

1967 Bill 66

Fifth Session, 15th Legislature, 15 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 66

An Act to amend The Veterinary Surgeons Act

THE MINISTER OF AGRICULTURE

First time

Second time

Third time

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An Act to amend The Veterinary Surgeons Act

(Assented to _____, 1967)

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 9 is amended

(a) as to subsection (3) by striking out clause (b) and by substituting the following:

(b) may

(i) suspend a member, or

(ii) expel a member, or

(iii) impose a fine not exceeding \$1,000 upon a member,

for misconduct or failure on the part of that member to comply with any by-law of the association imposing suspension or expulsion as a penalty for the breach thereof.

(b) as to subsection (4)

(i) by adding after the word "suspended" the word ", fined",

(ii) by adding after the word "suspension" the words ", a fine".

3. Section 14 is amended by adding after the words "may suspend from practice," the word "or may fine,".

4. Section 15, subsection (4) is amended as to clause (b) by adding at the end thereof the word "or" and by adding the following clause after clause (b):

(c) who has been fined,

5. Section 16, subsection (2) is amended by adding the following clause after clause (c):

(c1) cancel, reduce or increase the fine imposed,

6. This Act comes into force on the day upon which it is assented to.

Explanatory Notes

1. This Bill amends chapter 359 of the Revised Statutes.
2. These amendments provide for fines as a penalty in addition to expulsion or suspension. Section 9 (3) and (4) presently read:
 - (3) The council, in addition to such other powers as may be conferred upon it by the association,
 - (a) may discipline the members of the association, and
 - (b) may suspend or expel any member for misconduct or for failure to comply with any by-law of the association imposing suspension or expulsion as a penalty for the breach thereof.
 - (4) No person shall be suspended or expelled under the provisions of clause (b) of section 14 or otherwise for failure to comply with any by-law, except a by-law that imposes suspension or expulsion as a penalty for the breach thereof and that has been approved by the Lieutenant Governor in Council.
3. Consequential of amendments in clause 2 of this Bill. Section 14 presently reads:
 14. The council after an inquiry may order the erasure of the name of any member from the register, or may suspend from practice, any member
 - (a) who has been convicted of an indictable offence,
 - (b) who has violated any of the provisions of this Act or of the by-laws or rules of professional ethics of the association, or
 - (c) who has been guilty of malpractice or unbecoming, improper, unprofessional or criminal conduct in the practice of his profession.
4. Consequential of amendments in clauses 2 and 3 of this Bill. Section 15(4) presently reads:
 - (4) Any person
 - (a) whose name has been erased from the register, or
 - (b) who has been suspended from practice,may appeal from such order to a judge of the Supreme Court of Alberta at any time within six months from the date of the service of the order of the council upon him.
5. Self-explanatory. Section 16(2) presently reads:
 - (2) The judge, in his discretion, may receive further evidence either by oral examination or by affidavit.