

No. 86

1st Session, 15th Legislature, Alberta
12 Elizabeth II

BILL 86

A Bill to amend The Veterinary Surgeons Act

HON. DR. ROSS

Explanatory Note

1. The Veterinary Surgeons Act, R.S.A. 1955, c. 359, amended.

**2. Definitions of "animal" and "veterinary medicine" are added.
Section 2, clause (b) presently reads:**

"(b) "certificate of registration" means a certificate showing the holder to be registered as a member of the association and entitled to practise as a veterinary surgeon or veterinarian;"

3. Section 4, clauses (a) and (b) presently read:

"4. The objects of the association shall be

(a) to encourage, promote and safeguard the health of livestock generally,

(b) to promote, encourage and develop veterinary science in the Province and, within the provisions of this Act, to regulate the ethical practice thereof,

....."

BILL

No. 86 of 1964

An Act to amend The Veterinary Surgeons Act

(Assented to _____, 1964)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. *The Veterinary Surgeons Act* is hereby amended.
2. Section 2 is amended
 - (a) by relettering clause (a) as clause (a1) and by adding before the relettered clause (a1) the following:
 - (a) "animal" means any living being of the animal kingdom other than a human being;
 - (b) as to clause (b) by striking out the words "practise as a veterinary surgeon or veterinarian" and by substituting the words "practise veterinary medicine",
 - (c) by adding the following clause after clause (f):
 - (g) "veterinary medicine" means any professional service usually performed by a veterinary surgeon or veterinarian including
 - (i) the application of surgery or medicine to animals,
 - (ii) the diagnosis or treatment of, and the prescribing, treating, manipulating or operating for the prevention, alleviation or correction of any disease, injury, pain, deficiency, deformity, defect, lesion, disorder or physical condition of animals, with or without the use of instruments, appliances, medicine, drugs, preparations or anaesthetics, and
 - (iii) the giving of advice in respect of any of the matters mentioned in subclauses (i) and (ii),with a view to obtaining a fee or salary.
3. Section 4 is amended
 - (a) as to clause (a) by striking out the words "live-stock generally" and by substituting the word "animals",

4. Section 9, subsection (5) presently reads:

"5. Notwithstanding the provisions of this section or of clause (c) of section 14, the council

- (a) may suspend the certificate of registration of any member who is in default of payment of his annual fee, including levies and contributions, for a period of one year, and
- (b) shall reinstate a certificate so suspended at any time upon payment of the fees in arrears at the date of suspension and a further sum of five dollars."

The new subsection (5) reduces the period that the annual fee must be in default from 1 year to 3 months before a member may be suspended. Payment of the arrears cancels the suspension without any further act being necessary on the part of the council.

5. Section 12, subsection (1), clause (b) presently reads:

"12. (1) The registrar shall register as a member every candidate qualifying under section 18,

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- (b) who is a Canadian Citizen or, if not, who has filed a declaration of intention under the Canadian Citizenship Act,
-"

The reference to section 18 is unnecessary as that section deals with academic qualifications, a matter dealt with in clause (c) of subsection (1) of section 12.

6. Section 13 reads:

"13. (1) A person admitted to membership by filing a declaration of intention under the Canadian Citizenship Act, shall, within a period of six years after registration, produce to the registrar a certificate of citizenship granted him under that Act and upon his failure to do so his name shall be erased from the register.

(2) Upon subsequently producing a certificate of citizenship the person referred to in subsection (1) may have his name restored to the register."

Section 13 is repealed as a result of the removal of clause (b) of subsection (1) of section 12.

7. Clauses (a), (b) and (d)—Section 12 sets out the requirements for persons wishing to be registered, one of which pertains to academic qualifications. Section 18 deals with academic qualifications only but subsections (4), (5) and (7) contain references implying that persons having academic qualifications are "entitled to registration". The references are thus removed to avoid any conflict with section 12.

(c) The present subsection (6) is rewritten to make it clear that the General Faculty Council may issue the certificate of qualification.

(b) by striking out clause (b) and by substituting the following:

(b) to promote, encourage and develop veterinary science in the Province,

(b1) subject to this Act, to regulate the practice of veterinary medicine in the Province.

4. Section 9 is amended by striking out subsection (5) and by substituting the following:

(5) Notwithstanding anything in this section or section 14, the council may suspend a member who is in default of payment of an amount owing by him to the association as an annual fee, levy or contribution, for a period exceeding three months, and upon payment of the amount owing and a fee of five dollars, the suspension is thereby cancelled.

5. Section 12, subsection (1) is amended

(a) by striking out the words "qualifying under section 18,"

(b) by striking out clause (b).

6. Section 13 is repealed.

7. Section 18 is amended

(a) as to subsection (4) by striking out the words "who is not entitled to registration under" and by substituting the words "other than an applicant referred to in",

(b) as to subsection (5) by striking out the words "and to be entitled to registration",

(c) by striking out subsection (6) and by substituting the following:

(6) The General Faculty Council may issue a certificate of qualification to any person who does not have satisfactory qualifications under subsection (5) or (7) if that person passes the examinations prescribed by the General Faculty Council.

(d) as to subsection (7) by striking out the words "be qualified and entitled to registration" and by substituting the words "have satisfactory qualifications".

8. The present section 21 reads:

"21. (1) A person who is not duly registered under the provisions of this Act shall not hold himself out to be a registered veterinary surgeon or veterinarian.

(2) A person not registered under this Act shall not

- (a) append to his name "Veterinary Surgeon" or "Veterinarian" or any abbreviation thereof, or
- (b) in any way practise or pretend to practise as a veterinary surgeon or veterinarian."

Section 21a is new. This provision will permit regulation by the council of any diagnostic or treatment service for animals where the service is operated by a corporation as a business or as part of its business.

9. Section 26, subsection (1) presently reads:

"26. (1) A person contravening any of the provisions of this Act is guilty of an offence and liable on summary conviction

- (a) for the first offence, to a fine of not less than twenty and not more than one hundred dollars or in default of payment to imprisonment for a term of not more than two months, and
- (b) for the second or subsequent offence, to a fine of not less than fifty and not more than two hundred dollars or in default of payment to imprisonment for a term of not more than four months."

10. Commencement of Act.

8. Section 21 is struck out and the following sections are substituted:

21. No person shall, unless he is a member of the association and not suspended from practice,

- (a) practise or pretend to practise veterinary medicine,
- (b) hold himself out as a veterinary surgeon, veterinarian or a person entitled to practise veterinary medicine,
- (c) use or assume the title, addition or description of "veterinary surgeon" or "veterinarian", or any abbreviation thereof, or
- (d) use or assume any title, addition or description implying that he is registered as a member of the association or is recognized by law as a person entitled to practise veterinary medicine.

21a. No corporation shall operate a diagnostic or treatment service for animals as a business or in conjunction with any other business carried on by it, except with the consent of the council and on such terms and conditions as the council may by by-law prescribe.

9. Section 26, subsection (1) is amended

- (a) by striking out the word "and" at the end of clause (a),
- (b) by striking out clause (b) and by substituting the following:
 - (b) for the second offence, to a fine of not less than fifty dollars and not more than two hundred dollars or in default of payment to imprisonment for a term of not more than four months, and
 - (c) for the third and every subsequent offence to imprisonment for a term of not more than six months.

10. This Act comes into force on the first day of July, 1964.

No. 86

FIRST SESSION

FIFTEENTH LEGISLATURE

12 ELIZABETH II

1964

BILL

An Act to amend The Veterinary
Surgeons Act

Received and read the

First time

Second time

Third time

HON. DR. ROSS
