

THE VETERINARY REGULATIONS, 1976

(Made by the Veterinary Board and approved by the Minister on the 24th day of September, 1976)

[1st October, 1976.]

PART I - Preliminary

1. These Regulations may be cited as the Veterinary Regulations, 1976.
2. In these Regulations "approved training institution" means an institution approved by the Board for the purposes of these Regulations as a training school or as a part of a training school.

PART II - Veterinary Surgeons

3. No person shall be registered as a veterinary surgeon unless he-
 - (a) holds a degree in veterinary surgery from a recognized university or a recognized college; or
 - (b) has any other qualification in veterinary surgery considered by the Board to be of at least an equivalent standard to that specified in paragraph (a); or
 - (c) has passed the examination referred to in regulation 4.

4.-(1) Where the Board is in doubt as to the standard of qualification or skill of an applicant for registration, it shall refer the application, together with all relevant documentary evidence of the courses of study undertaken by the applicant, the institution at which such courses were undertaken, and any examinations passed by the applicant to the Board of Examiners appointed by the Board pursuant to regulation 10. for determination.

- (2) On examining such application the Board of Examiners may-
 - (a) recommend to the Board that the name of the applicant be entered on the register; or
 - (b) conduct an examination in respect of the applicant; or
 - (c) recommend to the Board that the application be refused.

(3) A fee of fifty dollars shall be paid by the applicant to the Registrar in respect of an examination conducted pursuant to sub- paragraph (b) of paragraph (2).

5.-(1) Any person who satisfies the requirements for registration may apply to the Board in the form specified as Form A in the Schedule for registration as a veterinary surgeon.

(2) Any person who applies for registration as a veterinary surgeon in accordance with paragraph (1) and-

- (a) furnishes such satisfactory references as to character as the Board may require; and
- (b) pays a registration fee.

shall be registered as a veterinary surgeon and shall while so registered. be entitled to use the title "Registered Veterinary Surgeon" and to be subjected to an annual renewal fee. Such fees shall be determined by the Veterinary Board.

(3) Non-payment for two (2) consecutive years of the renewal fee would subject the veterinary surgeon to removal from the registry.

(4) The Board retains the privilege not to exercise the above stated penalty in view of any extenuating circumstances.

(5) Delinquent veterinary surgeons will be notified of their delinquency by registered mail at least three (3) months prior to removal of registration at their last known address.

6.-(1) A certificate of registration in the form specified as Form B in the Schedule shall be issued by the Registrar to every person registered as a veterinary surgeon in accordance with regulation 5.

(2) If a certificate of registration is lost or destroyed, the person to whom it was issued may apply to the Board for another certificate which shall be issued on payment by the applicant of a fee of four dollars. A certificate issued under this paragraph shall be clearly marked "DUPLICATE".

7. The register shall contain in respect to every veterinary surgeon the particulars specified in Form C of the Schedule.

8. The Registrar shall, during the period of twelve months commencing on the 1st day of October, 1976, and thereafter, on or before the 1st day of May in every year, publish in the *Gazette* the list of all registered veterinary surgeons.

9.-(1) Any person who desires to practice veterinary surgery in Jamaica for a limited period and who satisfies the requirements for registration specified in regulation 3, may apply to the Board in the form specified as Form A in the Schedule to be temporarily registered as a veterinary surgeon.

(2) Any such application shall be accompanied by a certificate signed by the Director of Veterinary Services stating the nature of the assignment which the applicant intends to undertake and the period of time for which the registration is required and by the registration fee.

(3) The Board may, after considering the application, direct the Registrar to enter the name of the applicant in the register of veterinary surgeons and to Cause a note to be made next to the entry in the register-

(a) that the registration is temporary; and

(b) of the period of the registration.

10. For the purposes of regulation 4 and regulation 12, the Board shall, from time to time, appoint a Board of Examiners consisting of three members of whom at least one shall be a member of the Government Veterinary Service.

PART III - Animal Health Assistants

11. No person shall be enrolled as an animal health assistant unless he-

(a) holds a certificate of proficiency from an approved training institution; or

(b) holds a certificate of proficiency in respect of a programme of training approved by the Board; or

(c) passes the examination referred to in regulation 12.

12. Where the Board is in doubt as to the standard of qualification or skill of an applicant for enrolment, it shall refer the application, together with all relevant documentary evidence of the training of the applicant, to the Board of Examiners for determination.

(2) On examining the application, the Board of Examiners may-

(a) recommend that the applicant be enrolled; or

(b) conduct an examination in respect of the applicant; or

(c) recommend that the application be refused.

(3) A fee of twenty-five dollars shall be paid by the applicant to the Registrar in respect of an examination conducted pursuant to sub-paragraph (b) of paragraph (2).

13.-(1) Any person who satisfies the requirements for enrolment may apply to the Board in the form specified as Form D in the Schedule for enrolment as an animal health assistant.

(2) Any person who applies for enrolment in accordance with paragraph (1) and-

- (a) furnishes such satisfactory references as to character as the Board may require; and
- (b) pays the enrolment fee of ten dollars, shall be enrolled as an animal health assistant and shall, while he is so enrolled, be entitled to use the title "Enrolled Animal Health Assistant".

14.-(1) A certificate of enrolment in the form specified as Form E in the Schedule shall be issued by the Registrar to every person enrolled as an animal health assistant in accordance with regulation 13.

(2) If a certificate of enrolment is lost or destroyed, the person to whom it was issued may apply to the Board for another certificate which shall be issued on payment by the applicant of a fee of two dollars. A certificate issued under this paragraph shall be clearly marked "DUPLICATE".

15. The roll shall contain in respect of every person registered as an animal health assistant the particulars specified in Form F in the Schedule.

16. The Registrar shall, during the period of 12 months commencing on the 1st day of October, 1976, and thereafter on or before the 1st day of May in every year, publish in the *Gazette* the list of all registered animal health assistants.

17.-(1) Any person who desires to work in Jamaica for a limited period as an animal health assistant and who satisfies the requirements for enrolment specified in regulation II, may apply to the Board in the form specified as Form D in the Schedule to be temporarily enrolled as an animal health assistant.

(2) Any such application shall be accompanied by a certificate signed by the Director of Veterinary Services stating the name of the registered veterinary surgeon under whose supervision the applicant proposes to work and the period of time for which the enrolment is required.

(3) The Board may, after considering the application, direct the Registrar to enter the name of the applicant in the roll of animal health assistants, and to cause a note to be made next to the entry in the roll-

- (a) that the enrolment is temporary;
- (b) of the period of the enrolment; and
- (c) of the name of the registered veterinary surgeon under whose supervision the animal health assistant proposes to work.

18.-(1) An enrolled animal health assistant may perform the following functions-

- (a) the preparation and sterilization of equipment;
- (b) the preparation of simple solutions;
- (c) the collection of blood samples, milk samples, faecal samples, parasitic specimens;
- (d) the collection of *post mortem* specimens and the preparation thereof for examination in a laboratory;
- (e) the handling of vaccines and the maintenance of biological products;

- (f) the vaccination of animals;
- (g) the restraint of all types of animals; .
- (h) the giving of assistance in the marking and identification of animals;
- (i) the preparation of records;
- (j) the performance of simple laboratory techniques as. for example. the making and examination of blood faecal smears;
- (k) the performance of minor surgical procedures as. for example, the treatment of wounds, the opening of abscesses and castration on the following animals-
 - (i) cattle up to eight months of age;
 - (ii) swine up to five months of age;
 - (iii) goats;
 - (iv) sheep;
- (l) the giving of advice to farmers and the explanation of programmes and methods of control;
- (m) the performance of any veterinary duty which he may be instructed to perform by the registered veterinary surgeon under whose supervision he works.

(2) An animal health assistant shall at all times perform his functions under the supervision of a registered veterinary surgeon.

(3) Any animal health assistant who contravenes the provisions of paragraph (2) shall be deemed to be guilty of professional misconduct.

PART IV - Disciplinary Proceedings

19. Where it is proved to the Board by the certificate of the competent officer of the court in which the proceedings took place that a registered veterinary surgeon or an enrolled animal health assistant has been convicted of a criminal offence which. in the opinion of the Board. renders him unfit to practice veterinary surgery. and that such conviction has not been quashed on appeal. the Board may forthwith and without further enquiry direct the Registrar to remove the name of such registered veterinary surgeon or enrolled animal health assistant from the register or the roll. as the case may be.

20.-(1) Where the Board receives a notification from the competent officer of any statutory veterinary body constituted outside Jamaica that a registered veterinary surgeon or an enrolled animal health assistant has been deprived of, or suspended from, membership of that body on the grounds of professional misconduct, the Board shall forthwith direct the Registrar to inform that registered veterinary surgeon or enrolled animal health assistant, as the case may be, by registered letter that the Board has received such notification and to invite him to show cause, within such period as the Board may allow-

- (a) why his name should not be removed from the register or the roll, as the case may be; or
- (b) why his registration or enrolment should not be suspended.

(2) Where-

- (a) no reply is received from the registered veterinary surgeon; or
- (b) the registered veterinary surgeon is unable to show cause as aforesaid,

the Board shall forthwith direct the Registrar to remove the name of that registered veterinary surgeon from the register or to suspend his registration, as the case may require.

(3) The action of the Board shall in due course be notified to the statutory veterinary body from which the notification as to the removal of the name from the register or the suspension was received.

21.-(1) Where, in relation to a registered veterinary surgeon or an enrolled animal health assistant, an allegation is made to the Board as to any of the matters mentioned in paragraph (a), (b) or (d) of sub-section (1) of section 13 of the Act, the Board shall direct the Registrar to write to such registered veterinary surgeon or enrolled animal health assistant, as the case may be-

- (a) notifying him of the allegation made against him;
- (b) forwarding a copy of any affidavit or other document relating to the allegation; and
- (c) inviting him to furnish within such period as the Board may specify, any written statement or explanation which he may desire to offer.

(2) In any case where the Board, having considered the allegation and the explanation, if any, given by the registered veterinary surgeon, or the enrolled animal health assistant, as the case may be (hereinafter in this Part referred to as "the respondent") is of the opinion that no *prima facie* case is made out, or that the allegations appear to be frivolous or vexatious, the Board shall direct the Registrar so to inform the complainant and the respondent in such terms as the Board may direct.

22. Where the Board, having considered the allegation and the explanation, if any, given by the respondent, is of the opinion that a *prima facie* case is made out and that the matter should proceed to a hearing, the board shall fix a day for the holding of an enquiry. 0

23.-(1) When the Board has fixed a day for the holding of an enquiry, the Registrar shall forthwith send to the respondent a notice in writing, specifying the nature and particulars of the charge against him, and informing him of the time and place at which the Board will hold an enquiry into the matter.

(2) Such notice shall be sent by registered post to the registered address of the respondent contained in the register or roll, as the case may be, or, if the Registrar has reason to believe that that address is not his current address, then to any later address which may be known to the Registrar, and shall be posted so as to allow not less than twenty-eight days to elapse between the day on which the notice is posted and the date fixed for the enquiry.

(3) A copy of such notice shall be sent to the complainant, if any, and to such other persons as the Board may direct.

(4) Any party to an enquiry may be represented at the hearing by an attorney-at-law, or other person, so, however, that if any party intends to be so represented he shall give not less than seven days' notice of such intention to the Registrar.

24.-(1) At the hearing of the case, the attorney-at-law, Registrar or other person appointed by the Board for the purpose shall first state to the Board the charge alleged against the respondent and the facts of the case, and shall submit the evidence in support of the charge and may call witnesses.

(2) The respondent or his representative shall be entitled to cross-examine any witness appearing against him on matters relevant to the charge.

25. – (1) When the statement of the charge and the evidence in support thereof are concluded, the respondent or his representative shall be invited to adduce evidence in answer to the charge and to call witnesses.

(2) The attorney-at-law, Registrar or other person appointed by the Board for the purpose shall be entitled to cross-examine any witnesses giving evidence for the respondent on matters relevant to the charge.

26. Whether the respondent adduces evidence or not in answer to the charge, he or his representative may address the Board and, where evidence is adduced, such address may be made either before or after such evidence.

27. At the conclusion of the case for the respondent, the attorney- at-law, Registrar or other person appointed by the Board for the purpose shall be entitled to reply upon the whole case.

28. If the respondent does not attend, either personally or by a representative, the Board may proceed to hear and determine the case in his absence.

29.-(1) Notes of the proceedings shall be taken by the Registrar or other person appointed by the Board for the purpose; and any party who appeared at the hearing shall be entitled to inspect the original or a copy thereof.

(2) Every person entitled to be heard upon any appeal against the findings of the Board shall be entitled to a copy of such notes on payment of the charges from time to time imposed by the Board.

30.-(1) Upon the conclusion of the case the Board, after considering all the relevant evidence, shall pronounce its decision either forthwith or at a later date in writing, or at a subsequent meeting.

(2) The Registrar shall, immediately after pronouncement by the Board of its findings, inform the respondent by registered letter of the decision of the Board, and shall, after twenty-eight days from the date of posting such letter, or, where there is an appeal, if such appeal is unsuccessful, remove the name of the respondent from the register or roll, as the case may be, if directed so to do by the Board, or take such other action as may be appropriate in any particular case to enforce the decision of the Board.

(3) The Registrar shall make a note beside the entry relating to the respondent in the register or the roll, as the case may be, of the decision of the Board.

(4) Where the Board directs that the name of the respondent be removed from the register or the roll, as the case may be, the Registrar shall notify the statutory veterinary body in any country where the Registrar is aware that the respondent is registered or enrolled under the laws of that country.

31.-(1) Any appeal to the Tribunal pursuant to section 15 of the 0 Act shall be commenced by notice in writing addressed to the Tribunal, and such notice shall be lodged with the chairman and a copy thereof delivered to the Registrar within twenty-one days from the date of the decision appealed against.

(2) Every such notice of appeal shall include-

(a) the name and address of the applicant;

(b) particulars of the decision of the Board against which the appeal is being made; (c) the grounds of appeal; and

(d) copies of all relevant correspondence and documents.

(3) Notwithstanding the provisions of paragraph (I), the Tribunal may hear and determine an appeal lodged after the time limit provided therein if in all the circumstances of the particular case the Tribunal considers it just and proper so to do.

PART V-*Restoration of Name to Register or Roll*

32.-(1) Where the name of a registered veterinary surgeon or an enrolled animal health assistant has been removed from the register or the roll, as the case may be, pursuant to section 13 of the Act, any application for its restoration to the register or roll shall be made in writing addressed to the Registrar and signed by the applicant, stating the grounds on which the application is made.

(2) The application shall contain the names and addresses of 0 three or more persons able and willing to identify the applicant and to give evidence as to his conduct, character, and the nature of his employment since the removal of his name from the register or roll, as the case may be, and such other evidence as the Board may require.

(3) Not less than two or more of the persons mentioned in paragraph (2) shall belong to one or more of the following categories -

- (a) Ministers of Religion;
- (b) Justices of the Peace;
- (c) registered veterinary surgeons;
- (d) enrolled animal health assistants.

33. The Board may require the applicant to verify by statutory declaration any statement made in his application, or any further statement which it may think necessary, and may, if it thinks fit, require the applicant to attend in person at a meeting of the Board at which the matter is to be considered.

34. If, upon consideration of the application and of the evidence furnished in support of it, the Board is satisfied that the name of the applicant should be restored to the register or the roll, it may direct the Registrar accordingly, and, upon payment by the applicant of the registration fee, his name shall be restored to the register or the roll, as the case may be, and a new certificate of registration or enrolment shall be issued to him.

35. Where the name of a person has been restored to the register or the roll under this Part, notification of that fact shall forthwith be sent by the Registrar to every statutory veterinary body to which notice was sent pursuant to regulation 30 when that name was removed from the register or the roll, as the case may be.

36.-(1) Where the Board receives a notification from a statutory veterinary body constituted outside Jamaica that they have restored to their register or roll, the name of a person whose name they had removed from their register or roll, and the name of that person was removed from the Register of Veterinary Surgeons or the Roll of Animal Health Assistants, the Board shall consider the matter and shall, if it thinks fit in all the circumstances and at its discretion, likewise restore the name of that person to the register or the roll, as the case may be, if he applies under and conforms to such of the provisions of this Part as the Board requires.

(2) The Registrar shall, as soon as practicable after the Board restores the name of a person to the register or the roll under paragraph (1), notify the fact of such restoration to the statutory veterinary body in any country in which the Board is aware that such person was registered or enrolled, as the case may be under the laws of that country