

- (1) On receipt of a complaint, the Registrar must advise the respondent of the complaint and forward a copy thereof to the respondent.
- (2) The Registrar must inform the respondent that he/she may furnish a typewritten explanation, in the form of a sworn and signed affidavit, before a date, not earlier than thirty (30) days from the date of the request, **or as otherwise agreed on request of the respondent upon substantiation**, to the Council.
- (3) The respondent must be warned that such an explanation may be used in evidence against him/her.
- (4) The respondent must be informed of his/her right to refuse to answer any allegations, which might incriminate him/her;
- (5) The respondent must be informed that he/she is entitled to seek legal representation prior to filing such an affidavit.
- (6) On receipt by the Registrar of an answering affidavit, it must be submitted to the complainant, who has the right to file a replying affidavit within ten (10) working days of receipt of the answering affidavit.
- (7) A copy of the replying affidavit must be submitted to the respondent.
- (8) On receipt by the Registrar of a replying affidavit, a bundle of all the documentation submitted must be collated for consideration by the Investigation Committee.
- (9) If no answering affidavit is received, the Registrar must report this to the Investigation Committee, who may then consider the complaint on the evidence available to it.
- (10) The Registrar or the investigation committee may at any stage cause further investigation to be made or request any additional documentation or evidence to be submitted.
- (11) If further information is sought from the respondent, he/she must be advised of –
 - (a) his/her right to refuse to answer any questions and furnish any information which might incriminate him/her; and
 - (b) that he/she is entitled to legal representation during such consultation or discussion.
- (12) If the Investigation Committee resolves that a complaint, even if substantiated, does not constitute unprofessional, improper or disgraceful conducts it must take such action as it may think fit and report such action to the Council.
- (13) If the complainant is not satisfied with the outcome of the Investigation Committee's preliminary finding, the evidence at hand must be referred to Council for a decision whether or not an inquiry into professional conduct should be held. The Council's decision is final.
- (14) Excluding criminal acts and gross misconduct, investigations should centre around the main complaint.
- (15) If the main complaint is not substantiated, and peripheral misconduct is evident, guidance should be provided as to how to deal with it (correct the behaviour), subject to sub-rule (14).
- (16) If it appears to the Investigation Committee that an inquiry should be held into the conduct of a respondent, it must direct the Registrar to arrange for the holding of an inquiry into professional conduct.
- (17) If it appears to the Investigation Committee that a complaint can be mediated, it may request the Registrar to arrange for a mediation.

- (18) Should the mediation be unsuccessful, the matter must be referred to the Investigation Committee for its further consideration.
- (19) Information provided by the respondent during a mediation, must be kept confidential.

4. Inquiry into professional conduct

- (1) On receipt of a directive to hold an inquiry the Registrar must summons the respondent by means of a notice addressed to the respondent stating where and when the inquiry into the professional conduct will be held and enclosing a charge as approved by the Investigation Committee.
- (2) The notice must be served on the respondent or mailed to him/her at his/her registered address by prepaid registered post, delivery by the sheriff of the Court or if agreed in writing, served by e-mail, provided that receipt of the summons is telephonically confirmed.
- (3) If witnesses are summoned at the instance of the respondent the Registrar may require the respondent to deposit a sum of money sufficient to cover the costs thereby entailed, and the Registrar may pay such costs from the amount deposited.
- (4) Should the respondent be found not guilty, the full deposit in rule (3) above must be refunded to the respondent.
- (5) The administration must prepare a bundle of documents and a list of witnesses to be utilised at the inquiry which must be submitted to the respondent or his/her legal representative ten (10) working days prior to the date of the inquiry.
- (6) The bundle of documents will be submitted to the Inquiry Body at least three (3) working days prior to the date of the inquiry to facilitate the process at the inquiry.
- (7) The respondent and/or his/her legal representative must submit any additional documents to be utilised at the inquiry and a list of witnesses to be called to the administration within three (3) working days of receipt of the bundle of documents, failing which no further documentation may be admitted into evidence or further witnesses called, unless approved on application by the Inquiry Body. Adequate reasons for failing to submit the documents in the discovery process or advising of the witness to be called must be provided to the Inquiry Body.
- (8) Should a respondent object to the submission of the bundle of documents to the Inquiry Body, the respondent must object in writing and must give reasons for the objection.
- (9) Should the Registrar deem it necessary due to the complexity of a complaint, a pre-inquiry meeting must be held between the pro forma complainant and the legal representative of the respondent or the respondent in person to agree on common cause facts and facts in contention, as well as which points *in limine* are to be argued.

5. Procedure at Inquiry into professional conduct

- (1) In an inquiry into professional conduct held in terms of Section 31 of the Act the procedure must be as follows -
 - (a) The respondent or, if he/she is not present, his/her legal representative must be asked by the chairperson of the inquiry body to plead guilty or not guilty to the charge and that plea must be so recorded;

- (b) If the respondent, or his/her legal representative, refuses or fails to plea directly to the charge, this must be recorded and a plea of not guilty must be entered, and a plea so entered must have the same result as if it had in fact been so pleaded;
 - (c) The pro forma complainant must be given the opportunity of stating his/her case and of leading evidence in support thereof;
 - (d) The respondent must thereafter be given the opportunity of stating his/her case and of leading evidence in support thereof;
 - (e) The inquiry body may, in its discretion, allow further evidence to be led or a witness to be recalled by either the pro forma complainant or the respondent or by both after their cases have been closed;
 - (f) After the parties have closed their cases, the inquiry body may in its discretion call further witnesses or recall a witness to be questioned by the members of the inquiry body and thereafter by the pro forma complainant and then by the respondent or his/her legal representative;
 - (g) After all evidence were presented, the pro forma complainant must be allowed to address the inquiry body on the evidence and the legal position;
 - (h) Thereafter the respondent must likewise be allowed to address the inquiry body, where after the pro forma complainant must be allowed to address the inquiry body in reply;
 - (i) After the evidence of a witness has been given, the opposing party is entitled to cross-examine the witness, where after the chairperson of the inquiry body may put questions to the witness and allow other members of the inquiry body to put questions to the witness;
 - (j) Before re-examination, further cross-examination must be allowed arising from questions put by the chairperson and other members;
 - (k) The person who led the evidence must thereafter be entitled to re-examine the witness, but must confine his/her re-examination to matters on which the witness was cross examined or on which the chairperson or other members put questions to the witness;
 - (l) If the respondent and his/her legal representative are not present at the inquiry into professional conduct, it must proceed in the respondents' absence and a plea of not guilty must be entered, unless the respondent has in writing pleaded guilty to the charge against him/her, in which event it must be entered as his/her plea;
 - (m) All oral evidence must be taken on oath or affirmation by the chairperson of the inquiry body;
 - (n) The witnesses concerned may be questioned by the respondent and members of the inquiry body. The members of the enquiry body are not restricted to questions for purposes of clarification only.
 - (o) Evidence on affidavit may be admissible: Provided that the opposing party may object to such evidence if he/she is not given the opportunity of cross-examining the witness.
- (2) Upon the conclusion of a case the inquiry body must deliberate thereon *in camera*.
 - (3) If the respondent is found not guilty of the charge against him/her, he/she must be advised accordingly.
 - (4) The inquiry body may make a finding of not guilty even if the respondent has pleaded guilty.

- (5) If the inquiry body has, regarding any charge, determined that sufficient facts have been proved to its satisfaction to support the charge, it must decide whether the charge so supported constitutes unprofessional, improper or disgraceful conduct and it must announce its finding.
- (6) If the respondent is found guilty the pro forma complainant must furnish details to the inquiry body of previous convictions of the respondent under the Act, if any and may address the inquiry body and lead evidence regarding a suitable penalty to be imposed.
- (7) The respondent may thereafter address the inquiry body and adduce evidence in mitigation of the penalty to be imposed and the witnesses concerned may be questioned by the pro forma complainant and members of the inquiry body.
- (8) Thereupon the inquiry body must deliberate in camera upon the penalty to be imposed, and the chairperson must then inform the respondent of the inquiry body's decision regarding the penalty.

6. Accessibility to Inquiry into professional conduct

- (1) The proceedings at an inquiry into professional conduct is open to the public, provided that:
 - (a) Any decision of the inquiry body in respect of any point arising in connection with or in the course of an inquiry must be arrived at *in camera*;
 - (b) Any evidence adduced during an inquiry into professional conduct may, on good cause shown, in the discretion of the inquiry body, be heard *in camera*;
 - (c) The inquiry body may, on good cause shown, in its discretion, order that no person may at any time in any way publish any information, which would probably reveal the identity of any particular person other than the respondent, and
 - (d) The inquiry body may order any person who creates a disturbance or obstructs the process at the inquiry, to leave immediately.

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**NOTICE 555 OF 2021****VETERINARY AND PARA-VETERINARY PROFESSIONS ACT, 1982, AS AMENDED
ACT No. 19 OF 1982, AS AMENDED****AMENDMENT OF THE RULES RELATING TO THE PRACTISING OF PARA-VETERINARY
PROFESSION OF VETERINARY NURSE – COMMENTS INVITED**

The South African Veterinary Council, with the approval of the Minister of Agriculture, Land Reform & Rural Development, intends to amend the rules for the para-veterinary profession of veterinary nurse by revoking the rules published in Gazette number 18313, GNR.1445, on 17 May 1991 (as amended), with the following Schedule hereby published for public comments. All interested parties who have any comments to the proposed amendments are called upon to submit such comments to the SAVC: Director Legal Affairs within thirty (30) days from the date of publication of this Notice to: Mrs D Stoltz at e-mail address director.legalaffairs@savc.org.za (Telephone number (012) 345-6360/083-632-3904), with a copy to legalsecretary@savc.org.za.

SCHEDULE**1. Definitions**

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

"collaboration" means that a veterinary nurse may open a veterinary nursing facility, and from that facility render the services set out in rule 2(2), subject to the following conditions:

- i) That the veterinary nurse enters into a written agreement with one or more veterinary professionals separately, indicating that that veterinary professional or group of professionals will refer patients to, or work in consultation with, the said veterinary nurse on an ad hoc basis;
- ii) The agreement must contain details of:
 - how often and in what format the veterinary nurse would report back to the veterinary professional regarding the patient's progress;
 - how instructions regarding the patient's care and/or treatment will be given to the veterinary nurse by the veterinary professional; and
 - how emergencies which may occur during the treatment will be dealt with; and
- iii) The agreement must further contain an undertaking that no fee (money or in kind) is payable in respect of any referral in terms of the agreement.

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

“Medicines Act” means the Medicines and Related Substances Control Act, 1965, Act No.101 of 1965, as amended from time to time;

“medicine” means a medicine or veterinary medicine as defined in section 1 of the Medicines Act;

“professional identification device” means any form of identification approved by the council, including epaulettes, worn by a veterinary nurse which identifies the veterinary nurse as such;

“sample” refers to a subset, for example collecting whole blood specimens from 10 animals from a group of 100 would constitute a sample;

“specimen” refers to a single subject (for example a single blood collection tube containing whole blood);

“red flags” means warning signs that suggest that referral back to the relevant veterinarian is warranted. Some of the warning signs may include, but are not limited to:

- (i) Unexplained changes in bodyweight;
- (ii) Loss of appetite or inappetence;
- (iii) Any change in demeanour and/or mentation;
- (iv) New clinical signs unrelated to the condition under treatment;
- (v) Respiratory distress - tachypnoea, respiratory effort, cyanosis;
- (vi) Cardiovascular distress- tachycardia, hypotension, pale mucous membrane [MM], slow or rapid capillary refill time (CRT);
- (vii) Patient not responding to therapy as expected;
- (viii) Unexplained pain or discomfort; and
- (ix) Suspected zoonoses and/or contagious diseases.

“supervision” means, unless otherwise indicated:

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

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

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

“veterinary nursing facility” means a facility registered with Council from which a veterinary nurse

may render services in accordance with rule 2(1) for own account and which complies with the minimum standards.

2. SERVICES PERTAINING SPECIALLY TO THE PROFESSION OF VETERINARY NURSES

General Services

- (1) For the purposes of the Act the following services shall be deemed to be services, which pertain specially to the para-veterinary profession of veterinary nurse that may be performed outside the scope of a veterinary practice; They may be performed from a veterinary nurse's registered facility without direct or indirect veterinary supervision, but on referral from or in consultation with the patient's veterinarian, or from a registered veterinary facility under the direct or indirect supervision of a veterinarian:
- (a) Basic animal care including but not limited to, the clipping of nails and beaks in birds, the clipping of nails in dogs and cats, husbandry, feeding and hygiene;
 - (b) Urinary catheterisation of male and female companion animals, if no sedation is required;
 - (c) Collection of blood specimens for monitoring purposes, if no sedation is required;
 - (d) The administration of medicines per os, intranasally, into the eye or ear, and by injection subcutaneously, intramuscularly, intravenously, intraperitoneally to patients, as provided and prescribed by the referring veterinary professional;
 - (e) Vaccinations, limited to the signing of a vaccination record;
 - (f) Maintenance of all equipment used, including compliance with all health and safety requirements;
 - (g) Supervision of animals giving birth and caring for new-born animals, including assisting to alleviate basic dystocia;
 - (h) Semen collection;
 - (i) Lancing of abscesses, follow up wound care, placing of dressings and bandages, including Robert Jones and modified Robert Jones bandages;
 - (j) The taking of specimens and samples for the diagnosis by a veterinarian of Brucellosis in animals and the testing of animals for Tuberculosis by means of the intradermal tuberculin test, including interpretation of the test, provided that the veterinary nurse has passed a relevant course accredited by the Department of Agriculture;
 - (k) The administration of enemas, if no sedation is required;
 - (l) Animal behaviour consultations; and
 - (m) Physical rehabilitation, limited to acute phase and post-operative care.
- (2) For the purposes of the Act the following services shall be deemed to be services, which pertain specially to the Para-Veterinary profession of Veterinary Nurse that may only be rendered under the direct or indirect supervision of a veterinarian, at a registered veterinary facility:
- (a) Professional dental scaling and polishing, as well as simple extractions under direct supervision of a veterinarian;

- (b) The administration of pre-medication and the induction, maintenance and monitoring of anaesthesia, including local anaesthesia (excluding nerve blocks and epidurals), under supervision of a veterinarian;
 - (c) The collection and preparation of specimens within a veterinary nurse's scope of practise, including skin scraping, the collection of urine by means of cystocentesis and catheterisation of male and female companion animals and production animals, the collection of blood and vaginal smears, impression smears and sheath washing in bulls, including skin punch biopsies and superficial fine needle aspirates;
 - (d) The examination, recording and reporting findings to a veterinarian of specimens and samples, including haematology and blood chemistry, urine examination, stool examination, skin and scraping examinations, rumen fluid examination and examinations in which the Woods lamp is used;
 - (e) The correct taking and developing of radiographs with permanent identification which includes the identity of the animal and owner, practise identity, date and indication of left and right, assistance with diagnostic imaging, maintenance of diagnostic imaging apparatus and record keeping (Imaging logbook shall be kept listing the identity of the animal and owner, numerical number, exposure figures and anatomical position) of diagnostic imaging; The use of self-adhesive labels for the identification of radiographs is not permissible;—Other diagnostic imaging modalities like CT, MRI and nuclear scintigraphy under supervision;
 - (f) The passing of stomach -, naso-oesophageal –naso-gastric and oesophagostomy tubes;
 - (g) Intravenous catheter placement and the infusion of fluids and blood including the collection of blood for transfusion;
 - (h) Placement of central lines under direct supervision of a veterinarian;
 - (i) Intra-cardiac injection for euthanasia, provided that it may only be performed on a heavily sedated, anaesthetised or comatose patient as a last resort;
 - (j) Superficial suturing and placing of drains;
 - (k) Cat castrations under direct supervision of a veterinarian;
 - (l) Dispensing of medicines in accordance with relevant legislation, provided that any schedule 1 and higher medicine may only be dispensed on direct instruction of a veterinarian;
 - (m) Maintenance of equipment including but not limited to anaesthetic machines, imaging equipment, sterilisation equipment and any other specialised equipment, including all health and safety aspects/requirements;
 - (n) Assisting a person registered to practice a veterinary profession with surgical procedures; and a veterinary nurse may also assist a person practising a veterinary profession with any other service, which such person may perform if such assistance is rendered under supervision or direct continuous supervision of that person.
- (3) A veterinary nurse shall perform the services referred to in rule 2(2) only during the course of his or her employment or under contract by—
- (a) a person registered to practise a veterinary profession; or
 - (b) a person employing a person registered to practise a Veterinary profession.
- (4) In a case of emergency, a veterinary nurse may also render other services which fall within his or her scope of training and experience and which are essential to save lives or relieve suffering in animals, on condition that a report thereon is made to the person referred to

in rule 2.3 as soon as possible and the further treatment of such animal is entrusted to him or her or another person registered to practise a veterinary profession.

3. EXCEPTION IN RESPECT OF RULE 2

Rule 2 must not be construed in a manner so as to prohibit any other person registered to practise a Veterinary or Para-veterinary profession from performing procedures that pertain to their profession.

4. CONDUCT OF PERSONS PRACTISING VETERINARY NURSING PROFESSION

General principles

- (1) A veterinary nurse must base his/her personal and professional conduct thereon that he/she is a member of a learned and honourable profession and is required to act at all times in such a manner as to maintain and promote the prestige, honour, dignity and interests of the profession and of the persons by whom it is practised.
- (2) All persons practising the veterinary nursing profession are working towards the same common good cause, whether they are self-employed or in the service of an employer, and they must co-operate with each other and with the authorities concerned to promote that cause.
- (3) The fundamental responsibilities of a veterinary nurse are to save lives, to relieve suffering and to promote the health of animals.
- (4) A veterinary nurse must at all times maintain the highest standard of nursing care and professional conduct.
- (5) As a professional a veterinary nurse is required to comply with the following fundamental principles:
 - (a) **Integrity:** To be honest and ethical.
 - (b) **Professional Competence:**
 - (i) To maintain the professional knowledge and skill required to ensure that a client receives competent professional services based on current developments in veterinary nursing techniques and to act diligently and in accordance with applicable technical and professional standards benchmarked against what is expected of the reasonable veterinary nurse considering the circumstances and geographic and demographic realities at hand;
 - (ii) To comply with continuing professional development (CPD), which enables a veterinary nurse to develop and maintain the capabilities to perform competently within the professional environment; and/or
 - (iii) To keep record of CPD credits obtained to ensure CPD requirements are met to ensure that registration with Council is maintained.
 - (c) **Confidentiality:** To respect the confidentiality of information acquired as a result of professional services and the relationships emanating therefrom, and, therefore,

not disclose any such information to third parties without proper and specific authority, unless there is a legal or professional right or duty to disclose, nor use the information for the personal advantage of the veterinary nurse or third parties, other than those implied by rule 3(3).

(d) **Professional conduct includes, but is not limited to:**

- (i) To be informed and comply with all the legal directives which are relevant to the practice of his/her profession and which include the Act, its regulations and Rules, the current Ethical Code, as well as all other relevant legislation;
- (ii) To avoid any action that the veterinary nurse knows or ought to have known that may discredit the profession;
- (iii) To be morally obliged to serve the public to the best of his/her ability and in the light of acceptable scientific knowledge and procedures;
- (iv) To refrain from expressing criticism through which the reputation, status or practise of a colleague in the profession is or could be undermined;
- (v) Not to permit himself/herself to be exploited in a manner which may be detrimental to the client, the patient, the public or the profession;
- (vi) If the veterinary nurse is the principal of a facility, ensure that the place at or from which a person practises veterinary nursing is registered with Council, and complies with the applicable minimum standards for that category of facility;
- (vii) The principal of a registered facility must inform the Council within thirty (30) days of any changes to the identity or address of the principal; if the principal should pass away, Council should immediately be informed.
- (viii) A veterinary nurse must inform Council within thirty (30) days of entering into employment or partnership at another registered facility.
- (ix) To apply for an extension of registration should it be required that procedures outside the scope of practise of a veterinary nurse, e.g. epidurals and nerve blocks, be performed.

(e) **"Unprofessional conduct"** is unprofessional, dishonourable or unworthy conduct on the part of a veterinary nurse, including, *inter alia*, the following acts and omissions:

- i) Failure to comply with the Act, the regulations and/or Rules promulgated under the said Act, and/or the Code of Conduct and/or guidelines issued by Council from time to time;
- ii) A contravention of the provisions of the Medicines Act and/or the regulations promulgated under it;
- iii) Failure to comply with any other relevant legislation;
- iv) Performing professional services outside the scope of registration, performing professional services in the absence of veterinary collaboration or referral, except as provided for in these rules, which constitutes very serious unprofessional conduct, which if found guilty, may lead to removal from the register;
- v) Failure to act in accordance with the responsible veterinarian's instructions;
- vi) Failing to adequately supervise his/her staff;

- vii) Failure to provide an itemised account when requested to, within the period set out in Rule 7(3), should the services be rendered from a registered nursing facility;
- viii) Treating a client in a disrespectful and/or discourteous manner, unless justifiable reasons exist;
- ix) Incompetence, gross negligence or any form of negligence in the practising of the para-veterinary profession of veterinary nursing;
- x) Fraud or dishonesty in making any kind of application to Council or in charging for a test that was not performed or for services not rendered;
- xi) Falsifying and/or backdating any laboratory report or other report in part or in full;
- xii) In any way directly or indirectly assisting, allowing or enabling an unqualified person and/or unregistered person to perform professional work which by law only a (veterinarian and/or a) para-veterinary professional is allowed to perform;
- xiii) Referring work, the performance of which is reserved by law to a veterinarian, specialist veterinarian or para-veterinary professional to a person not registered with Council;
- xiv) Non-payment after demand of any fee, levy or other charge payable to Council;
- xv) Failure to comply with an order, requirement, request, sentence or sanction of the Council and/ or the Registrar or any official appointed by the Council or the Registrar to perform any function in furtherance of the Council's objectives;
- xvi) Failure to submit to an inspection of a veterinary nursing facility required by Council where the veterinary nurse is the principal of said veterinary nursing facility;
- xvii) Operating a veterinary nursing facility which is not registered or does not comply with the minimum standards set out in the Rules;
- xviii) Practising outside the scope of practice of a veterinary nurse;
- xix) Failure to advise Council of any change in his/her physical residential or employment address, and other contact details, within thirty (30) days of such change being effected;
- xx) Being convicted of being involved in any criminal or illegal activity, if it relates to the practising of the para-veterinary nursing profession or is deemed to bring the profession into disrepute;
- xxi) Permitting himself/herself to be exploited in a manner which may be detrimental to the client, the patient, the public or the profession, or allow bias, conflict of interest or influence of others, to compromise professional judgment;
- xxii) Failing to cooperate, obstructing or delaying an investigation into unprofessional conduct by Council;
- xxiii) Contempt and/or disrespect of Council; and
- xxiv) Any other conduct which in the opinion of Council constitutes unprofessional conduct.

5. Acceptance and payment of commission for services rendered in accordance with rule 2(1)

- (1) Subject to Rule 5(2) a veterinary nurse may not –
- (a) Accept any commission from any person as a consideration for referrals of any clients by such veterinary nurse to such person;
 - (b) Charge or accept any fee for the same service from both the referring veterinarian and the owner of the animal.
 - (c) Share with any person, fees charged for a service unless -
 - (i) Such sharing is commensurate with the extent of such other person's participation in the rendering of the service concerned; or
 - (ii) He/she is a partner, shareholder or employee.
- (2) The provisions of Rule 5(1) shall not be so construed as to prohibit a veterinary nurse -
- (a) From introducing a loyalty scheme at a particular facility, provided that the loyalty scheme, including discount, does not include the payment of money;
 - (b) From paying to a debt collection agency any commission in respect of debts which are collected by such agency on his/her behalf; or
 - (c) From accepting any royalty or similar compensation in respect of an article or product to which he/she holds the patent rights.

6. Covering

- (1) A veterinary nurse may not enter into a partnership or allow any shareholding or interest in his/her practice with another person, unless that person is registered with Council as a veterinary professional or para-veterinary professional.
- (2) A veterinary nurse may:
- (a) Offer an appointment in his/her practice to another veterinary professional or para-veterinary professional who is registered in terms of the Act to practice the profession concerned;
 - (b) Employ another person in a professional capacity at his/her facility; or
 - (c) Share his/her facility or premises with another person involved in practising a veterinary or para-veterinary profession.
- (3) Any appointment, employment or sharing anticipated in Rule 6(2) is subject to the condition that:
- (a) Ethical work principles and confidentiality of client records are not compromised; and
 - (b) Sufficient bio-security measures, according to relevant health and safety legislation and including isolation facilities, are in place to ensure that the wellbeing of humans and animals are not at risk.

7. Fees for services rendered in accordance with rule 2(1)

- (1) A veterinary nurse must inform the client in charge of an animal in respect of which a service is to be rendered of the approximate fee which he/she intends to charge for such service;
- (2) Fees for standard procedures may be advertised in the reception area, in which event an estimate of fees need not be given to the client.
- (3) Any veterinary nurse claiming payment from a person in respect of any service rendered by him/her must furnish such person with an itemised account as soon as possible but not later than 30 days after the service was rendered.

8. Intrusion

- (1) If a veterinary nurse has obtained any confidential information regarding the nature and extent of the business or facility of a veterinary professional or colleague in the veterinary nursing profession, such veterinary nurse may not use such information to promote his/her own business or facility.
- (2) If a veterinary nurse renders professional services to an employer, he/she may not use his/her association with or the intellectual property of such employer in any manner whatsoever to promote his/her own business or facility at the expense of that employer in the profession.
- (3) Contravention of Rules 8(1) & 8(2) for own gain is a serious offence which may lead to deregistration.

9. Advertising for services rendered in accordance with rule 2(1)

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

10. Identification of veterinary nursing facilities

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

11. MINIMUM STANDARDS FOR VETERINARY NURSING FACILITIES

- (1) A veterinary nursing facility at or from which a veterinary nurse practises must –
 - (a) Be a permanent structure (This is not intended to exclude buildings, which are factory produced and site assembled, e.g., a prefabricated building as the word “permanent” relates to the materials used and not to the building itself);
 - (b) Have a good source of general lightning;
 - (c) Have adequate ventilation;
 - (d) Be compliant with local regulations pertaining to health and safety, including fire protection;
 - (e) Have facilities for the disposal of veterinary waste according to local government requirements;
 - (f) Drainage and washing water according to local authority requirements;
 - (g) Be so constructed as to minimize the escape of an animal and to ensure the effective and safe and comfortable confinement of animals at all times;
 - (h) Have equipment to determine the weight of patients adequately; and
 - (i) Be registered with Council.
- (2) Subject to any requirements of a local or other authority, a veterinary nursing facility must consist of:
 - (a) A reception and office area;
 - (b) A waiting room for clients with access to toilet facilities; and
 - (c) One or more consulting rooms.
- (3) The internal walls and floor surfaces, shelves and tables of a veterinary nursing facility must be of such a nature that they can be properly cleansed and disinfected so that hygienic conditions can be maintained.
- (4) The drainage and washing water of a veterinary nursing facility must run into an adequate sewer and comply with the requirements of local authorities.
- (5) The veterinary nursing facility must have a direct public entrance.
- (6) Provision must be made at a veterinary nursing facility for a hygienic, insect and rodent free environment within the facility as well as where therapeutic and nutritional products are stored.
- (7) Adequate facilities must be available for the preparation for food and washing and cleaning of all equipment.
- (8) A veterinary nursing facility must have access to relevant reference material.
- (9) A veterinary nursing facility must have the necessary facilities and/or equipment in order to ensure that a basic physical examination can be performed.

- (10) If a dispensary service is rendered, it may only consist of medicines scheduled as a schedule 0 in terms of the Medicines and Related Substances Act, Act 101 of 1965 and stock remedies registered under the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, Act 36 of 1947; Medicines and stock remedies must be stored in accordance with relevant legislation.
- (11) A veterinary nursing facility must have suitable equipment, or access thereto, for the effective sterilisation of relevant equipment.
- (12) If patients are kept overnight the following must be adhered to:
 - a) A separate cage of adequate size must be available for each patient;
 - b) Cages must be constructed of such a material so as to prevent self-injury of the patient;
 - c) The veterinary nursing facility must have proper means to identify each patient; and
 - d) The veterinary nursing facility must be adequately ventilated and, if necessary, heated or cooled.
- (13) Animals hospitalised overnight must be adequately monitored having due regard to the animal's condition. If such monitoring is not available, the client should be informed accordingly.
- (14) A veterinary nursing facility must have an area in which patients can be exercised indoors or outdoors, which must be designed and constructed in a manner that will minimise escape and facilitate the maintenance of hygiene.

12. MINIMUM STANDARDS FOR MOBILE ANIMAL SERVICES

Mobile animal services for veterinary nurses practicing from a registered physical veterinary nursing facility

- (1) If a mobile nursing service is rendered, it must:
 - (a) Function as an integral part of the registered physical veterinary nursing facility to visit clients;
 - (b) Be operated by a registered veterinary nurse; and
 - (c) Comply with the requirements of adequate record keeping.
- (2) A service delivery vehicle must comply with the following structural and procedural requirements where applicable, the vehicle must:
 - (a) Have a cold storage system that can maintain approximately 5°C for the transport and storing of all biological products;
 - (b) Have equipment for the disposal or collection of all waste including carcasses, if required;
 - (c) Carry an appropriate range of medicines, equipment and protective clothing, according to the type of service and species serviced, in a manner that is consistent with professional standards, while ensuring occupational safety and bio-security; and
 - (d) Have access to a means of communication to contact the base facility, if required.

13. Records at veterinary nursing facility

- (1) The veterinary nurse must maintain records, for each animal or group of animals which are legible, accurate and permit prompt retrieval, if and when necessary.
- (2) Records must contain the following information for individual animals as applicable-
 - (a) The date or period of the examination or consultation;
 - (b) Name of the veterinarian who treated the patient and the referral letter;
 - (c) Client's identification;
 - (d) Patient name, other forms of identification, as well as the species, breed, gender and age;
 - (e) Clinical information for the purposes of continuous care and assessment;
 - (f) Vaccination record;
 - (g) Special procedures;
 - (h) Problem attended to and/or diagnosis made by the attending veterinarian;
 - (i) Treatment and scripts issued by the veterinarian; and
 - (j) Discharge instructions.
- (3) All records referred to in Rule 14(2) must be retained by the principal of the veterinary nursing facility for a period of five years from the patient's last visit.
- (4) Records referred to in Rule 14(4) relating to a complaint, charge or allegation lodged with Council in terms of section 31(1) of the Act must be presented to Council within seventy-two (72) hours of being requested to submit such records, or as otherwise arranged with Council.
- (5) Proper security arrangements must be made to protect records from loss, fire, alterations, additions, supplements or unauthorised use; electronic records must be backed up on a daily basis and electronic backups should be stored off-site.
- (6) Any alterations, additions and/or supplements to any records must be entered as a supplement to said record and must be dated and clearly defined as such.
- (7)
 - (a) The principal of a veterinary nursing facility will be responsible for confirming the identity of the attending veterinary para-professional to Council, where a complaint is lodged against his/her veterinary nursing facility.
 - (b) The principal of a veterinary nursing facility will be responsible for providing the records referred to in Rule 6(5), should a complaint be lodged against the professional no longer in the employ of the principal of the facility, subsequent to the date on which the complaint originated.
 - (c) If the principal of a facility fails to comply with the provisions of Rule 15(7)(a) he/she will be held accountable for any unprofessional conduct arising from such a complaint.

14. Dress code

- (1) A veterinary nurse shall adhere to a dress code that upholds the image of the veterinary nursing profession.
- (2) A veterinary nurse shall wear a professional identification device at all times whilst rendering a service that pertains to the profession of a veterinary nurse.

15. Exemptions

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

16. Reporting of impairment or of unprofessional conduct

- (1) A student, a veterinarian or para-veterinary professional must;
- a) Report impairment or suspected impairment in a student, a veterinary professional or para-veterinary professional to the Council if he/she is convinced that any student, veterinary or para-veterinary professional is impaired; and/or
 - b) Report his/her own impairment or suspected impairment to the Council if he/she is aware of his/her own impairment or has been publicly informed, or has been seriously advised by a colleague to act appropriately to obtain help in view of an alleged or established impairment;
- if such a level of physical or mental impairment has been identified that the welfare of the patients, the interests of the clients and/or the image of the profession will be compromised.
- (2) A student, a veterinary or para-veterinary professional is obliged to report any unprofessional, illegal or unethical conduct by another student, veterinary or para-veterinary professional, particularly where it involves the employment of unregistered professionals or where an animal's welfare may be compromised.

17. Repeal and transitional arrangements

The Rules relating to the practising of the para-veterinary profession of veterinary nurse published on 17 May 1991, as amended from time to time, are hereby repealed.

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 556 OF 2021

VETERINARY AND PARA-VETERINARY PROFESSIONS ACT, 1982, AS AMENDED
ACT No. 19 OF 1982, AS AMENDEDDRAFT RULES RELATING TO THE PRACTISING OF PARA-VETERINARY PROFESSION OF VETERINARY
PHYSIOTHERAPIST - COMMENTS INVITED

The South African Veterinary Council, with the approval of the Minister of Agriculture, Land Reform & Rural Development, intends to promulgate the rules for the para-veterinary profession of veterinary physiotherapist as per the Schedule to this Notice. All interested parties who have any comments to the proposed amendments are called upon to submit such comments to the SAVC: Director Legal Affairs within thirty (30) days from the date of publication of this Notice to: Mrs D Stoltz at e-mail address director.legalaffairs@savc.org.za (Telephone number [012] 345-6360/083-632-3904), with a copy to legalsecretary@savc.org.za.

Schedule**1. Definitions: Veterinary physiotherapy**

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

"acupressure" means the physical pressure applied to acupoints;

"animal health team" means all registered persons involved with optimising the health of the animal;

"balance and proprioceptive training" mean exercises designed to enhance and improve the patient's ability to stand independently, and to maintain effective motor control;

"cardio-respiratory evaluation" means techniques employed by the veterinary physiotherapist to evaluate the cardio-respiratory system of patients within the prescribed scope of practice limited to auscultation of heart and lungs, calculation of heart rate and breathing rate and functional tests to evaluate the patient's cardio-respiratory ability;

"cardio-respiratory treatment" excludes medical treatments, includes but is not limited to the use of nebulisers, the therapy of percussions, vibrations, shaking and use of postural drainage positions;

"dynamic evaluation" means the assessment of an animal patient whilst in motion, which requires active input from the patient and includes the evaluation of the patients' gait on an appropriate surface;

“functional diagnosis” means a diagnosis which describes the effect of the disease or injury on the ability of the animal to carry out its normal function for example decreased extension of the coxo-femoral joint vs anatomical diagnosis such as hip dysplasia;

“functional neurological assessment” is an evaluation of a patient's current functional adaptation to a neurological deficit, including but is not limited to gait, functional movement, conscious proprioception, and reflex testing;

“goniometry” means the use of an instrument (the goniometer) to measure the joint range of movement;

“groundwork” means working with an animal on the ground using poles and cues to motivate them to perform specific exercises that will strengthen specific parts of their bodies. groundwork as opposed to ridden work is particularly used in relation to horses;

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

“manual evaluation” means techniques employed by the veterinary physiotherapist, using his or her hands to evaluate soft tissue function, neurological function and joint mechanics;

“motor control” is the process by which animals use their brain to activate and coordinate the muscles and limbs involved in the performance of a motor skill;

“neuromuscular electrical stimulation [NMES]” is an electrotherapy modality that is used to artificially contract the muscles of the animal using electrical impulses to elicit a muscle contraction in innervated muscle. The electrical current is applied to the skin of the animal, using a conductive material and electrodes. It is used as a tool for assessing and treating the muscles and other associated soft tissue. It can form part of a program to activate muscles and prevent atrophy during training and rehabilitation;

“palpation” means a technique used to assess the texture and tone of an animal's muscles and other soft tissue structures as well as particular anatomical landmarks.

“passive evaluation” means the assessment of the neuromuscular and musculo-skeletal state of the patient which does not require active input from the patient i.e., tests that can be applied by the practitioner without requiring the patient to actively move;

“red flags” means warning signs that suggest that referral back to veterinarian is warranted. Some of the warning signs can be, but are not limited to:

- (i) Unexplained bodyweight loss;
- (ii) Loss of appetite or inappetence;
- (iii) Lethargy;
- (iv) Signs of illness such as vomiting and increased temperature;

- (v) Previous history of tumours;
- (vi) Acute, severe pain and swelling;
- (vii) Dysfunction of bladder and bowel;
- (viii) Respiratory distress ;
- (ix) Cardiovascular distress;
- (x) Patient not responding to therapy as expected;
- (xi) Non-weight bearing lameness;
- (xii) Unexplained pain or discomfort during therapy;
- (xiii) Undiagnosed neurological signs;
- (xiv) Infected wounds;
- (xv) Suspected zoonoses;
- (xvi) Any abnormal condition or pathology presented to a vet physiotherapist and
- (xvii) Any other signs of illness

“rehabilitation exercise” means active exercises designed to optimise active pain-free range of movement, to increase muscle mass and muscle strength, improve daily function, improve balance, reduce lameness and prevent further injury;

“sport specific assessment” is the assessment of an athletic animal to optimise performance, reduce risk of injury and promote return to activity;

“static evaluation” means the visual evaluation of the stationary animal taking into account posture, conformation, body score and any other cues that draws attention to any abnormalities;

“stress point” means tender, hyper-irritable spots found in the musculo-tendinous junction;

“trans-cutaneous electrical nerve stimulation [TENS]” means the use of electric currents produced by a device to stimulate the nerves for therapeutic purposes. TENS by definition covers the complete range of transcutaneously applied currents used for nerve excitation although the term is often used with a more restrictive intent, namely, to describe the kind of pulses produced by portable stimulators used to treat pain;

“trigger points” means tender, hyper-irritable spots found in muscle bellies;

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

“veterinary physiotherapy facility” means a facility which is registered with council for the purpose of rendering a physiotherapy service to animals; and

“veterinary physiotherapy” means the management and/or treatment of dysfunction in the musculo-skeletal, neuromuscular and cardiorespiratory systems as well as the maintenance of optimal function and the prevention of dysfunction. The goal of veterinary physiotherapy is to maintain, restore and optimise movement and functional ability throughout the lifespan of an animal.

2. SERVICES PERTAINING SPECIALLY TO THE PARA-VETERINARY PROFESSION OF VETERINARY PHYSIOTHERAPIST

- (1) For the purposes of the Act the following services shall be deemed to be services, which pertain specially to the veterinary para profession of veterinary physiotherapist:
 - (a) Application of veterinary physiotherapy modalities in order to maintain health and wellbeing, unless an animal presents with any abnormalities and/or pathologies in which case the animal must be referred to a veterinarian;
 - (b) Management and/or treatment of conditions in animals diagnosed by a veterinarian by applying veterinary physiotherapy;
 - (c) Assist a veterinarian with the functional diagnosis of neuro musculo-skeletal conditions;
 - (d) Work on referral by a veterinarian who has diagnosed the animal or work in consultation with the patient's veterinarian if there is no direct referral; and
 - (e) Work on animal species for which training was obtained but may work on other species if in consultation with an attending veterinarian and with owner consent.
- (2) The scope of practice of a veterinary physiotherapist includes:
 - (a) Integration of thorough musculo-skeletal, neuromuscular anatomical, cardiovascular and respiratory system knowledge and veterinary physiology in developing a treatment, rehabilitation and preventative plan for the patient, as well as sufficient knowledge of other body systems to implement an appropriate treatment plan for other conditions which would benefit from veterinary physiotherapy modalities;
 - (b) Integration of theory and practice to conduct a full functional evaluation of mainly companion animals with musculo-skeletal, neuromuscular or cardio-respiratory dysfunction including, but not limited to-
 - (i) Subjective evaluation:
 - (aa) History; and/or
 - (bb) Habitus.
 - (ii) Health assessment;
 - (aa) TPR – Temperature, pulse, respiration.
 - (iii) Static evaluation:
 - (aa) Conformation;
 - (bb) Body score; and/or
 - (cc) Observation.
 - (iv) Dynamic evaluation:
 - (aa) Active movement assessment;
 - (bb) Gait assessment;
 - (cc) Joint range of movement assessment;
 - (dd) Flexion tests as indicated; and
 - (ee) Functional tests.
 - (v) Manual evaluation:
 - (aa) Palpation;
 - (bb) Manual assessment;
 - (cc) Muscle strength testing;
 - (dd) Soft tissue assessment;

- (ee) Joint range of mechanics including goniometry and other measurements;
 - (ff) Use of hoof testers in animals with hooves for purposes of recognizing a red flag;
 - (gg) Functional neurological assessment;
 - (hh) Measurement of limb circumference; and
 - (vi) Sport specific assessment.
- (3) Using clinical reasoning skills to set up a treatment plan to enhance optimal function of the animal and defining short- and long-term goals.
- (4) Application of appropriate treatment techniques and therapeutic modalities:
 - (a) Treatment techniques shall include but are not limited to:
 - (aa) Respiratory techniques on referral of a veterinarian;
 - (bb) Hydrotherapy;
 - (cc) Soft tissue techniques;
 - (dd) Neural mobilisation;
 - (ee) Manual therapy;
 - (ff) Use of thermal treatment modalities;
 - (gg) Rehabilitation exercise;
 - (hh) Cardiac rehabilitation exercises on referral of a veterinarian; and/or
 - (ii) Electrotherapy.
 - (b) Respiratory techniques shall be on veterinary referral and will include but not limited to:
 - (aa) Postural drainage positions;
 - (bb) Percussions;
 - (cc) Vibrations;
 - (dd) Shaking; and/or
 - (ee) Nebulizing with medicines prescribed by a veterinarian.
 - (c) Hydrotherapy shall include but is not limited to:
 - (aa) Underwater treadmill;
 - (bb) Pool;
 - (cc) Spa; and/or
 - (dd) Cold water compression.
 - (d) Soft tissue techniques shall include but are not limited to:
 - (aa) Massage;
 - (bb) Trigger point therapy;
 - (cc) Stress point therapy;
 - (dd) Acupressure;
 - (ee) Myo-fascial release;
 - (ff) Cranio-sacral therapy; and/or
 - (gg) Passive stretching.
 - (e) Rehabilitation exercise shall include but is not limited to:
 - (aa) Strength training;
 - (bb) Flexibility training;
 - (cc) Stability training;
 - (dd) Fitness training;
 - (ee) Balance and proprioceptive training; and/or

- (ff) Controlled exercise.
- (f) When electrotherapy is used to address a pathology or improve physiology, it should be appropriate for the specie and condition under treatment and needs to be supported by proper training in the use of such equipment.
- (5) Treatment of cardio/respiratory impaired patients that have been diagnosed by a veterinarian; Evaluation and treatments shall include but are not limited to:
 - (a) Exercise tolerance testing;
 - (b) Non-scheduled medication nebulising (or with veterinarian prescription);
 - (c) Postural drainage;
 - (d) Assist the veterinarian when weaning a patient off a ventilator; and/or
 - (e) Chest mobilisation techniques.
- (6) Treatment of minor wounds and surgical sites with appropriate electrotherapy.
- (7) Correct application of bandages when required to be removed for treatment purposes and the re-application thereafter.
- (8) Understanding the implementation of basic orthotics and prosthetics and advising and referring appropriately.
- (9) Client education and communication.
- (10) Appropriate application of knowledge of animal behavior:
 - (a) Sufficient knowledge to be safe;
 - (b) Sufficient knowledge to recognise the relationship between pain, disease and behavior; and
 - (c) Sufficient knowledge to recognise normal and abnormal behavior.
- (11) Knowledge of sport specific training and equipment and methods used to prepare the animal athletes, excluding nutrition.
- (12) Application of first aid of animals and humans in emergency situations.
- (13) The ability to work within a multi-disciplinary animal health care team using appropriate language and means of communication for the relevant audience.
- (14) Understanding the benefit of complementary fields.
- (15) Knowledge of health and safety within the working environment. This shall include but is not limited to:
 - (a) Zoonoses;
 - (b) Veterinary physiotherapy body mechanics and ergonomics;
 - (c) Handling of the patient;
 - (d) Management of the environment, including hygiene; and/or
 - (e) Safe use and maintenance of equipment and/or facility.
- (16) Clear understanding of "red flags" as defined, being contra-indications to treatment and when to refer back to the treating veterinarian or other relevant member of the animal health care team.
- (17) Knowledge of veterinary jurisprudence and all relevant South African legislation and its relevance

3. Exception in respect of rule 2:

Rule 2 shall not be construed in a manner so as to prohibit any other person registered to practise the veterinary or another para-veterinary profession from performing procedures that pertain to their profession or allowed by any other Act.

CONDUCT OF PERSONS PRACTISING VETERINARY PHYSIOTHERAPY**4. General principles**

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

- (iv) To refrain from expressing criticism through which the reputation, status or practise of a colleague in the profession is or could be undermined;
 - (v) Not to permit himself/herself to be exploited in a manner which may be detrimental to the client, the public or the profession;
 - (vi) The place at or from which a person practises the veterinary physiotherapy must be registered with Council and must comply with the applicable general minimum standards for that facility;
 - (vii) The principal of a registered facility must inform the Council within thirty (30) days of any changes to the identity or address of the principal; if the principal should pass away, Council should immediately be informed.; and/or
 - (viii) A veterinary physiotherapist must inform Council within thirty (30) days of entering into employment or partnership at another registered facility.
- (4) **“Unprofessional conduct”** means unprofessional, dishonourable or unworthy conduct on the part of a veterinary physiotherapist including, *inter alia*, the following acts and omissions:
- (i) failure to comply with the Act, the regulations and/or Rules promulgated under the said Act, and/or the Code of Conduct and/or guidelines issued by Council from time to time;
 - (ii) failure to comply with any other relevant legislation;
 - (iii) performing professional services outside the scope of his/her education, training and/or experience, regard being had to both the extent and limits of his/her professional expertise;
 - (iv) failing to adequately supervise his/her staff;
 - (v) failure to provide an itemised account when requested to, within the period set out in Rule 7(3);
 - (vi) treating a client in a disrespectful and/or discourteous manner, unless justifiable reasons exist;
 - (vii) incompetence, gross negligence or any form of negligence in the practising of the veterinary physiotherapy profession;
 - (viii) fraud or dishonesty in making any kind of application to Council or in charging for a test that was not performed or services not rendered;
 - (ix) falsifying and/or backdating any laboratory report in part or in full;
 - (x) in any way directly or indirectly assisting, allowing or enabling an unqualified person and/or unregistered person to perform professional work which by law only a (veterinarian and/or a) para-veterinary professional is allowed to perform;
 - (xi) referring work, the performance of which is reserved by law to a veterinarian, specialist veterinarian or para-veterinary professional to a person not registered with Council;
 - (xii) non-payment after demand of any fee, levy or other charge payable to the Council;
 - (xiii) failure to comply with an order, requirement, request, sentence or sanction of the Council and/ or the Registrar or any official appointed by the Council or the Registrar to perform any function in furtherance of the Council's objectives;

- (xiv) failure to submit to an inspection of a veterinary physiotherapy facility required by Council where the veterinary physiotherapist is the principal of said veterinary physiotherapy facility;
- (xv) Operates for gain a veterinary physiotherapy facility which is not registered or does not comply with the minimum standards set out in the Rules;
- (xvi) practising outside the scope of registration for a veterinary physiotherapist or outside the scope of authorisation to render certain services of a veterinary physiotherapist;
- (xvii) failure to act on "red flags" as defined.
- (xviii) being convicted of being involved in any criminal or illegal activity, if it relates to the practising of the veterinary physiotherapy profession or is deemed to bring the profession into disrepute;
- (xix) to permit himself/herself to be exploited in a manner which may be detrimental to the client, the public or the profession, or allow bias, conflict of interest or influence of others, to compromise professional judgment;
- (xx) failure to advise Council of any change in his/her physical residential or employment address, and other contact details, within thirty (30) days of such change being effected;
- (xxi) failing to cooperate, obstructing or delaying an investigation into unprofessional conduct by Council;
- (xxii) contempt and/or disrespect of Council; and
- (xxiii) any other conduct which in the opinion of Council constitutes unprofessional conduct.

5. Acceptance and payment of commission

- (1) Subject to Rule 4(2) a veterinary physiotherapist may not:
 - (a) Accept any commission from any person as a consideration for referrals of any clients by such veterinary physiotherapist to such person;
 - (b) Share with any person, fees charged for a service unless: -
 - (i) Such sharing is commensurate with the extent of such other person's participation in the rendering of the service concerned; or
 - (ii) He/she is a veterinary physiotherapist or veterinary professional or para-veterinary professional associated with the veterinary physiotherapist as a partner, shareholder or employee.
 - (c) Charge or accept any fee for the same procedure from both the referring veterinarian and the owner of the animal.
- (2) The provisions of Rule 4(1) shall not be so construed as to prohibit a veterinary physiotherapist: -
 - (a) From introducing a loyalty scheme for a particular veterinary physiotherapy facility, provided that the loyalty scheme, including discount, does not include the payment of money;
 - (b) From paying to a debt collection agency any commission in respect of debts which are collected by such agency on his/her behalf; or
 - (c) From accepting any royalty or similar compensation in respect of an article or product to which he/she holds the patent rights.

- (d) From entering into a franchise, license or similar agreement where the franchisor, licensor or the like is a person not registered with Council, subject to the following:
 - (i) Income (all income generated by that veterinary physiotherapy facility) had to accrue to a person registered with Council (para-veterinary professionals);
 - (ii) Franchise fees or license fees will be deemed a legitimate business expense, even if those fees are linked to a percentage of the turnover in the veterinary physiotherapy facility, **provided that no target for turnover to be achieved is set**;
 - (iii) The agreement must provide that there will be no interference in the running of the practice and/or veterinary physiotherapy decisions and/or or equipment must be purchased, i.e., standards for practice must be maintained, decision making had to be independent and no over-servicing should occur;
 - (iv) The agreement must provide that the agreement is subject to the Act, the regulations promulgated under the Act, the rules for the para-veterinary profession of veterinary physiotherapist and that any clause in the agreement that is contrary to the Veterinary and Para-Veterinary Act, its regulations and the rules pertaining to the veterinary profession will be invalid and unenforceable;
 - (v) The agreement must be submitted to Council prior to its signature, to vet it against the Act, the regulations and the veterinary rules to ensure compliance with the Act, the regulations and the rules for the para-veterinary profession of veterinary physiotherapist (no other aspect of the agreement will be vetted, and the veterinary physiotherapist must obtain legal advice of his/her own accord regarding all other aspects of the agreement); and
 - (vi) A copy of the signed agreement/s must be submitted to Council;
 - (vii) Any amendments to the agreement/s which may impact on the sharing of fees and/or the autonomy of the veterinary physiotherapist must be submitted to Council for vetting; and
 - (viii) A copy of the signed amendment must be submitted to Council.

6. Business ownership & sharing

- (1) A veterinary physiotherapist may not enter into a partnership or allow any shareholding or interest in his/her practice with another person, unless that person is registered with Council as a veterinary professional or para-veterinary professional.
- (2) A veterinary physiotherapist may:
 - (a) Offer an appointment in his/her practice to another veterinary professional or para-veterinary professional who are registered in terms of the Act to practice the profession concerned;
 - (b) Employ another person in a professional capacity at his/her physiotherapy facility; or
 - (c) Share his/her physiotherapy facility or premises with another person involved in practising a veterinary or para-veterinary profession.

- (3) Any appointment, employment or sharing anticipated in Rule 5(2) is subject to the condition that:
 - (a) Sample integrity and confidentiality of client records are not compromised; and
 - (b) Sufficient bio-security measures, according to relevant health and safety legislation and including isolation facilities, are in place to ensure that the wellbeing of humans and animals are not at risk.

7. Fees

- (1) A veterinary physiotherapist must inform the client in charge of an animal in respect of which a service is to be rendered of the approximate fee which he/she intends to charge for such service:
 - (a) As soon as practically reasonable after the patient was examined;
 - (b) In the event of an emergency as soon as the patient is stabilised; and
 - (c) When a service is required in addition to the original service anticipated.
- (2) Fees for standard procedures may be advertised in the reception area, in which event an estimate of fees need not be given to the client.
- (3) Any veterinary physiotherapist claiming payment from a person in respect of any service rendered by him/her must furnish such person with an itemised account as soon as possible but not later than 30 days after the services were rendered to such a person.

8. Intrusion

- (1) If a veterinary physiotherapist has obtained any confidential information regarding the nature and extent of the business of veterinary professional or a colleague in the profession, such veterinary physiotherapist may not use such information to promote his/her own business.
- (2) If a veterinary physiotherapist renders professional services to an employer, he/she may not use his/her association with or the intellectual property of such employer in any manner whatsoever to promote his/her own business at the expense of that employer in the profession.
- (3) Contravention of Rules 8(1) & 8(2) for own gain is a serious offence which may lead to deregistration.

9. Advertising

- (1) A veterinary physiotherapist may advertise his/her services, facilities, products and prices or permit another person to do so without limitation on the size, format, artistic or literary style: Provided that the advertisement complies with the provisions of these Rules and may in no way compromise or impair any of the following, namely: -
 - (a) The client's freedom to consult a veterinary physiotherapist of his/her choice; and
 - (b) The good reputation of the veterinary physiotherapy profession.
- (2) All advertising by a veterinary physiotherapist of his/her services must be in good taste with regard to content, prominence and medium and may not be offensive to any cultural, religious or linguistic community or be contrary to the spirit of the Code of Conduct of the

Advertising Standards Authority of South Africa and the Code of Conduct of Practise issued by the Council.

- (3) Advertisements may not -
- (a) Be misleading in any respect;
 - (b) Compare the quality of services, products, the standards of facilities and/or the knowledge or expertise of a veterinary physiotherapist with that of another veterinary physiotherapist, veterinary physiotherapy or the veterinary physiotherapy profession generally, nor may it claim to be superior in any respect; or
 - (c) Criticise the quality of services or products provided by another veterinary physiotherapist or veterinary physiotherapy facility.

10. Identification of veterinary physiotherapy facility

- (1) A veterinary physiotherapy facility must be identified by means of an identification board,
- (2) An identification board referred to in Rule 9(1) must contain at least the following –
 - (a) Identify the facility as a veterinary physiotherapy facility;
 - (b) Hours of operation;
 - (c) A telephone number of the veterinary physiotherapy facility;
- (3) A veterinary physiotherapy facility may be identified by means of a direction board, which must comply with the provincial or municipal regulations governing direction boards.

Minimum standards for veterinary physiotherapy facilities

11. General structural requirements

- (1) Veterinary Physiotherapy facility at or from which a person practices veterinary physiotherapy profession shall –
 - (a) Be a permanent structure. (This is not intended to exclude buildings, which are factory produced and site assembled, e.g., a prefabricated building as the word "permanent" relates to the materials used and not the building itself);
 - (b) have a source of lighting, which is adequate to ensure the completion of a procedure in progress;
 - (c) Be compliant with local regulations pertaining to health and safety, including fire protection; and
 - (d) be so constructed as to prevent the escape of an animal and to ensure the effective confinement of animals at all times.
- (2) Subject to any requirements of a local or other authority, a veterinary physiotherapy facility shall consist of –
 - (a) a reception and office area;
 - (b) a storage room;
 - (c) a waiting room for clients with access to toilet facilities;
 - (d) one or more treatment rooms;
 - (e) disposal of veterinary waste according to local government requirements;
 - (f) walls, floors, shelves, tables impervious for cleaning and disinfecting;
 - (g) drainage and washing water according to local authority requirements;

- (h) no public entrance through another business;
- (i) hygienic storage of therapeutic and nutritional requirements;
- (j) adequate facilities for preparation of food and washing equipment; and
- (k) adequate ventilation in all facilities.

12. General requirements at veterinary physiotherapy facilities

- (1) A veterinary physiotherapy facility shall have the necessary facilities in order to ensure that a full evaluation and appropriate treatment can be done.
- (2) The facility must be clean and in good repair;
- (3) The area surrounding facility must be clean and tidy;
- (4) Sufficient parking must be available for clients and staff;
- (5) The facility must be free of offensive odours;
- (6) The services must be provided in a competent and humane manner;
- (7) A professional approach towards clients should be maintained;
- (8) The staff dress code, cleanliness and appearance must be good; and
- (9) The code of conduct must be visible.

13. Records at veterinary physiotherapy facilities

- (1) The attending veterinary physiotherapist shall maintain records for each animal or group of animals which are legible, accurate and permit prompt retrieval of information.
- (2) Records shall be kept for five (5) years.
- (3) Records shall, where applicable, contain the following information –
 - (a) client's identification;
 - (b) patient name, other forms of identification, as well as the specie, breed, gender, age and weight;
 - (c) Diagnosis by the attending veterinarian;
 - (d) clinical information;
 - (e) findings on evaluation;
 - (f) treatment;
 - (g) Reports/referrals from animal health team members; and
 - (h) Discharge instructions.
- (4) Proper security arrangements shall be made to protect medical records from loss, fire, alterations or unauthorised use.
- (5) A copy of any record kept by the veterinary physiotherapy facility must be submitted to Council within seventy-two (72) hours of being requested to do so by Council.

14. Minimum equipment at veterinary physiotherapy practices

- (1) Companion animal facilities must have the following equipment, as applicable to the species being treated:
 - (a) Weighing scale;
 - (b) Non-slip leads;
 - (c) Thermometer;

- (d) Stethoscope;
- (e) Non-slip surface/mat;
- (f) Goniometer;
- (g) Measuring tape;
- (h) Reflex hammer;
- (i) Separate cages of adequate size for each patient;
- (j) Proper identification of each patient;
- (k) Proper clean bedding;
- (l) Adequate ventilation, heating and cooling;
- (m) Isolation facilities for contagious diseased animals, if treated; and
- (n) Exercise area:
 - (aa) Indoor or outdoor;
 - (bb) Constructed to prevent escape; and
 - (cc) Constructed that it can be kept clean/hygienic.
- (2) Equine Facilities must have:
 - (a) Hand washing facilities;
 - (b) Loading area –safe for loading and offloading of horses;
 - (c) Stables – suitable for safe keeping of horses:
 - (aa) Patients kept individually;
 - (bb) Stables adequately ventilated; and
 - (cc) Isolation facilities if animals with contagious diseases are treated.
- (3) Cold and heat therapy.
- (4) No animals may be kept overnight in a veterinary physiotherapy facility, unless the client is informed that the patient will not be monitored overnight, or will be monitored intermittently, or will be monitored intermittently by a lay person.

15. Minimum standards for mobile veterinary physiotherapy facilities

- (1) The primary purpose of mobile animal services is to deliver veterinary physiotherapy evaluation and treatment and these facilities shall –
 - (a) be operated by personnel registered with the Council;
 - (b) maintain professional standards at all times; and
 - (c) be an extension to a registered physical facility
- (2) A vehicle used for mobile services shall be maintained in a clean and sanitary condition.
- (3) The vehicle shall contain those items of equipment that are necessary for the veterinary physiotherapist to perform an evaluation and appropriate treatment consistent with the standards of the profession and the type of veterinary physiotherapy services required.
- (4) When in contact with known infectious diseases, special precautions must be taken to prevent transmission of infectious agents.
- (5) If trailers are used it has to comply with transport guidelines.
- (6) Own water supply.

16. Exemption

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

17. Reporting of impairment or of unprofessional conduct

- (1) A student, a veterinarian or para-veterinary professional must:
- a) Report impairment or suspected impairment in a student, a veterinary professional or para-veterinary professional to the Council if he/she is convinced that any student, veterinary or para-veterinary professional is impaired; and/or
 - b) Report his/her own impairment or suspected impairment to the Council if he/she is aware of his/her own impairment or has been publicly informed, or has been seriously advised by a colleague to act appropriately to obtain help in view of an alleged or established impairment;
- if such a level of physical or mental impairment has been identified that the welfare of the patients, the interests of the clients and/or the image of the profession will be compromised.
- (2) A student, a veterinary or para-veterinary professional is obliged to report any unprofessional, illegal or unethical conduct by another student, veterinary or para-veterinary professional, particularly where it involves the employment of unregistered professionals or where an animal's welfare may be compromised.

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