
CHAPTER 245
VETERINARY SURGEONS
ARRANGEMENT OF SECTIONS

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CHAPTER 245

VETERINARY SURGEONS

An Act to make provision for the registration of persons qualified to practise veterinary surgery, the restriction of the practice thereof by unqualified persons and generally for the regulation of the practice of veterinary surgery and matters incidental thereto.

*24 of 1966
E L A O, 1974*

*[Assent 12th July, 1966]
[Commencement 1st April, 1967]*

1. This Act may be cited as the Veterinary Surgeons Act. Short title
2. In this Act, unless the context otherwise requires — Interpretation
- “animals” includes birds and reptiles;
- “Board” means the Veterinary Board established under the provisions of section 3 of this Act;
- “licensed” means licensed as a veterinary practitioner under the provisions of section 7 of this Act.
- “Minister” means the Minister responsible for Veterinary Services; *E L A O, 1974*
- “registered” means registered as a veterinary surgeon under the provisions of section 5 of this Act;
- “Register” and “Supplementary Register” mean respectively the Register and the Supplementary Register for which provision is made in section 5 of this Act;
- “Registrar” means the person appointed as such under the provisions of section 5 of this Act;
- “veterinary surgery” means the art and science of veterinary surgery and medicine and, without prejudice to the generality of the foregoing, shall be taken to include —
- (a) the diagnosis of diseases in, and injuries to, animals including tests performed on animals for diagnostic purposes;

- (b) the giving of advice based upon such diagnosis;
- (c) the medical and surgical treatment of animals; and
- (d) the performance of surgical operations on animals,

but shall not include the doing of anything specified in Part I of the Schedule to this Act and not excluded by Part II of that Schedule.

The Veterinary Board.

3. (1) There shall be a Veterinary Board which shall consist of—

- (a) the Director of Agriculture, who shall be the Chairman of the Board;
- (b) The Government Veterinary Surgeon;
- (c) one person qualified to be registered under this Act (and who is so registered after the Act is in operation), who shall be appointed by the Minister:

ELAO, 1974

Provided that at the date when this Act comes into operation the Board shall be deemed to be properly constituted by the persons holding the offices mentioned in paragraphs (a) and (b) of this subsection for the purpose of advising as to the qualifications for registration of any persons under consideration for appointment under the provisions of paragraph (c):

Provided further that instead of a person qualified in accordance with paragraph (c) the Minister may appoint a person who is registered as a qualified practitioner under the Medical Act and who is not in the public service.

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(2) Two members of the Board shall constitute a quorum. In the case and for the duration of any temporary absence or incapacity of any member of the Board, the Minister may appoint a person with suitable qualifications to be a temporary member.

ELAO, 1974

Duties of the Board.

- 4.** It shall be the duty of the Board—
- (a) to advise the Minister as to whether or not the qualifications of any applicant for registration are in accordance with the provisions of this Act;
 - (b) to advise the Minister as to whether or not any Commonwealth or foreign degree or diploma in veterinary surgery should be recognised for the purposes of section 6 of this Act;

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- (c) to make recommendations to the Minister, in accordance with the provisions of section 9 of this Act, in regard to disciplinary matters affecting persons who are registered or licensed;
 - (d) to issue such guidance, as from time to time appears to the Board to be desirable, in regard to matters of professional conduct of persons who are registered or licensed; and
 - (e) to advise the Minister in respect of any matter which the Minister refers to the Board relating to the practice of veterinary surgery or to the exercise of any powers conferred upon him under the provisions of this Act.

5. (1) The Minister shall be responsible for ensuring the maintenance, in accordance with the provisions of this Act, of a Register of veterinary surgeons and a Supplementary Register of licensed veterinary practitioners and may appoint a suitable person to perform the functions of Registrar in accordance with his directions.

Maintenance of
Register and
Supplementary
Register

(2) The Register shall contain particulars of the names, addresses and professional qualifications of all registered veterinary surgeons, the date upon which each entry therein, and any amendment thereto, was made and such other particulars as the Minister may direct. In any case where the particulars in respect of any entry are altered or the person concerned ceases to be entitled to be registered, the Registrar, as soon as possible, shall amend the Register accordingly.

(3) The Supplementary Register shall contain the names, addresses and such other particulars as the Minister may direct in respect of any persons licensed under the provisions of section 7 of this Act.

(4) The Minister shall cause correct copies of the entries in the Register and the Supplementary Register to be published in the *Gazette* once in each year:

Provided that the suspension from practice or the removal of the name of any person from the Register or the Supplementary Register shall forthwith be notified in the *Gazette*.

Qualifications
and procedure
for registration
as a veterinary
surgeon

6. (1) Any person who makes application to the Minister to be registered as a veterinary surgeon and who satisfies the Minister that —

- (a) he possesses a degree or diploma in veterinary surgery obtained in the United Kingdom and recognised in accordance with the law of that country as entitling him to be registered as a veterinary surgeon in the register kept by the Royal College of Veterinary Surgeons, and that he is so registered at the date of his application to the Minister; or
- (b) he possesses some other degree or diploma in veterinary surgery which is recognised by the Minister, acting on the recommendation of the Board, for the purposes of registration in accordance with the provisions of this Act,

shall be entitled to be registered upon payment of any prescribed fee.

(2) Any person making application to the Minister under the provisions of subsection (1) of this section shall send to the Minister for examination the document conferring or evidencing his qualifications for registration and such other particulars as may be prescribed or as may be required by the Minister in any particular case.

(3) Any person who wilfully makes a false statement or issues any false document in support of an application made under the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a fine of two thousand dollars or to imprisonment for six months or to both such fine and imprisonment.

5 cf 1987, s 2

Minister may
license persons as
veterinary
practitioners

7. (1) Where, on the representation of a society or institution which is wholly supported by voluntary contributions or endowments, or both, and which provides free medical or surgical treatment for animals, the Minister is satisfied that such society or institution cannot reasonably, within the scope of its financial resources or for other sufficient reasons, obtain the services of an adequate number of registered veterinary surgeons, the Minister may, if he thinks fit and subject to such conditions as may be provided therein, grant a licence under this section to any person employed or to be employed by such society or institution.

(2) During the continuance in force of a licence under the provisions of subsection (1) of this section, the holder thereof may in the course of his employment by the society or institution on whose representation the licence was granted, and subject to the conditions thereof, give such medical or other treatment or, for the relief of pain, perform such minor operations as may be authorised by the licence.

(3) It shall be a condition of the granting of a licence under this section that the society or institution in question undertakes not to employ the holder thereof in treating or operating on any animal unless its owner appears to the holder of the licence to be unable to afford the services of a registered veterinary surgeon or that the services of a registered veterinary surgeon are not readily available.

(4) In any case in which it appears to the Minister that the society or institution, or the holder of the licence, has acted in contravention of the provisions of this section or of the conditions specified in any licence, the Minister may, after giving both the holder of the licence and the society or institution in question an opportunity of being heard, revoke the licence or suspend it for such period as the Minister thinks fit.

8. (1) No person shall practise, or hold himself out as practising or as being prepared to practise, veterinary surgery unless he is registered or licensed under the provisions of this Act, or if, being so registered or licensed, he is suspended from practice under the provisions of section 10 of this Act.

Restriction on
practice of
veterinary
surgery

(2) No person, unless he is registered, shall take or use the title of veterinary surgeon or any name, title, addition or description implying that he is registered; and no person, unless licensed, shall use any, name, title, addition or description implying that he is licensed.

(3) Without prejudice to the provisions of subsections (1) and (2) of this section, no person shall use in connection with any business carried on by him, or at any premises at which such business is carried on, any description implying that he (or any person acting for the purposes of such business) is registered or licensed, when he or such person is not so registered or licensed, or possesses any veterinary qualifications which he does not in fact possess.

5 cf 1987, s 2

(4) Any person who acts in contravention of any of the provisions of subsection (1), (2) or (3) of this section shall be guilty of an offence and shall be liable on summary conviction to a fine of two thousand dollars.

(5) Where an offence under this section by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate purporting to act in that capacity, he, as well as the body corporate, shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(6) No prosecution for an offence under this section shall be brought without the leave of the Attorney-General.

Disciplinary
proceedings by
the Board

9. (1) The Minister may refer to the Board any matter which appears to him *prima facie* to involve an allegation of professional misconduct on the part of any person registered or licensed or other circumstances which may render any such person unfit to practise veterinary surgery, and it shall be the duty of the Board to investigate any such matter or circumstances and to make recommendations to the Minister in respect thereof.

(2) The Board acting under the provisions of subsection (1) of this section may recommend that the name of any person be removed from the Register or the Supplementary Register, as the case may be, or that any person be suspended from the practice of veterinary surgery for any period not exceeding one year, in any case in which the Board is satisfied that the person concerned —

- (a) has been guilty of disgraceful conduct in any professional respect; or
- (b) has been convicted, in The Bahamas or elsewhere, of a criminal offence, which, in the opinion of the Board, renders him unfit to practise veterinary surgery; or
- (c) has procured his name to be entered in the Register or the Supplementary Register by fraud or false pretence.

(3) In carrying out any investigation in accordance with the provisions of this section the Board shall send to

the person concerned a notice in writing of the allegation made and shall afford him an opportunity of being heard, either in person or represented by a legal practitioner.

(4) For the purposes of an investigation made under the provisions of this section, the Board may require evidence to be given on oath and the Chairman of the Board shall have the power to administer any oath and to issue summonses under his hand requiring the attendance of any person before the Board, at a time and place specified in any such summons, to give evidence on oath or to produce any document relevant to the subject matter of such investigation. Any such summons shall be served as if it had been issued by a magistrate and the attendance before the Board of any person so summoned, in case of default in compliance, may be enforced by a magistrate, upon application made to him by the Chairman of the Board, as if the proceedings before the Board were proceedings before such magistrate under the provisions of the Magistrates Act, or any law for the time being in force repealing and replacing that Act.

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10. (1) The Minister, acting in accordance with the recommendation of the Board made under the provisions of section 9 of this Act, may direct that any person, be suspended from the practice of veterinary surgery for a period not exceeding one year, or that the Registrar shall remove the name of any person from the Register or the Supplementary Register, as the case may be.

Suspension from practice, removal of name from register and appeals

(2) Before directing the suspension or the removal of the name of any person under the provisions of subsection (1) of this section the Minister shall serve notice in writing of his intention upon the person concerned, together with a copy of, or a summary of, the recommendation in that respect made to him by the Board.

(3) Any person who is aggrieved by any recommendation made by the Board for the removal of his name or his suspension from practice, as provided by this section, may appeal against such recommendation to the Supreme Court within such time and in such manner as may be provided by rules made under section 76 of the Supreme Court Act, but, pending the hearing of such appeal, such person shall be deemed to be suspended from practice with effect from the date of service of the notice referred to in subsection (2) of this section. In any such appeal the Minister shall be named as the respondent.

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Rules

11. The Minister may make rules for the purposes of this Act and without derogation from the generality of the power hereby conferred such rules may —

- (a) prescribe fees for registration of veterinary surgeons; and
- (b) provide for the procedure of the Board.

SCHEDULE (Section 2)

PART I

**TREATMENT AND OPERATIONS WHICH MAY BE
GIVEN OR CARRIED OUT BY UNQUALIFIED
PERSONS**

1. Any treatment given to an animal by the owner thereof, by another member of the household of which the owner is a member, or by a person in the employment of the owner or of any other member of such household.

2. Anything done by a person engaged or employed in agriculture to an animal owned by such person or by the person by whom he is ordinarily employed as an agricultural worker.

3. The rendering in an emergency of first aid to any animal for the purposes of saving life or relieving pain.

4. The destruction of any animal by painless methods.

5. The performance by any person of or above the age of eighteen years of any of the following operations —

- (a) castration or caaponizing;
- (b) the tailing of a lamb;
- (c) the docking of the tail of a dog before its eyes are open;
- (d) the amputation of the dewclaws of a dog before its eyes are open.

PART II
EXCLUSIONS FROM THE PROVISIONS OF PART I

Nothing in Part I of this Schedule shall authorise the castration by an unqualified person of any animal mentioned in the first column of the following table after it has reached the age specified in relation thereto in the second column of the said table —

TABLE

Horse, pony, ass or mule.....	2 years
Bull.....	15 months
Goat.....	15 months
Ram.....	15 months
Boar.....	9 months
Cat.....	6 months
Dog.....	6 months