STATE PRESIDENT'S OFFICE

No. 373
10 March 1993

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

NO. 13 OF 1993: VETERINARY AND PARA-VETERINARY PROFESSIONS AMENDMENT ACT, 1993

GENERAL EXPLANATORY NOTE:

Words in bold type indicate omissions from existing enactments.

Words in italics indicate insertions in existing enactments.

ACT

To amend the Veterinary and Para-Veterinary Professions Act, 1982, so as to further regulate the rendering of certain services by unregistered persons; to effect certain textual alterations; and to provide for admissions of guilt at inquiries of the council; and to provide for matters connected therewith.

(English text signed by the State President.)
(Assented to 26 February 1993.)

BE IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:-

Amendment of section 11 of Act 19 of l982

1. Section 11 of the Veterinary and Para-Veterinary Professions Act, 1982 (hereinafter referred to as the principal Act), is hereby amended by the substitution for subsection (4) of the following subsection:

"(4) Any decision taken or act performed by or on the authority of the executive committee shall be of full force and effect, unless it is set aside or amended by the council **at its first meeting following the meeting of the executive committee at which such decision was taken or such act was authorized** *either of its own accord within one year after such decision or act or at the request, within that year, of a person affected thereby, at any time after such decision or act*.".

Amendment of section 23 of Act 19 of 1982, as amended by section 6 of Act 19 of 1989

2. Section 23 of the principal Act is hereby amended-

(a) by the substitution for paragraph (c) of subsection (1) of the following paragraph:

"(c) The council may, after consideration of an application by a person not registered or deemed to be registered in terms of this Act, authorize him in writing to render, *subject to such conditions as the council may determine*, for gain a particular service deemed in terms of the rules to pertain specially to a veterinary profession or a pare-veterinary profession.";

(b) by the substitution for paragraph (d) of subsection (2) of the following paragraph:

"(d) performing any act which has as its purpose diagnosing, treating or preventing any pathological condition in any animal or which constitutes a surgical operation on any animal, and is deemed in terms of the rules to pertain specially to a veterinary profession **otherwise than in accordance with conditions of service with an employer approved by the council, by virtue of which any advantage, whether for a person himself or any other person, can be obtained by means of profit out of the sale of medicine or other substance, or by means of a donation or gift, or by means of the provision of accommodation, or by means of any other profit whatsoever, whether direct or indirect**."; and

(c) by the substitution for subsection (3) of the following subsection:

"(3) For the purposes of this Act **the practicing of a para-veterinary profession means any act referred to** *any reference* in subsection (2) (a) (ii), (b) or (c) **construed as if any reference therein** to a veterinary profession **were** *shall be deemed also to be* a reference to a pare-veterinary profession **as well as any act referred to in subsection (2)(d)**.".

Amendment of section 32 of Act 19 of 1982, as amended by section 11 of Act 19 of 1989

3. Section 32 of the principal Act is hereby amended by the insertion after subsection (6) of the following subsections:

"*(6A) Any person against whom an inquiry is instituted in terms of this section shall be entitled, without appearing before the council, to admit guilt by means of a sworn affidavit on any of or all the charges mentioned in the summons concerned.*

(6B) A sworn affidavit referred to in subsection (6A) shall be submitted to the council, or a committee established by the council under section 12.

(6C) The council or committee, as the case may be, may, after consideration of the sworn affidavit and if it deems it expedient, accept the admission of guilt, and, having regard to any mitigating factors, impose upon the person concerned any penalty mentioned in section 33(1)(a).".

Amendment of section 33 of Act 19 of 1982, as amended by section 12 of Act 19 of 1989

4. Section 33 of the principal Act is hereby amended by the deletion of subsection (7).

Short title

5. This Act shall be called the Veterinary and Para-Veterinary Professions Amendment Act, 1993.