

Do you want to participate in improving the law on Veterinary Profession in Malaysia?

Please help Malaysian Veterinary Council (MVC) to further improve the proposed draft of **Veterinary Practice Bill 201x**

This draft will be on the DVS Website for **3 months (till 31 May 2019)** to give everybody a chance to read and air his or her views. MVC appreciates beside the comments, if any and where possible, feedbacks on how to improve further on this proposed draft.

NO	GUESS OF THE PROPOSED VETERINARY PRACTICE BILL 201x	COMMENTS & FEEDBACKS TO IMPROVE THE PROPOSED DRAFT
1.	<p>Preamble. To establish the Council & Board, to register all vets and vet para-professionals, to regulate the practice of vet medicine in Malaysia and other related matters.</p>	
2.	<p>Part I – Short title & Interpretation.</p>	
3.	<p>Part II - The Malaysian Veterinary Council. All about the Council, function & powers, etc.</p>	
4.	<p>Part III – The Malaysian Veterinary Para-Professionals Board. All about the Board, function & powers, etc.</p>	
5.	<p>Part IV – Registration of Practitioner Chapter 1 - Register Appointment of registrar, the register, maintaining the register of vet and vet para-professionals, etc.</p>	
6.	<p>Part IV – Registration of Practitioner Chapter 2 – Registration Qualifications for registration as a vet and vet para-professionals, fitness to practice, registration of vet specialist and post-basic vet para-professionals, conditional registration, the Committees, etc.</p>	
7.	<p>Part IV – Registration of Practitioner Chapter 3 – Practicing Certificate Practicing certificate, annual practicing certificate, lifting or suspension, temporary practicing certificate for non-citizen, etc.</p>	
8.	<p>Part IV – Registration of Practitioner. Chapter 4 – General Practicing as vet para-professional, notification of change in registered address or practicing address, service of notice, community service of a practitioner, etc.</p>	

9.	<p>Part V – Private Veterinary Healthcare Facilities and Services. Vet bodies corporate and companies, requirement of certificate of approval or licence for a private veterinary healthcare facilities and services, etc.</p>	
10.	<p>Part VI – Disciplinary Proceedings. Handling complaints about registered practitioner by the Council and the Board, etc.</p>	
12.	<p>Part VII - Offences Main offences are fraudulent registration and bogus vet, other offences about registered practitioner, employing person not a registered vet para-professional, etc.</p>	
13.	<p>Part VIII – Enforcement. Appointment of authorised officer and their powers to act on offences against the Act, prosecution, etc.</p>	
14.	<p>Part IX - Miscellaneous. Compulsory service, powers to carry out inspection of premise, offences can be compound the Act, general penalty, exemptions, Code of Professional Conduct and Ethics, fees, power to amend Schedules, regulations, etc.</p>	
15.	<p>Part X – Repeal, dissolution and transitional. Deal with matters after the repeal of the existing Act to protect the Council, the registered practitioner, the civil and criminal cases, the contracts, etc.</p>	
16.	<p>Schedules – All-in the proposed Bill has seven Schedules. Provisions about the Council and the Board, Registrable Qualifications for Vet Surgeons, Vet Para-Professionals and Post-basic Vet Para-Professionals, Fees to be charged, Procedures that may be carried out by Vet Para-Professionals and Post-basic Vet Para-Professionals in Private Sector.</p>	

**THE PROPOSED
VETERINARY PRACTICE BILL 201x
(2nd. Draft)**

VETERINARY PRACTICE ACT 201x (Act	
ARRANGEMENT OF CLAUSES	
PART I	
PRELIMINARY	
<i>Clause</i>	
1.	Short title
2.	Interpretation
PART II	
THE MALAYSIAN VETERINARY COUNCIL	
3.	Establishment of the Malaysian Veterinary Council
4.	Functions of the Council
5.	Powers of the Council
6.	Composition of the Council
7.	Power of Minister to appoint members of the Council
8.	Disqualification from appointment, nomination or election
9.	Revocation and resignation
10.	The Malaysian Veterinary Council Fund
11.	Secretary to the Council
12.	Committees of the Council
13.	Delegation of the Council's functions or powers
14.	Allowances for members of the Council
15.	Appointment of employees of the Council
16.	Chief Executive Officer.
PART III	
THE MALAYSIAN VETERINARY PARA-PROFESSIONALS' BOARD	
17.	Establishment of the Malaysian Veterinary Para-Professionals' Board
18.	Functions of the Board
19.	Powers of the Board

<i>Clause</i>	
20.	Membership of the Board
21.	Powers of the Minister to appoint members of the Board
22.	Disqualification from nomination and appointment
23.	Revocation and resignation
24.	Secretary to the Board
25.	Appointment of Committees
26.	Appointment of employees of the Board
27.	Allowances for members of the Board, committees and other person
PART IV	
REGISTRATION OF PRACTITIONER	
Chapter 1	
<i>Register</i>	
28.	Registrar
29.	Register
30.	Alterations in the Register
31.	Removal of names from Register
32.	Restoration of name in the Register
Chapter 2	
<i>Registration</i>	
33.	Qualification for registration as a veterinary surgeon
34.	Qualification for registration as a veterinary para-professional
35.	Registration as a veterinary surgeon and veterinary para-professional
36.	Restriction on registration
37.	Fitness to Practice Panel
38.	Registration as a Veterinary Specialist
39.	Registration as a post-basic Veterinary Para-Professional

<i>Clause</i>	
40.	Conditional Registration
41.	Veterinary Qualifying and Accreditation Committee
42.	Veterinary Specialists' Qualifying Committee
Chapter 3	
<i>Practicing Certificate</i>	
43.	Practicing Certificate
44.	Annual Practicing Certificate
45.	Lifting of suspension
46.	Temporary Practicing Certificate
47.	Privileges of persons having a practicing certificate
48.	Display of certificate
Chapter 4	
<i>General</i>	
49.	Practicing as a veterinary para-professional
50.	Notification of practitioners in practice and change in registered address or practicing address
51.	Service of notice or correspondence
52.	Evidence of qualification to be given before entry in the Register
53.	Veterinary certificate
54.	Community service for a practitioner
55.	Exemption of full time Veterinary Surgeons on ships
56.	Publication of list of registered practitioners issued with practising certificates
PART V	
PRIVATE VETERINARY HEALTHCARE FACILITIES OR SERVICES	
57.	Veterinary bodies corporate and companies
58.	Requirement of certificate of approval or licence for a private veterinary healthcare facilities or services

PART VI	
DISCIPLINARY PROCEEDINGS	
<i>Clause</i>	
59.	Disciplinary authority
60.	Complaints Committee
61.	Complaints or information against practitioner
62.	Classification of complaints or information
63.	Preliminary Investigation Committee
64.	Disciplinary committee
65.	Dismissal of complaint
66.	Conduct of a disciplinary inquiry by the Council or the Board
67.	Disciplinary punishments
68.	Certificate to be returned
69.	Appeal
70.	Restoration of name in register
PART VII	
OFFENCES	
71.	Fraudulent registration
72.	Prohibition of practice of veterinary medicine by unregistered persons
73.	Falsely personating as a practitioner
74.	Penalty for registered veterinary surgeons falsely describing vocation
75.	Offences relating to practicing certificate
76.	Falsely displaying certificate
77.	Employing a person who is not a registered veterinary para-professional
78.	Covering
PART VIII	
ENFORCEMENT	
79.	Appointment of authorized officer

<i>Clause</i>	
80.	Production of official authority card
81.	Power to search and seize with warrant
82.	Power to search and seize without warrant
83.	Warrant admissible notwithstanding defect
84.	Access to records and computerized data
85.	List of things seized
86.	Release of things seized
87.	Power to seal
88.	Forfeiture of goods seized
89.	Cost of holding goods seized
90.	No cost or damages arising from seizure to be recoverable
91.	Obstructing authorized officer in his duties
92.	Institution of prosecution
PART IX	
MISCELLANEOUS	
93.	Compulsory service
94.	Period of service
95.	Power of Minister to grant reduction or complete exemption of compulsory service
96.	Inspection of premises used for the practice of veterinary medicine
97.	Duty to assist inspector
98.	Compounding of offences
99.	General Penalty
100.	Offences committed by a body corporate or a company
101.	Exemptions

<i>Clause</i>	
102.	Veterinary Practitioner authorized by Director General deemed to be a Government veterinary officer
103.	Liability of the Government for torts committed by non-Government practitioners while attending to patients at the request of or by arrangement with the Government
104.	Appointment of legal advisor
105.	Code of Professional Conduct and Ethics
106.	Guidelines and Directives
107.	The Council or the Board may require information
108.	Power of Minister to issue direction
109.	Returns, reports and information
110.	Public authorization Protection
111.	Public Servant
112.	Prescribed fees
113.	Power to amend Schedules
114.	Regulations
PART X	
REPEAL, SAVING AND TRANSITIONAL	
115.	Repeal and dissolution
116.	Transfer of powers, <i>etc.</i>
117.	Existing contracts
118.	Membership of the dissolved Council
119.	Savings for practicing certificate
120.	Savings for register
121.	Continuance of pending application, <i>etc.</i>
122.	Continuance of civil and criminal proceedings

<i>Clause</i>	
123.	Veterinary institution
124.	Reference in law or document to dissolved Council
125.	Reference to the repealed Act
	<i>First Schedule</i>
	<i>Second Schedule</i>
	<i>Third Schedule</i>
	<i>Fourth Schedule</i>
	<i>Fifth Schedule</i>
	<i>Sixth Schedule</i>
	<i>Seventh Schedule</i>

A BILL		
<i>Intituled</i>		
VETERINARY PRACTICE BILL 201x		
<p>AN Act to provide for the establishment of the Malaysian Veterinary Council and the Malaysian Veterinary Para-Professionals Board; to provide for the national registration of veterinary surgeon and veterinary para-professional; to regulate the practice of veterinary medicine in Malaysia; and for related matters.</p>		
[---Date of application---		
ENACTED by the Parliament of Malaysia as follows:		
Part I		
PRELIMINARY		
Short title and commencement		
1.	(1)	This Act may be cited as the Veterinary Practice Act 201x
	(2)	This Act comes into operation on a date to be appointed by the Minister by notification in the <i>Gazette</i> , and the Minister may appoint different dates for coming into operation of different provisions of this Act.
Interpretation		
2.	(1)	In this Act, unless the context otherwise requires-
<p>“Act” means the Veterinary Practice Act 201x and includes any regulations made under the Act;</p>		
<p>"animal" means any living creature other than a human being and includes any amphibian, arthropod, beast, bird, cephalopod, crustacean, fish, insect, mammal or reptile whether wild or tame, kept in captivity or under control or in the wild, including its carcass or part thereof, whether slaughtered or death, any product of animal, any specimens collected in the course of practice of veterinary medicine;</p>		
<p>“annual practising certificate” means the practicing certificate issued under section 44;</p>		
<p>“authorised officer” means any suitably qualified officer of the Ministry of Agriculture and Agro-Based Industries authorized under section 79;</p>		
<p>“authority card” means an authority card or a badge issued to the authorized officer under subsection 79(2);</p>		
<p>“Board” means the Malaysian Veterinary Para-Professionals’ Board established under section 17;</p>		

<p>“body corporate” means a body incorporated under the Companies Act 1965 [Act 125];</p>
<p>“certificate” means either the certificate of registration, certificate of registration as a specialist or post-basic veterinary para-professional, annual practicing certificate, temporary practicing certificate, certificate of conditional registration or any other certificate as may be determined by the Council or the Board from time to time and issued under this Act or its regulations but does not include sections 53 and 58;</p>
<p>“certificate of registration” means a certificate of registration issued under sections 35, 38, 39 and 40;</p>
<p>“Chairman” means the Chairman of the Malaysian Veterinary Para-Professionals’ Board established under section 17;</p>
<p>“community service” means veterinary practice carried out at premises other than those appearing on the practicing certificate, for which no fee is charged for the practice of veterinary medicine under section 54;</p>
<p>“Council” means the Malaysian Veterinary Council established under section 3;</p>
<p>“Council Secretary” means the Secretary to the Council appointed under section 11;</p>
<p>“degree or additional qualification” means a certificate, diploma, degree, fellowship, internship, license, membership, post-graduate qualifications, titles by way of examination or coursework granted by a recognized institution, college, corporation or body by appointment, conferment or recognition in Malaysia or outside of Malaysia approved by the Council or the Board under sections 30 and 52 of the Act;</p>
<p>“Director General” means the Director General of Veterinary Services, Malaysia;</p>
<p>“food production animal” includes cattle, buffalo, sheep, goat, pig, chicken, fish, aquatic animals, and all animals whose body parts whole or in part or produce of destined as food for human or animal consumption and excludes any animals that are reared or are for use in sport, equestrian pursuit, recreation and in competition;</p>
<p>“Head of Profession” means the Veterinary Para-Professional appointed by Director General as Head of Profession for Veterinary Para-Professionals who is a senior assistant veterinary officer in the Department of Veterinary Services;</p>
<p>“license to operate or provide” means a license to operate or provide a private veterinary healthcare facility or service granted under <i>paragraph 58(4)(c)(viii)</i>;</p>

<p>"licensee" means a body corporate or a company to whom a license to operate or provide a private veterinary healthcare facility or service granted under <i>paragraph 58(4)(c)(viii)</i> or reissued under <i>paragraph 58(4)(d)(ii)</i>;</p>
<p>"local training institution" means an institution of higher education which grants a veterinary degree and carries out all or part of its training within Malaysia;</p>
<p>"Minister" means the Minister at that time charged with the responsibility for veterinary matters;</p>
<p>"post-basic veterinary para-professional" means a veterinary para-professional whose name appears in Division B of the Veterinary Para-Professionals' Register, Malaysia;</p>
<p>"practice address" means the address or addresses appearing on the annual practising certificate referred to in section 44 or the temporary practising certificate referred to in section 46;</p>
<p>"practicing certificate" means the annual practicing certificate referred to in section 43;</p>
<p>"practitioner" means -</p> <ul style="list-style-type: none"> (a) a registered veterinary surgeon whose name appears in Division I or Specialist Division of the Veterinary Register; (b) a registered veterinary para-professional whose name appears in Division A or B of the Malaysian Veterinary Para-Professionals' Register; or (c) a temporary practicing certificate holder under section 46, <p>under the Act or its regulations and under sections 43, 44, 45, 47, 48, 50, 54, 56, 101, 102, 104 and subsection 75(3), it does not include a temporary practice certificate holder;</p>
<p>"prescribed" means prescribed under this Act or by regulations under this Act;</p>
<p>"premises" means any place or building whether permanent or temporary and includes a vehicle;</p>
<p>"President" means the President of the Malaysian Veterinary Council;</p>
<p>"Principal Director" means the senior veterinary officer in the public service in the Department of Veterinary Services, Malaysia;</p>

"private veterinary healthcare facility" means any premise operates or provides private veterinary healthcare facilities or services excluding Government facilities, in which one or more members of the public receive veterinary healthcare services for animals and such other veterinary healthcare or health-related premises as the Minister may from time to time, by notification in the *Gazette*, specify;

"private veterinary healthcare professional" includes a veterinary surgeon, pharmacist, veterinary para professional and other allied healthcare professional and other person involved in the giving of veterinary medical, health, dental, pharmaceutical or any other services in any premise operates or provide as a private veterinary healthcare facility excluding Government facilities;

"private veterinary healthcare services" includes various classes, categories or descriptions of services which include-

- (a) medical, dental, nursing, allied health, pharmacy, diagnostic and ambulance services and any other service provided by a veterinary healthcare professional;
- (b) accommodation for the purpose of any service provided under this Act;
- (c) any service for the screening, diagnosis, or treatment of animals suffering from, or believed to be suffering from, any disease, injury or disability;
- (d) any service for preventive, rehabilitative, geriatric, complementary, alternative and integrative medicine or promotive health purposes;
- (e) any service provided by any veterinary para-professional;
- (f) any service for curing or alleviating any abnormal condition of the animal body by the application of any apparatus, equipment, instrument or device or any other medical technology;
- (g) any other veterinary and veterinary public health-related services prescribed by the Council from time to time; or
- (h) a combination of any of the services provided above,

and excluding any such services provided by the Government;

"Professional Qualifying Examination" means any examination determined by the Veterinary Qualifying Committee, for assessment of candidates who-

- (i) possesses a registrable qualification listed under *Second Schedule* for registration under paragraph 33(1)(c);
- (ii) does not possess a registrable qualification listed under *Second Schedule* for registration under paragraph 33(2)(d);
- (iii) applies for conditional registration under paragraph 40(1)(b); or
- (iv) applies for temporary practicing certificate under paragraph 46(1)(b);

<p>“public services” has the meaning assigned to it in Article 132 of the Constitution and, in addition, it also means the service of any local authority or the service of any statutory authority exercising powers vested in it by Federal or State law, and the expression “public service” shall be construed accordingly;</p>
<p>“qualification” means any diploma, degree, fellowship, membership, license, authority to practice, letters, testimonial, certificate, or other status or document granted by any university, corporation, college, or other body, or by any department of, or persons acting under the authority of, the government of any country or place in or outside Malaysia;</p>
<p>“Register” means the Malaysian Register of Veterinary Surgeons, or Malaysia Register of Veterinary Para-Professionals, required to be maintained under section 29;</p>
<p>“registered” means registered under sections 35, 38 and 39;</p>
<p>“registered address” means the address appearing upon the certificate of registration issued under sections 35, 38 and 39 and includes 46;</p>
<p>“registered veterinary para-professional” means a person whose name appears in Division A or Division B of the Malaysian Register of Veterinary Para-Professionals, or both;</p>
<p>“registered veterinary specialist” means a registered veterinary surgeon whose name appears in the Specialists’ Division of the Veterinary Register;</p>
<p>“registered veterinary surgeon” means a veterinary practitioner whose name appears in Division I of the Veterinary Register;</p>
<p>“registrable qualification” means a qualification listed in <i>Second, Third and Fourth Schedules</i>;</p>
<p>“Registrar” means the Registrar of Veterinary Surgeons, Malaysia or the Registrar of Veterinary Para-Professionals’ Malaysia referred to in section 28, or both;</p>
<p>“resident” means practicing in a certain locality as defined by his principal practicing address;</p>
<p>“State Director” means the Director of Department of Veterinary Services of a State;</p>
<p>“society” means a non-governmental organization or a body incorporated under the Societies Act 1966 [Act 335];</p>
<p>“unregistered person” means a person not registered as a practitioner under this Act.</p>

<p>"veterinary healthcare services" includes various classes, categories or descriptions of services which include-</p> <ul style="list-style-type: none"> (a) medical, dental, nursing, allied health, pharmacy, diagnostic and ambulance services and any other service provided by a veterinary healthcare professional; (b) accommodation for the purpose of any service provided under this Act; (c) any service for the screening, diagnosis, or treatment of animals suffering from, or believed to be suffering from, any disease, injury or disability; (d) any service for preventive, rehabilitative, geriatric, complementary, alternative and integrative medicine or promotive health purposes; (e) any service provided by any veterinary para-professional; (f) any service for curing or alleviating any abnormal condition of the animal body by the application of any apparatus, equipment, instrument or device or any other medical technology; (g) any other veterinary and veterinary public health-related services prescribed by the Council from time to time; or (h) a combination of any of the services provided above, <p>both in public and private sectors;</p>
<p>"veterinary medicine" includes veterinary medicine per se as defined in subsection (2), surgery, obstetrics, animal husbandry and all other branches or specialties and complementary practices of veterinary medicine;</p>
<p>"veterinary para-professional practitioner" means a registered veterinary para-professional or a post-basic veterinary para-professional whose name appeared in Malaysian Register of Veterinary Para-professionals under subsection 29(3);</p>
<p>"Veterinary Para-Professionals' Register" means the Malaysian Register of Veterinary Para-Professionals required to be maintained under subsection 29(3);</p>
<p>"veterinary practitioner" means a registered veterinary surgeon or veterinary specialist whose name appeared in Malaysian Register of Veterinary Surgeons under subsection 29(1) and 29(3);</p>
<p>"Veterinary Register" means the Malaysian Register of Veterinary Surgeons required to be maintained under section 29;</p>
<p>"Veterinary Registrar" means the Registrar of Veterinary Surgeons, Malaysia referred to in section 28;</p>

	(2)	A person shall be deemed to practice veterinary medicine within the meaning of the Act who –
		<p>(a) treats or attempts to diagnose, inspect, prognose, treat or professes to alleviate, treat, cure, relieve, correct, change, nurse, reconstruct, restores or prevent any animal defect, deformity, disease, deficiency, illness, injury, lessen pain or other physical or nervous disorder conditions by any method or mode; including the-</p> <ul style="list-style-type: none"> <i>i.</i> performance of any medical or surgical procedure; <i>ii.</i> prescription, dispensing, administration, or application of any drug, medicine, biologic, apparatus, anesthetic, radiography, imaging or other therapeutic or diagnostic substance; <i>iii.</i> use of complementary, alternative, and integrative therapies, in animals which includes acupuncture, chiropractic, homeopathy, traditional medicine, aryuveda; <i>iv.</i> use of any procedure for reproductive management, assisted reproductive technology, including but not limited to the diagnosis or treatment of pregnancy, fertility, sterility, or infertility; <i>v.</i> determination of the health, fitness, or soundness of an animal, any animal experimentation and research; <i>vi.</i> take action in the prevention of the spread of disease, zoonoses, veterinary public health; <i>vii.</i> rendering of advice or recommendation by any with regards to any of the above; and <i>viii.</i> for practices recognized to be a duty of a veterinary surgeon as determined by the Council;
		<p>(b) the use of any apparatus, equipment, identification system, dental, imaging or X-ray or therapeutic or diagnostic substance or technique, laboratory diagnostic testing or necropsy, pathological examination of carcass and specimens in the course of practice of veterinary medicine, or perform any other act recognised to be a duty of a veterinary surgeon;</p>

		(c)	to represent, directly or indirectly, publicly or privately, an ability and willingness to do any act described in <i>paragraph (a)</i> above;
		(d)	to use any title, words, abbreviation or letters in a manner or under circumstances which is likely to induce the belief that the person using them is a veterinary surgeon; or
		(e)	holds himself out whether directly or indirectly as practising veterinary medicine.

Part II

THE MALAYSIAN VETERINARY COUNCIL

Establishment of the Malaysian Veterinary Council

3.	(1)	A body corporate by the name of Malaysian Veterinary Council is established.	
	(2)	The Council shall have perpetual succession and a common seal.	
	(3)	The Council may sue and be sued in its corporate name.	
	(4)	Subject to and for the purposes of this Act and upon such terms as it deems fit, the Council may-	
		(a)	enter into contracts;
		(b)	acquire, purchase, take, lease, hold, sell and enjoy movable and immovable property of every description; and
		(c)	convey, assign, surrender, yield up, charge, mortgage, demise, reassign, transfer or otherwise dispose of or deal with any movable or immovable property and any interest in any movable or immovable property, vested in the Council.

Functions of the Council

4	(1)	The Council shall have the following functions-	
		(a)	to recognize qualifications for registration of veterinary practitioners under this Act;
		(b)	To establish a register for all veterinary practitioners in Malaysia;

		(c)	to register and issue certificate to veterinary practitioners;
		(d)	to approve post-graduate qualifications to be registered as veterinary specialists;
		(e)	to register and issue certificates to veterinary specialists;
		(f)	to determine the criteria for registration of veterinary specialists;
		(g)	to regulate examinations for registration of veterinary surgeons;
		(h)	to enforce the period of compulsory service under section 93;
		(i)	to regulate the standards of practice of veterinary practitioners;
		(j)	to regulate the professional conduct and ethics of veterinary practitioners;
		(k)	to regulate the scope of veterinary practice of veterinary practitioners; and
		(l)	to do such other things as may be required or permitted to do under this Act.
Powers of the Council			
5.	(1)	The Council may do all things necessary or expedient for, or in connection with, performance of its functions under this Act.	
	(2)	Without prejudice to the generality of subsection (1), the Council may-	
		(a)	recognize institutions and qualifications for registration of veterinary practitioners under this Act;
		(b)	approve or reject any application for registration or practicing certificates as a veterinary practitioner or certification in accordance with criteria determined for the purposed under this Act, directive, guideline or regulations issued;
		(c)	determine the criteria for registration and practicing certificates of veterinary specialists;

		(d)	approve or reject any application for registration as a veterinary specialist or certification in accordance with this Act or regulations;
		(e)	determine any fees or penalties payable;
		(f)	issue certificates;
		(g)	issue directives and guidelines;
		(h)	borrow or raise money from time to time by bank overdraft or otherwise for any of the purposes specified in this section; and
		(i)	do such other things as may be necessary to enable it to carry out its functions effectively.
	(3)		Notwithstanding subsection (2), the Council may regulate any examination for veterinary practitioners for the purposes of admission for registration in Veterinary Register or for the purposes of granting a certificate of conditional registration or a temporary practicing certificate.
	(4)		The Council may-
		(a)	through the Minister, apply to the Minister of Finance for an annual allocation of money to be paid into the funds of the Council. There shall be an account to be managed by the Council and there shall be persons authorised to operate it;
		(b)	accumulate funds collected from fees, penalties and other monies payable under the Act or any regulation made thereunder and any fees, penalties and other monies not paid may be recoverable by the Council; and
		(c)	pay out of its funds the costs and expenses of any incidentals to the performance of the functions of the Council and its committees appointed under the Act.
Composition of the Council			
6.	(1)		The Council shall consist of the following members who shall be the officers of the Council and who shall be veterinary surgeons unless specified otherwise-
		(a)	the Director General who shall be the President or his nominee who shall be a senior veterinary surgeon in public service;

		(b)	Registrar of Veterinary Surgeons, Malaysia to be appointed by the Minister;
		(c)	the Head of the Veterinary Department/Authority of Sabah or his nominee, who shall be a veterinary surgeon in the public service to be appointed by the Minister;
		(d)	the Head of the Veterinary Department/Authority of Sarawak or his nominee, who shall be a veterinary surgeon in the public service to be appointed by the Minister;
		(e)	two veterinary surgeons, from among the staff of the veterinary faculties of local training institutions granting registrable qualifications from the public sector, to be appointed by the Minister;
		(f)	two veterinary surgeons to be appointed by the Minister;
		(g)	one veterinary surgeon from the public sector nominated and elected by the veterinary surgeons in the public sector to be appointed by the Minister;
		(h)	four veterinary surgeons from the private sector, nominated and elected by the veterinary surgeon resident in Peninsular Malaysia and Federal Territory of Labuan to be appointed by the Minister;
		(i)	one veterinary surgeon resident in Sabah to be nominated and elected by the veterinary surgeon resident in Sabah to be appointed by the Minister;
		(j)	one veterinary surgeon resident in Sarawak to be nominated and elected by the veterinary surgeon resident in Sarawak to be appointed by the Minister; and
		(k)	two registered Veterinary Para-Professionals who are members of the Veterinary Para-Professionals' Board nominated by the Veterinary Para-Professionals' Board and appointed by the Minister.
	(2)		No veterinary surgeon shall be appointed as a member under paragraphs (1)(c) to (j) unless the veterinary surgeon-
		(a)	is a citizen of Malaysia;
		(b)	resides in Malaysia;

		(c)	holds a current and valid annual practising certificate; and
		(d)	has been registered with the Council for not less than seven years.
	(3)	No veterinary surgeon shall be eligible to nominate or elect a member under paragraphs (1)(f) to (j) unless the veterinary surgeon is a citizen and holds a current and valid annual practising certificate.	
	(4)	The nomination and election of the members referred to in paragraphs (1)(f) to (j) shall be conducted in such manner as may be determined by the Council or delegated to the members of the veterinary surgeon profession on the procedures for nomination to the Council.	
	(5)	<u>No veterinary surgeon may at the same time serve as a member in more than one capacity.</u>	
	(6)	A veterinary surgeon may be appointed to be a member under paragraphs (1)(c) to (e) or elected to be a member under paragraphs (1)(f) to (j) notwithstanding that he has previously been a member under any paragraph of subsection (1).	
	(7)	The provisions of the <i>First Schedule</i> shall apply to the members of the Council.	
Power of Minister to appoint members of the Council			
7.	(1)	If the veterinary surgeons fail to nominate or elect as an officer of the Council, any of the veterinary surgeons referred to in paragraphs 4(1)(f) to (j) by such date as may be specified, the Minister may appoint in his place as a member a veterinary surgeon qualified to be so nominated or elected.	
	(2)	Any veterinary surgeon so appointed shall be deemed to be a member as if he had been duly nominated or elected.	
Disqualification from appointment, nomination or election			
8.	(1)	A veterinary surgeon shall not be qualified to be nominated, appointed or elected to be a member, as the case may be, under the provisions of paragraphs 4(1)(f) to (j) if –	
		(a)	he has been found guilty by a court of any offence involving fraud, dishonesty or moral turpitude, or of any offence punishable with imprisonment (whether in itself only or in addition to or in lieu of a fine);
		(b)	he is an undischarged bankrupt; or

		(c)	his name has at any time been struck off from the Veterinary Register or has since been removed from any register of veterinary practitioners maintained in any place outside Malaysia as a result of disciplinary proceedings.
	(2)	Any Veterinary surgeon whose name has been suspended from the Veterinary Register or who has been reprimanded under section 67, shall not be eligible to be appointed, nominated or elected, as the case may be, under any of the paragraphs 4(1)(f) to (j)-	
		(a)	in the case of a suspension, for a period of six years after the expiration of such suspension; or
		(b)	in the case of a reprimand, for a period of three years from the date of such reprimand.
	(3)	If a member who has been appointed or elected under the Act, is disqualified by reason of any provision of this Act, he shall be deemed to have vacated his seat.	
Revocation and Resignation			
9.	(1)	The Minister may at any time, after consulting the President, revoke the appointment of any member, appointed under paragraphs 4(1)(c) to (k) without assigning any reason.	
	(2)	Any member appointed under paragraphs 4(1)(c) to (k) may at any time resign his office by giving a written notice addressed to the President.	
The Malaysian Veterinary Council Fund			
10.	(1)	There is established a Fund to be known as the "Malaysian Veterinary Council Fund" to be controlled and administered by the Council.	
	(2)	The Fund shall consist of-	
		(a)	such sums as may be provided by the Government from time to time, for the purposes of this Act;
		(b)	all or any part of the fees for the registration of veterinary practitioners, certificate fees, administration charges or other charges imposed by or payable to the Council under this Act;

		(c)	all monies earned from consultancy and advisory services and any other services provided by the Council; or
		(d)	all other monies lawfully received by the Council, including interest.
	(3)	The Fund shall be expended for the following purposes-	
		(a)	paying any expenditure lawfully incurred by the Council.
		(b)	paying for remuneration, allowances or other expenses of the members of Council and committees and any other person invited to attend any meeting or deliberation of the Council and the Secretariat;
		(c)	paying any expenses, costs or expenditure in relation to the procurement of goods or services, including but not limited to the engagement of consultants, legal fees and costs and other fees and costs, properly incurred or accepted by the Council in the performance of its functions and the exercise of its powers under this Act; or
		(d)	generally, paying any expenses for carrying into effect the provisions of this Act.
Secretary to the Council			
11.	(1)	The Director General may appoint a veterinary officer employed by the Department of Veterinary Services, Ministry of Agriculture and Agro-based Industry to be the Secretary to the Council.	
	(2)	The Secretary shall be responsible for the following:	
		(a)	the day to day management of the affairs of the Council;
		(b)	the implementation of the decisions of the Council; and
		(c)	the carrying out of any other duties as directed by the Council.
	(3)	The Secretary to the Council shall, in carrying out his responsibilities, act under the power and direction of the Council.	
	(4)	The Director General may appoint one or more veterinary officer of Department of Veterinary Services to assist the Secretary to the Council.	
Committees of the Council			

12.	(1)	The Council may from time to time constitute one or more committees, as it thinks fit, and may delegate to them such of the Council's functions as the Council thinks fit.
	(2)	The Council may appoint any veterinary surgeon as chairman of any such committee.
	(3)	The Council may appoint any person as a member of any such committee.
	(4)	The quorum of any such committee shall be three, unless otherwise determined by the Council.
	(5)	A member of a committee shall hold office for such term as may be specified in his letter of appointment and is eligible for reappointment.
	(6)	The Council may revoke the appointment of any member of a committee without assigning any reason for the revocation.
	(7)	A member of a committee may, at any time, resign by giving a notice in writing to the President.
	(8)	The Council may, at any time, discontinue or alter the composition of a committee.
	(9)	A committee shall be subject to, and act in accordance with, any direction given to it by the Council.
	(10)	The meetings of a committee shall be held at such times and places as the chairman of the committee may determine.
	(11)	A committee may invite any person to attend any of its meetings or deliberations for the purpose of advising it or giving expert opinions on any matter under discussion but that person shall not be entitled to vote at the meeting.

Delegation of the Council's functions or powers

13.	(1)	The Council may, in writing, delegate any of its function and power, except the power to make subsidiary legislation, to-
	(a)	the Chairperson;
	(b)	a member of the Council;
	(c)	the Secretary of the Council;
	(d)	the Chief Executive Officer;

		(e)	a Committee of the Council; or
		(f)	a Sub-committee.
	(2)	Any person delegated with any such function and power shall be bound to observe and have regard to all conditions and restrictions imposed by the Council and all requirements, procedures and matters specified by the Council.	
	(3)	Any function or power delegated under this section shall be performed and exercised in the name and on behalf of the Council.	
	(4)	The delegation under this section shall not preclude the Council itself from performing or exercising at any time any of the delegated functions and powers.	
Allowances for members of the Council, etc.			
14.	The members of the Council, committees, sub-committee and any other person invited to attend any meeting or deliberation of the Council, the committees or sub-committee shall be paid such allowances or expenses as may be determined by the President.		
Appointment of employees of the Council			
15.	(1)	The Council may appoint or employ such number of employees on such terms and conditions as it may think desirable and necessary, who shall be paid such remuneration, allowances and benefits, and whose appointment shall be on such terms as the Council considers appropriate for carrying out the purposes of this Act.	
	(2)	No person shall be eligible for employment as an employee of the Council if he has, directly or indirectly, by himself or his partner, any share or interest in any contract or proposed contract with, for or on behalf of the Council.	
Chief Executive Officer			
16.	(1)	The President may appoint a Chief Executive Officer after consultation with the Council, on such terms and conditions as the Council may determine.	
	(2)	The Chief Executive Officer shall be the Executive Secretary to the Council and be responsible for –	
		(a)	the overall administration and management of the functions and affairs of the Council;
		(b)	carrying out the decisions and directions of the Council;

		(c)	managing the functions, programmes, staff and other resources of the Council and ensuring compliance with the mandate and objectives of the Council;
		(d)	preparing strategic plans, programmes and budgets for the consideration of the Council; and
		(e)	executing all the plans, programmes and projects of the Council for effective and optimal performance.
	(3)	The Chief Executive Officer shall have general control of the employees of the Council.	
	(4)	The Chief Executive Officer shall perform such further acts and duties as the Council may direct.	
	(5)	In discharging his duties, the Chief Executive Officer shall act under the general authority and direction of the Council.	
	(6)	The President may appoint any member or officer of the Council to perform the functions of the Chief Executive Officer –	
		(a)	if for any period, the Chief Executive Officer is unable, by reason of illness, leave of absence or any other cause, to perform his functions; or
		(b)	during any period of vacancy in the office of the Chief Executive Officer.

PART III

THE MALAYSIAN VETERINARY PARA-PROFESSIONALS' BOARD

Establishment of the Malaysian Veterinary Para-Professionals' Board

17.	(1)	There shall be established a Board called the "Malaysian Veterinary Para-Professionals' Board" to be responsible for all matters connected with Veterinary Para-Professionals in Malaysia.	
	(2)	The Board shall have perpetual succession and a common seal.	

Functions of the Board

18.	(1)		The Veterinary Para-Professionals' Board shall have the following functions-
		(a)	to establish a register for all veterinary para-professional's practitioners in Malaysia;
		(b)	to register and issue certificates to veterinary para-professional's practitioners;

		(c)	to regulate the standards of practice of veterinary para-professional's practitioners; and
		(d)	to regulate the professional conduct and ethics of veterinary para-professional's practitioners; and
		(e)	to do such other things as may be required or permitted to do under this Act.
	(2)	Notwithstanding subsection (1), the Veterinary Para-Professionals' Board may regulate any examination for veterinary para-professional's practitioners for the purposes of admission to the Malaysian Register of Veterinary Para-Professionals or for purposes of granting a temporary practicing certificate.	
Powers of the Board			
19.	To carry out its functions, the Veterinary Para-Professionals' Board will have the power –		
		(a)	to approve or refuse any application for registration or certification of veterinary para-professional's practitioners in accordance with this Act or its regulations;
		(b)	to determine any fees or penalties payable;
		(c)	to issue certificates; and
		(d)	to do such other things as may be necessary to enable it to carry out its functions effectively.
Membership of the Board			
20.	(1)	The Board shall consist of the following members-	
		(a)	The Principal Director of Department of Veterinary Services who shall be the chairman;
		(b)	The Head of Profession of the Veterinary Para-Professionals, who shall be the Registrar of Veterinary Para-Professionals, Malaysia;
		(c)	One Council's member nominated by the President and appointed by the Minister;
		(d)	One veterinary para-professional who is employed in the Department of Veterinary Services, nominated by the Director General and appointed by the Minister;
		(e)	Two veterinary para-professionals who are members of the academic staff of any of the local training institutions

			granting registrable qualifications for the training of Veterinary Para-Professionals, nominated by the President and appointed by the Minister;
		(f)	Two registered veterinary para-professionals residing in Peninsular Malaysia, nominated by the veterinary para-professionals residing in Peninsular Malaysia including Federal territory of Labuan and appointed by the Minister;
		(g)	One registered veterinary para-professionals residing in Sabah, nominated by the veterinary para-professionals residing in Sabah and appointed by Minister; and
		(h)	One registered veterinary para-professionals residing in Sarawak, nominated by the veterinary para-professionals residing in Sarawak and appointed by Minister.
	(2)	No veterinary para-professional shall be appointed as a member of the Board unless the Veterinary Para-Professional –	
		(a)	is a citizen of Malaysia;
		(b)	resides in Malaysia; and
		(c)	holds a valid practising certificate.
	(3)	A veterinary Para-professional may be appointed to be a member of the Board under subsection (2) notwithstanding that he has previously been a member of the Board under any of the paragraphs of subsection (2).	
	(4)	Without prejudice to subsection (5), the Chairman of the Board may delegate any of his functions to the Registrar of Veterinary Para-Professionals, Malaysia who, in exercising such functions, shall be subject to the control, supervision and direction of the Chairman of the Board.	
	(5)	The provisions of the First Schedule shall apply to the members of the Board.	
Powers of the Minister to appoint members of the Board			
21.	If the veterinary para-professionals failed to nominate any of the veterinary para-professional referred to in paragraphs 21(2)(g) to (i) by such date as may be prescribed, the Minister shall appoint in his place as a member of the Veterinary Para-Professionals' Board, and any veterinary para-professionals so appointed shall be deemed to be a member of the Veterinary Para-Professionals' Board as if he had been duly nominated.		
Disqualification from nomination and appointment			

22.	(1)	A veterinary para-professional shall not be qualified to be nominated and appointed to be a member of the Veterinary Para-Professionals' Board, under paragraphs 20(1)(d) to (h)-	
		(a)	if he has been found guilty by a court of any offence involving fraud, dishonesty or moral turpitude, or of any offence punishable with imprisonment (in itself only or in addition to or in lieu of a fine);
		(b)	if he is an undischarged bankrupt; or
		(c)	If his name has at any time been struck off from the Veterinary Para-Professionals' Register; or has been removed from any register of Veterinary Para-Professionals maintained outside Malaysia as a result of disciplinary proceedings.
	(2)	A veterinary Para-professional whose name has been suspended from the Veterinary Para-Professionals' Register or who has been reprimanded under section 67 shall not be eligible to be nominated or appointed, under paragraphs 20(1)(d) to (h)-	
		(a)	in the case of a suspension, for a period of six years after the expiration of such suspension; or
		(b)	in the case of a reprimand, for a period of three years from the date of such reprimand.
	(3)	If a Veterinary Para-Professionals' Board member who has been appointed, under paragraphs 20(1)(d) to (h) is disqualified by reason of any provision of this Act, to be nominated and appointed, he shall be deemed to have vacated his seat.	
Revocation and resignation			
23.	(1)	The appointment of any member of the Veterinary Para-Professionals' Board under paragraphs 20(1)(d) to (h) may, at any time, be revoked by the Minister after consultation with the Veterinary Para-Professionals' Board, without assigning any reason.	
	(2)	A member of the Veterinary Para-Professionals' Board may at any time resign his office by written notice addressed to the Chairman of the Board.	
Secretary to the Board			
24.	(1)	The Director General shall appoint an officer of the Department of Veterinary Services, Ministry of Agriculture and Agro-based Industries to be the Secretary of the Veterinary Para-Professionals' Board	

	(2)	The Director General may appoint one or more veterinary para-professionals who are employed by the Department of Veterinary Services, Ministry of Agriculture and Agro-based Industries to be Assistant Secretaries of the Veterinary Para-Professionals' Board.
Appointment of committees		
25.	(1)	The Veterinary Para-Professionals' Board may appoint one or more committees to assist it in carrying out its functions under this Act or its regulations.
	(2)	The Veterinary Para-Professionals' Board may delegate any of its functions to any of the committees formed by it.
	(3)	A delegation under subsection (2) is revocable by the Veterinary Para-Professionals' Board and shall not prevent the Veterinary Para-Professionals' Board from carrying out any of its functions under this Act.
	(4)	The quorum of any such committee shall be three, unless determined otherwise by the Veterinary Para-Professionals' Board.
Appointment of employees of the Board		
26.	(1)	The Veterinary Para-Professionals' Board may appoint or employ such number of employees on such terms and conditions as it may think desirable and necessary, who shall be paid such remuneration, allowances and benefits, and whose appointment shall be on such terms as the Veterinary Para-Professionals' Board considers appropriate for carrying out the purposes of this Act.
	(2)	No person shall be eligible for employment as an employee of the Veterinary Para-Professionals' Board if he has, directly or indirectly, by himself or his partner, any share or interest in any contract or proposed contract with, for or on behalf of the Veterinary Para-Professionals' Board.
Allowances for members of the Board, committees and other person		
27.		The members of the Board and committees and any other person invited to attend any meeting or deliberation of the Board and the committees shall be paid such allowances or expenses as may be determined by the President.
PART IV		
REGISTRATION OF PRACTITIONER		
Chapter 1		
<i>Register</i>		

Registrar		
28.	(1)	For the purpose of this Act there shall be-
		(a) a Registrar of Veterinary Surgeons, Malaysia; and
		(b) a Registrar of Veterinary Para-Professionals, Malaysia.
	(2)	The Senior Division Director who is a senior veterinary surgeon of Department of Veterinary Services appointed by the Minister shall be the Registrar of Veterinary Surgeons, Malaysia who shall have the following functions-
		(a) the issuance of certificates to veterinary practitioners;
		(b) the issuance of approval certificates and licences under this Act or its regulations; and
		(c) the custody and maintenance of- <ul style="list-style-type: none"> <i>i.</i> the Register of Veterinary Surgeons, Malaysia; <i>ii.</i> the Temporary Practicing Certificates Register; and <i>iii.</i> the Conditional Registration Register.
	(3)	The Head of Profession of Veterinary Para-Professionals of Department of Veterinary Services shall be the Registrar of Veterinary Para-Professionals, Malaysia who shall have the following functions:
		(a) the issuance of certificates to veterinary para-professionals; and
		(b) the custody and maintenance of the Register of Veterinary Para-Professionals, Malaysia and the Veterinary Para-Professionals' Temporary Practicing Certificates Register.
	(4)	The Minister may appoint a veterinary surgeon who is a public officer, who need not be a member of the Council, to be the Deputy Registrar of Veterinary Surgeons, Malaysia.
	(5)	The Registrar of Veterinary Surgeons, Malaysia may delegate any of his functions under this Act or any regulations made under this Act to the Deputy Registrar of Veterinary Surgeons who, in exercising such functions, shall be subject to the control, supervision and direction of the Registrar.
Register		

29.	(1)	There shall be a register for all registered veterinary surgeons to be known as the Malaysian Register of Veterinary Surgeons under this Act or its regulations and shall contain such particulars as may be specified by the Council.	
	(2)	The Malaysian Register of Veterinary Surgeons under subsection (1) shall be kept in two Divisions as follows:	
		(a)	Division I, which shall be in respect of persons registered as veterinary surgeons;
		(b)	Specialist Division, which shall be in respect of persons registered as veterinary specialists.
	(3)	There shall be a register for all registered veterinary para-professional's practitioners to be known as the Malaysian Register of Veterinary Para-Professionals under this Act or its regulations and shall contain such particulars as may be specified by the Board-	
		(a)	Division A, which shall be in respect of persons registered as veterinary para-professionals; and
		(b)	Division B, which shall be in respect of persons registered as post-basic veterinary para-professionals.
	(4)	The Register of Conditional Registration for Veterinary Surgeons shall consist of names and other particulars of persons registered under section 40.	
	(5)	The Veterinary Practitioners' Temporary Practicing Certificate Register and the Veterinary Para-Professional's Practitioners Temporary Practicing Certificate Register shall consist of names and other particulars of persons registered under section 46.	
	(6)	The entry and record of each register by the Registrar under subsections (2), (3), (4) and (5) shall be deemed to be a public document within the meaning of the Evidence Act 1950 [Act 56].	
	(7)	Any person may upon an application and on payment of the fee as prescribed in the <i>Fifth Schedule</i> , obtain a written extract of an entry of a practitioner in any of the register under subsection (6).	
	(8)	The registers under subsection (6) shall be maintained in both physical and electronic forms as prescribed by the respective Registrar.	
Alterations in the Register			

30.	(1)	The Registrar may, from time to time, insert and attest or in any other form he deems fit, in the Register, as the case may be-	
		(a)	any alteration which may come to his knowledge in the name or address of any practitioner registered or issued with certificate under this Act; and
		(b)	any alterations in the qualifications, additional qualifications and other particulars as under this Act are required to be altered.
	(2)	Any person registered under this Act who obtains any degree and additional veterinary qualification other than the qualification with which he was registered may apply in such form and manner and accompanied with such documents and particulars to the Council or the Board with a prescribed fee as in <i>Fifth Schedule</i> to alter the Register so far as it relates to his qualifications.	
	(3)	The Council or the Board, if satisfied that the applicant is entitled to the qualifications in respect of which the application is made and that such qualification is of sufficient standing to warrant its being entered in the Register, cause the Registrar to alter the register accordingly by insertion therein of the particulars of such qualification and issue a certificate of such alteration.	
	(4)	The Council or the Board shall decide what other degrees or additional qualifications shall be admitted and to be entered in the Register.	
	(5)	The Registrar shall strike off from the respective Registers, as the case may be the name of such person whose registration is revoked or suspended under this Act by making an endorsement against the name.	
Removal of names from Register			
31.	(1)	The Registrar shall revoke and remove from the Malaysian Register of Veterinary Surgeons or Malaysian Register of Veterinary Para-Professionals, as the case may be, the name and other particulars of a practitioner—	
		(a)	who has died;
		(b)	who is no longer practising veterinary medicine;
		(c)	who has, after due inquiry by a Fitness to Practice Panel, been found to be unfit to perform his professional duties by reason of his mental or physical infirmity or been found to be incompetent to carry out his professional duties as a practitioner; or

		(d)	who has, after due inquiry by the Council or the Board, as the case may be, been found to have been registered through an error as to his qualifications for registration and was not at the time of his registration entitled to be registered.
	(2)	The Registrar shall notify the practitioner of the removal of his name under paragraph (1)(b), (b) or (c) in the Register, as the case may be.	
	(3)	The Registrar shall publish in the <i>Gazette</i> the names of every practitioner whose registration has been removed under paragraph (1)(b), (c) or (d), as the case may be.	
Restoration of name in Register			
32.	(1)	Where the registration of a practitioner has been removed under paragraph 31(1)(b) or (c), he may apply to the Council or the Board, for his name to be restored to the Register, as the case may be.	
	(2)	The Council or the Board, may at its discretion, upon application made to it, order that the name of the applicant be restored in the Register, as the case may be, subject to such conditions and restrictions as he may impose, or may reject the restoration of the name.	
	(3)	Any practitioner whose name has been removed from the Register by virtue of paragraph 31(1)(c) shall not be registered again unless he has been certified by a Fitness to Practice Panel that his mental or physical condition, warrants such registration.	
Chapter 2			
<i>Registration</i>			
Qualifications for Registration as a veterinary surgeon			
33.	(1)	Subject to the provisions of this Act and the regulations under it, a Malaysian citizen may apply to the Veterinary Registrar if-	
		(a)	he holds a qualification listed under the <i>Second Schedule</i> ;
		(b)	he proves to the satisfaction of the Veterinary Registrar his identity and that he is fit and proper person and is of good character; and
		(c)	he, having fulfilled the requirements under paragraphs (a) and (b), passes the Professional Qualifying Examination conducted by the Veterinary Surgeons Qualifying Committee.

	(2)	Notwithstanding paragraph (1)(a), a Malaysian citizen who <u>does not hold a registrable qualification</u> listed under the <i>Second Schedule</i> , may be registered as a veterinary surgeon upon application to the Veterinary Registrar if-	
		(a)	he proves to the satisfaction of the Council that he has been trained in a training institution where the standard of veterinary training and examination is to the standard specified by the Council;
		(b)	he proves to the satisfaction of the Council that he has been awarded a qualification by a training institution referred to other than in paragraph (a);
		(c)	he proves to the satisfaction of the Council his identity and that he is fit and proper person and is of good character; and
		(d)	he after having fulfilled the requirements under paragraphs (a) to (c), passes the Professional Qualifying Examination conducted by the Veterinary Qualifications and Accreditation Committee as determined by the Council.
	(3)	Notwithstanding subsection (2), the Council may-	
		(a)	specify further training before allowing a person to sit for the examination referred to in paragraph (2)(d); and
		(b)	conduct the examination referred to in paragraph (2)(d) at a prescribed institution.
Qualification for registration as a Veterinary Para-Professional			
34.	Subject to the provisions of this <i>Part</i> , a Malaysian citizen may apply to be registered as a veterinary para-professional upon application to the Registrar of Veterinary Para-Professionals in the prescribed form if-		
		(a)	he holds any of the qualifications listed under the <i>Third Schedule</i> , granted by an institution specified in relation to that qualification; and
		(b)	he has proven to the satisfaction of the Registrar of Veterinary Para-Professionals his identity and that he is fit and proper person and of good character.
Registration of veterinary surgeon and veterinary para-professional			
35.	(1)	An application for registration—	

		(a)	as a veterinary surgeon, shall be made to the Registrar of Veterinary Surgeons; and
		(b)	as a veterinary para-professional, shall be made to the Registrar of Veterinary Para-Professionals.
	(2)	The application under subsection (1) shall be made in the prescribed form together with the documents, information and particulars as may be determined by the Council or the Board, as the case may be, and such application shall be accompanied by the fee as prescribed in the <i>Fifth Schedule</i> .	
	(3)	The Registrar shall consider the application under subsection (1) and may require the applicant to produce further information or documents in support of the application.	
	(4)	Where the Veterinary Registrar approves the application under subsection (1) in relation to a veterinary surgeon, he shall issue a certificate of registration to the applicant and enter his name in Division I of the Veterinary Register with or without terms and conditions of practice in the prescribed form.	
	(5)	Where the Registrar of Veterinary Para-Professionals approves the application under subsection (1) in relation to a veterinary para-professional, he shall issue a certificate of registration to the applicant and enter his name in Division A of the Malaysian Register of Veterinary Para-Professionals with or without terms and conditions of practice in the prescribed form.	
	(6)	Where the Registrar refuses the application under subsection (1), he shall by a notice in writing notify the applicant and assigning reasons of such decision by the Council or the Board as the case may be.	
	(7)	Any applicant who is aggrieved by the decision of the Registrar, under subsection (6) may, within thirty days from the date of the notice in subsection (6), appeal in writing to the Council or the Board, as the case may be, or appear before the Council or the Board, as the case may be, and be heard personally or through his advocate and solicitor.	
Restriction on registration			
36.	(1)	The Council or the Board may direct the Registrar, not to enter the name of any person applying for registration as a veterinary surgeon or a veterinary para-professional as the case may be, in the Register, if—	
		(a)	he has, at any time, been found guilty of an offence involving fraud, dishonesty or moral turpitude or an

			offence punishable with imprisonment, whether in itself only or in addition to or in lieu of a fine;
		(b)	he has, after due inquiry, been found by the Council or the Board as the case may be, to have been guilty of infamous conduct in any professional respect in or out side Malaysia, or to be otherwise not of good fame and character;
		(c)	he has contravened any provisions of this Act or any regulations made under this Act;
		(d)	his name has since been removed from the Register or from the roll of any institution or licensing body maintained in any place outside Malaysia, as a result of any misconduct or disciplinary proceedings; or
		(e)	he has, after due inquiry by a Fitness to Practice Panel, been found to be incapable by reason of physical or mental infirmity, or been found to be incompetent to perform his professional duties.
	(2)	Where the Council or the Board as the case may be, refuses to enter the person's name in the Register, the Registrar shall notify such person in writing as soon as practicable of the refusal.	
	(3)	Upon the inquiry under paragraph (1)(e), the applicant shall be entitled to appear before the Council or the Board, as the case may be, and be heard personally or by his advocate and solicitor.	
Fitness to Practice Panel			
37.	(1)	The Council or the Board may establish an ad hoc Fitness to Practice Panel to evaluate the medical condition of a practitioner.	
	(2)	The Fitness to Practice Panel shall consist of the following members:	
		(a)	two Government medical practitioners, one of whom shall be a specialist; and
		(b)	one veterinary surgeon, who shall be the chairperson.
	(3)	In addition to the members specified in subsection (2), the Council or the Board shall appoint a veterinary para-professional to be a member of the Fitness to <u>Practise</u> Panel in cases where the Fitness to Practise Panel is required to evaluate the medical condition of a veterinary para-professional.	
	(4)	The Fitness to Practice Panel—	

		(a)	shall, by a notice in writing, require the practitioner to submit a medical report from a Government hospital in the prescribed form within two months from the date of the notice; and
		(b)	may, by a notice in writing, require the practitioner to appear before the Fitness to Practice Panel on a date, time and place as specified in the notice.
	(5)	The Fitness to Practice Panel shall report on its findings and make a recommendation to the Council or the Board, as the case may be, within four months of the date of the appointment of such Fitness to Practice Panel.	
Registration as veterinary specialist			
38.	(1)	A veterinary surgeon may apply to be registered as a veterinary specialist if—	
		(a)	he is registered in Division I of the Veterinary Register;
		(b)	he holds any post-graduate specialist qualification as specified / approved by the Council;
		(c)	he fulfills the requirements of and has been recommended as a specialist by the Veterinary Specialists' Qualifying Committee; and
		(d)	he has proven to the satisfaction of the Council or the Veterinary Registrar that he is a fit and proper person and is of good character.
	(2)	An application for registration as a veterinary specialist shall be made to the Veterinary Registrar in the prescribed form together with such documents, information and particulars as may be determined by the Council and such application shall be accompanied by the fee as prescribed in the <i>Fifth Schedule</i> .	
	(3)	Upon receiving the application under subsection (3), the Veterinary Registrar shall submit the application to the Veterinary Specialists' Qualifying Committee for assessment and recommendation.	
	(4)	The Veterinary Specialists' Qualifying Committee shall consider the application under subsection (3) and may require the applicant to produce further information or documents in support of the application.	

	(5)	The Veterinary Specialists' Qualifying Committee shall make recommendations to the Veterinary Registrar whether the application may be approved or refused.
	(6)	Where the Veterinary Registrar approves the application under subsection (3), he shall issue a certificate of registration as a veterinary specialist to the applicant and enter his name in the Specialists' Division of the Veterinary Register.
	(7)	Where the Veterinary Registrar refuses the application under subsection (3), he shall notify in writing the applicant in his decision and assigning the reasons of such refusal.
	(8)	Any person who is aggrieved by the decision of the Veterinary Registrar under subsection (7) may, within thirty days from the date of the notice in subsection (7) appeal in writing to the Council or appear before the Council and be heard personally or through his advocate or solicitor.
	(9)	The Veterinary Registrar shall publish in the <i>Gazette</i> the names of every veterinary surgeon newly entered into the Specialist Division of the Veterinary Register.
Registration as post-basic veterinary para-professional		
39.	(1)	A veterinary para-professional may apply to be registered as a post-basic veterinary para-professional if—
		(a) he is registered in Division A of the Malaysian Register of Veterinary Para-Professionals;
		(b) he holds any of the registrable qualifications listed in the <i>Fourth Schedule</i> , granted by an institution specified in relation to that qualification; and
		(c) he has proven to the satisfaction of the Registrar Veterinary Para-Professionals that he is a fit and proper person and is of good character.
	(2)	An application for registration as a post-basic veterinary para-professional shall be made to the Registrar Veterinary Para-Professionals, Malaysia in the prescribed form together with such documents, information and particulars as may be determined by the Board and such application shall be accompanied by a fee as prescribed in the <i>Fifth Schedule</i> .
	(3)	The Registrar of Veterinary Para-Professionals, Malaysia may require the applicant to produce further information or documents in support of the application.
	(4)	Where the Registrar of Veterinary Para-Professionals, Malaysia approves the application under subsection (2), he shall issue a

		certificate of registration as a post basic veterinary para-professional to the applicant and enter his name in the Division B of the Malaysian Register of Veterinary Para-Professionals.
	(5)	Where the Registrar of Veterinary Para-Professionals, Malaysia refuses the application under subsection (2), he shall notify the applicant of his decision and reasons of refusal by a notice in writing.
	(6)	Any person who is aggrieved by the decision of the Registrar of Veterinary Para-Professionals, Malaysia under subsection (4) may, within thirty days from the date of the notice in subsection (4), appeal in writing to the Board or appear before the Board and be heard personally or through his advocate and solicitor.
Conditional registration		
40.	(1)	Any person may apply for conditional registration where such conditional registration is required only to fulfill the conditions for registration for employment outside Malaysia if—
	(a)	he holds a qualification granted by an accredited local training institution;
	(b)	he has been certified to have fulfilled the requirements of the Professional Qualifying Examination; and
	(c)	he has proven to the satisfaction of the Veterinary Registrar that he is a fit and proper person and is of good character.
	(2)	An application for conditional registration shall be made to the Veterinary Registrar in the prescribed form together with such documents, information and particulars as may be determined by the Council and such application shall be accompanied by the fee as prescribed in the <i>Fifth Schedule</i> .
	(3)	Where the Veterinary Registrar approves the application under subsection (2), the Veterinary Registrar shall issue a certificate of conditional registration to the applicant.
	(4)	Where the Veterinary Registrar refuses the application under subsection (2), the Veterinary Registrar shall notify the applicant of his decision by a notice in writing.
	(5)	Any applicant who is aggrieved by the decision of the Veterinary Registrar under subsection (4) may, within thirty days from the date of the notice in subsection (4), appeal in writing to the Council.

	(6)	A person who holds a certificate of conditional registration shall not practice veterinary medicine in Malaysia and shall not be eligible to be granted a practising certificate.	
Veterinary Qualifying and Accreditation Committee			
41.	(1)	The Veterinary Qualifying and Accreditation Committee shall have the functions of-	
		(a)	determining the accreditation criteria of institutions offering a qualification to be accepted by the Council as the Council deems fit; and
		(b)	determination of the standard of proficiency required at qualifying examinations, from candidates with qualifications which are not registrable under this Act and not listed in the <i>Second Schedule</i> .
	(2)	In order to carry out its functions, the Veterinary Qualifying and Accreditation Committee shall have the power to-	
		(a)	determine the procedure, processes and requirements for the accreditation of an institution and its maintenance of a qualification to be accepted by the Council as the Council deems fit to be entered into the <i>Second Schedule</i> , and
		(b)	determine the-
			(i) acceptable admission requirements, the course content and the method of assessment used in the institution which shall be equivalent to that of a local institution or national standard which grants a registrable qualification; and
			(ii) the credentials or experience necessary,
			before issuing a certificate of approval to allow a candidate to appear for the Professional Qualifying Examination;
		(c)	determine the assessment method and the standard necessary for a candidate to achieve before registration under section 33 and 40, of the Act or be granted a temporary practising certificate under section 46, through the-
			(i) setting up of its own Professional Qualifying Examination; or

			(ii) designating the examinations of any local training institution as the equivalent examination,
			and
		(d)	recommending to the Council review of the fees to be charged for any evaluation and registration for the Professional Qualifying Examination.
	(3)		The membership of the Veterinary Qualifying and Accreditation Committee shall be determined by the Council.
	(4)		The members shall be appointed by the Council for a term not exceeding three years, and the members may be reappointed.
	(5)		The Secretary to the committee shall be the Secretary of the Council.
Veterinary Specialists' Qualifying Committee			
42.	(1)		The Veterinary Specialists' Qualifying Committee shall have the function of determining-
		(a)	the specialties that shall be recognised under this Act;
		(b)	the accreditation criteria of institutions offering a qualification to be accepted by the Council as the Council deems fit; and
		(c)	of the standard of proficiency required from candidates to be recognised as specialists.
	(2)		In order to carry out its functions, the Veterinary Specialists' Qualifying Committee shall have the power to –
		(a)	recommend to the Council the criteria for registration for each of the specialties;
		(b)	formulate guidelines on standards of practice for each specialty for endorsement by the Council;
		(c)	determine the criteria, procedure for the accreditation of qualifications and verify credentials and training of specialists;
		(d)	recommend to the Veterinary Registrar, veterinary surgeons who are suitable to be entered into the Specialist Division of the Veterinary Register; and

		(e)	recommend to the Veterinary Registrar holders of Temporary Practising Certificates who are eligible to practice as specialists.
	(3)		The membership of the Veterinary Specialists' Qualifying Committee shall be as determined by the Council.
	(4)		The members shall be appointed by the Council for a term not exceeding three years, and the members may be reappointed.
	(5)		The Secretary to the committee shall be the Secretary of the Council.
	(6)		The Council may constitute any number of sub-committee as Specialty Sub-committee to assist the Veterinary Specialists' Qualifying Committee in its function.
Chapter 3			
<i>Practising Certificate</i>			
Practising certificate			
43.	(1)		Any person who practices veterinary medicine including person practices on a short-term basis as a locum tenem shall have a valid practicing certificate.
	(2)		The practicing certificate shall specify the principal practicing address and all other places of practice of the practitioner.
	(3)		An application for a practising certificate—
		(a)	as a veterinary surgeon, shall be made to the Veterinary Registrar; and
		(b)	as a veterinary para-professional, shall be made to the Registrar of Veterinary Para- Professionals.
	(4)		The application under subsection (3) shall be made in the prescribed form, either printed or digital and such application shall be accompanied by—
		(a)	the evidence of sufficient continuing professional development points obtained as specified by the Council or the Board, as the case may be, by way of a circular or directive;
		(b)	the evidence of Professional Indemnity Cover as required by the Council or the Board;

		(b)	the evidence of approval and granted a licence under paragraph 57(4)(III)(h) for every private veterinary healthcare facility or services to be entered in the practicing certificate;
		(c)	the fee as prescribed in the <i>Fifth Schedule</i> ; and
		(d)	any other documents or evidence, as may be required by the respective Registrars, as the case may be.
	(5)		Every premise of veterinary healthcare facility or services used for practice of veterinary medicine shall be inspected at least once a year and no practicing certificate shall be issued to a practitioner unless a report in the prescribed form has been received by the Registrar, during the preceding twelve months, to the effect that the premises and conditions of practice veterinary medicine are satisfactory.
	(6)		Where the Registrar approves an application under subsection (3), the Registrar, as the case may be, shall issue a practicing certificate to the applicant authorizing the applicant to practice as a practitioner for the period and at such healthcare facility as stated on the practicing certificate.
	(7)		Where the Registrar refuses the application under subsection (3), the Registrar shall notify the applicant of his decision by a notice in writing, as the case may be.
	(8)		Any applicant who is aggrieved by the decision of the Registrar under subsection (7) may, within thirty days from the date of the notice in subsection (7), appeal in writing to the Council or the Board, as the case may be.
	(9)		A person who has been registered within one year of applying for a practising certificate shall be exempted from showing evidence of sufficient continuing professional development points obtained as required in paragraph (4)(a).
	(10)		Notwithstanding paragraph (4)(a), any practitioner who fails to obtain sufficient continuing professional development points as specified by the Council or the Board may appeal in writing to the President or the Chairman, as the case may be.
	(11)		An application to add or amend any information and particulars in the existing practicing certificate in a prescribed form together with the supporting documents and such application shall be accompanied by a fee as prescribed in the <i>Fifth Schedule</i> .
Annual practising certificate			

44.	(1)	Any practitioner who makes an application for an annual practising certificate shall ensure that the application reaches the office of the Registrar, as the case may be, not later than the first day of November of the year prior to the year for which the application is made.	
	(2)	Notwithstanding subsection (1), where the practitioner applies for an annual practicing certificate for the first time, such application may be made at any time during the year, and the applicant shall be granted an annual practicing certificate for the remainder of the year in which the application is made.	
	(3)	The annual practising certificate shall be in force until thirty-first December of the year in which it is issued.	
	(4)	Any practitioner who fails to apply for the annual practising certificate in accordance with this Chapter shall be <u>deemed to be suspended</u> from the date the current annual practising certificate lapses.	
	(5)	Whenever it appears to the satisfaction of the Council or the Board as the case may be, that a practitioner is practising veterinary medicine in such premises or under such conditions and restrictions as are deemed by the Council or the Board to be unsuitable for such practices, the Council may direct that the annual practising certificate of such practitioner be cancelled, or in the case of private veterinary hospital, veterinary clinic or veterinary healthcare facility and services, the license be cancelled as the case may be, and such certificate or license shall thereupon cease to be in force and no further practicing certificate or license shall be issued to such practitioner or such facility thereafter either for the remainder of the year or for any other year except as provided in subsection (7) or paragraph 58(4)(d)(ii) unless waived by the Council or the Board as the case may be.	
	(6)	Any practitioner aggrieved by the decision of the Council or the Board-	
		(a)	to cancel his annual practicing certificate or licence, as the case may be; or
		(b)	refusal to issue an annual practicing certificate or licence, as the case may be,
		may appeal to the Minister, whose decision shall be final, and no action or proceeding shall be maintainable in any court of law in respect of such cancellation or refusal.	
	(7)	If any practitioner whose appeal has been granted under subsection (6), he may make a new application in such manner	

		as may be determined by the Council or the Board and accompanied a fee as in <i>Fifth Schedule</i> , the Council or the Board as the case may be, after due consideration of the circumstances of the case, may direct that a practicing certificate be issued to such practitioner.
Lifting of suspension		
45.	(1)	A practitioner who is deemed to be suspended under subsection 44(4) may, apply for the annual practising certificate to the Registrar under subsection 43(4) and such application shall be accompanied by a fee for late application as prescribed in the <i>Fifth Schedule</i> .
	(2)	Where the Registrar approves an application under subsection (1), the Registrar shall issue an annual practicing certificate to the applicant and the annual practicing certificate shall be in force until thirty-first December of the year in respect of which it is issued, and the suspension shall be lifted.
	(3)	A practitioner who has been granted an annual practicing certificate under subsection (2) may, within thirty days from the date the suspension was lifted, appeal in writing to the Council or the Board, as the case may be, for the suspension to be removed from his record.
Temporary practicing certificate		
46.	(1)	Notwithstanding anything to the contrary contained in this Act, a non-Malaysian may apply to the Veterinary Registrar for a temporary practising certificate to practice veterinary medicine in Malaysia if he fulfils the following conditions-
	(a)	(i) he is registered and practicing outside Malaysia as a veterinary surgeon or the equivalent of a veterinary surgeon; or
		(ii) he holds a qualification granted by institution listed in the Second Schedule and has been certified by the Veterinary Qualifying Committee to have fulfilled the requirements of the Professional Qualifying Examination;
	(b)	he has passed the Professional Qualifying Examination;
	(c)	he has proven to the satisfaction of the Veterinary Registrar that he is a fit and proper person and is of good character; and

		(d)	he proves to the satisfaction of the Veterinary Registrar that he has an offer of employment or sponsorship or an invitation.
	(2)	Notwithstanding anything to the contrary contained in this Act, a non-Malaysian may apply to the Registrar of Veterinary Para-Professionals for a temporary practicing certificate to practice veterinary medicine in Malaysia if he fulfils the following conditions:	
		(a)	he is registered outside Malaysia as a Veterinary Para-Professional or the equivalent of a Veterinary Para-Professional;
		(b)	he holds any of the recognized qualifications listed in the <i>Third Schedule</i> and <i>Fourth Schedule</i> , granted by an institution specified in relation to that qualification;
		(c)	he has proven to the satisfaction of the Registrar Veterinary Para-Professionals, Malaysia that he is a fit and proper person and is of good character; and
		(d)	he proves to the satisfaction of the Registrar Veterinary Para-Professionals, Malaysia that he has an offer of employment or sponsorship or an invitation.
	(3)	Notwithstanding anything to the contrary contained in this Act, the Registrar may, upon any application in such particulars, manner and form together with such documents as determined by the Council or the Board including the evidence of continue professional development and payment of fees as prescribed in the <i>Fifth Schedule</i> issue a temporary practicing certificate to an applicant that has fulfilled the conditions in subsection (1) or (2).	
	(4)	All temporary practising certificate issued under this section shall be in force for a maximum period of six months.	
	(5)	The holder of any temporary practising certificate shall not have more than one practising address except with the approval of the Council or the Board, as the case may be.	
	(6)	The holder of a temporary practising certificate shall, while the temporary practising certificate remains in force-	
		(a)	be subjected to the conditions and restrictions specified in the temporary practising certificate;
		(b)	be deemed to be registered as a veterinary surgeon or a veterinary para-professional, as the case may be;

		(c)	may subject to disciplinary proceedings in Part VI of this Act as a registered veterinary surgeon or a registered veterinary para-professional, as the case may be;
		(d)	shall only work under the sponsorship and supervision of a registered veterinary surgeon with a current annual practicing certificate;
		(e)	shall display a copy of his temporary practicing certificate in a conspicuous place at his practising address; and
	(7)	Notwithstanding paragraph (1)(b), the Veterinary Registrar may issue a temporary practising certificate to any person who holds a specialist qualification that is recognized by the Council, subject to such terms and conditions as the Council may determine.	
	(8)	The Veterinary Registrar may, if he thinks fit, allow the holder of a temporary practising certificate to practice as a veterinary specialist by stating on the temporary practising certificate the specialty which he is allowed to practice by the Council.	
	(9)	Any application for renewal of a temporary practicing certificate shall be made in accordance with subsection (3) and be accompanied by such fees as prescribed in <i>Fifth Schedule</i> and proof of continuing professional development points obtained as may be determined by the Council.	
	(10)	A temporary practicing certificate holder who fails to obtain the specified continuing professional development points required for renewal of their temporary practicing certificate may appeal in writing to the President or the Chairman.	
	(11)	Notwithstanding any provision of this Act contrary to this section, if there is any prima-facie evidence of a report or a complaint on the violation of the conditions or restrictions of temporary practicing certificate granted under this section, the Council or the Board may at any time cancel such certificate after notifying such decision in writing and such certificate shall lapse from the date of cancellation.	
Privileges of persons having a practicing certificate			
47.	(1)	Every practitioner whose name is appearing on the Register under this Act shall be entitled, according to his qualifications, to practice veterinary medicine in accordance with the provisions of this Act and to recover in due course of law —	
		(a)	reasonable charges for professional aid, advice, visit, veterinary operation or veterinary attendance or veterinary treatment; and

		(b)	the value of any veterinary appliances rendered, made or supplied by him to his patients,
			following a fee schedule in accordance with the provisions of this Act as determined by the Council or the Board as the may be.
	(2)		No person shall be entitled to recover in any court any charges referred to in subsection (1) unless at the date when such charges were accrued he was a practitioner and had a valid practicing certificate in force.
Display of certificate			
48.	(1)		A practitioner shall display in a conspicuous place in the principal practising address, other than in a veterinary public healthcare facility or in a local veterinary training institution, the certificate of registration and the current practising certificate issued to him.
	(2)		A practitioner shall display in a conspicuous place in any veterinary healthcare facility in which he practises veterinary medicine, other than in a public veterinary healthcare facility or in a local veterinary training institution, the current practising certificate issued to him.
	(3)		Any practitioner who fails to comply with this section commits an offence and shall, on conviction, be liable to a fine not exceeding fifty thousand ringgit or to imprisonment for a term not exceeding one year or to both.
	(4)		Any person who displays, or permits to be displayed in any premises, a certificate of registration, a certificate of registration as a specialist or a practicing certificate or a certified copy of any of these bearing his name or photograph at any time when his name does not appear on the Veterinary Register or the Veterinary Para-Professionals' Register, as the case may be, or he does not hold a valid practicing certificate, shall be guilty of an offence against this Act and shall on conviction be liable to a fine not exceeding one hundred thousand ringgit or imprisonment for a term not exceeding three years or both.
Chapter 4			
<i>General</i>			
Practicing as a veterinary para-professional			
49.	(1)		A veterinary para-professional shall practice veterinary medicine only under the direct supervision of a registered veterinary practitioner.
	(2)		For the purposes of this section, "direct supervision / supervision" means a veterinary surgeon shall be present at all times in the

		veterinary healthcare facility when the veterinary para-professional carries out any veterinary procedures approved or directed by the veterinary surgeon.
	(3)	A veterinary para-professional who practises in the private sector shall only practice veterinary medicine to the extent of the procedures listed in the <i>Sixth Schedule</i> .
	(4)	Notwithstanding subsection (2), a post-basic veterinary para-professional who practices in the private sector, may practice veterinary medicine to the extent of the procedures listed in the <i>Seventh Schedule</i> in relation to the discipline for which he is qualified.
	(5)	A veterinary para-professional who practises veterinary medicine in the public sector shall carry out veterinary procedures only under the supervision of a veterinary surgeon in the public sector.
Notification of practitioner in practice and change in registered address		
50.	(1)	A registered veterinary surgeon who is a main operator practicing veterinary medicine in a place shall, furnish to the Registrar the name, address, qualifications and particulars of the certificate of registration and the current annual practicing certificate and such other information as may be specified by the Council in respect of every practitioner practicing veterinary medicine at his place of practice, within 30 days of commencing practice including any registered veterinary surgeon called to practice on a short term basis as a locum tenem.
	(2)	Every practitioner shall notify the Registrar of any change in his home address or practicing address within thirty days of such change.
	(3)	Every practitioner who fails to comply with subsection (1) or (2) commits an offence, and shall, on conviction, be liable to a fine not exceeding fifty thousand ringgit or to imprisonment for a term not exceeding one year or to both.
Service of notice or correspondence		
51.	(1)	Where any notice or correspondence under this Act is required to be served or sent to-
		(a) a practitioner, it shall be deemed to have been served or sent to him if it is served or sent by post to his principal practicing address; or
		(b) a holder of temporary practicing certificate, it shall be deemed to have been served or sent to him if it is served or sent by post to his practicing address.

	(2)	Where any notice or correspondence under this Act or its regulations is required to be served or sent to-	
		(a)	a holder of certificate of approval for establishing or maintaining; or
		(b)	a licensee that operate or provide,
		a veterinary healthcare facility or service, it shall be deemed to have been served or sent to him if it is served or sent by post to his last registered address in the application.	
Evidence of qualification to be given before entry in the Register			
52.	No degree or qualification shall be entered in the Register, either on the first registration or by way of addition to a registered name, unless the registrar, as the case may be, is satisfied by such evidence as he may consider proper that the person claiming such degree or qualification is entitled thereto.		
Veterinary certificate			
53.	(1)	No certificate or other document required by any written law to be signed by a duly qualified veterinary practitioner shall be valid unless it is signed by a veterinary practitioner.	
	(2)	Any veterinary practitioner who allows any other person to sign a veterinary certificate or other document required by any written law to be signed by a duly qualified veterinary practitioner shall be subjected to disciplinary punishment by the Council.	
	(3)	The words “legally qualified veterinary practitioner” or “duly qualified veterinary practitioner” or any words importing a person recognised by law as a qualified veterinary practitioner, when used in any written law with reference to such persons, shall be construed to mean a veterinary surgeon or a veterinary specialist.	
Community service for a practitioner			
54.	A practitioner who intends to practise veterinary medicine at any location other than the premises stated in his practising certificate as a community service—		
		(a)	for a period of not more than seven consecutive days; and
		(b)	for a total of not more than fourteen days in a year,
	he shall apply and supply such documents as may be specified by Council or the Board, as the case may be and obtain approval in writing from the Registrar prior to the commencement of such community service.		

Exemption of full-time veterinary surgeons on ships	
55.	All ship's veterinary surgeons while in the discharge of their duties on board the ship shall be exempted from requirement of registration under this Act and shall be entitled to all the privileges of registered veterinary practitioners under this Act.
Publication of list of practitioners issued with practicing certificates	
56.	(1) The Registrar Veterinary Surgeons or the Registrar of Veterinary Para-Professionals as the case may be shall, as soon as may be after the first day of January of every year, prepare and publish in the <i>Gazette</i> or in any other form determined by the Council or the Board, as the case may be, a list or lists of the names, addresses, qualifications, dates of the qualifications and dates of registration of all practitioners to whom practising certificates have been issued for that year and such list may be amended at any time during the year.
	(2) The publication of such list shall be prima facie evidence of the particulars contained therein.
	(3) The absence of the name of any practitioner from such list shall be prima facie evidence that such person has not been issued with the annual practicing certificate and is not authorised to practice veterinary medicine as a registered person.
	(4) A certificate under the hand of the Registrar of the particulars appearing in the Register in respect of any person shall be conclusive evidence of such particulars.
Part V	
Private Veterinary Healthcare Facility or Services	
Veterinary body corporate or company	
57.	(1) A body corporate or company may carry on the business of private veterinary healthcare facility or services if—
	(a) it carries on no business other than private veterinary healthcare facility or services including private veterinary hospital and clinic, or some business ancillary to such business; and
	(b) at least half of the members of the Board of Directors of the body corporate or the company are registered veterinary surgeons.
	(2) Notwithstanding subsection (1), a body corporate or a company may carry on with such business of veterinary healthcare facility or services, if the veterinary facility or service is provided—

		(a)	in a Government veterinary hospital or clinic;
		(b)	as part of a veterinary faculty or a veterinary school, in a local training institution; or
		(c)	through a local authority or a statutory body by a veterinary practitioner.
	(3)		Anybody corporate or company which fails to comply with this section commits an offence.
Requirements of certificate of approval and licence for private veterinary healthcare facility or services			
58.	(1)	(a)	A body corporate or a company shall not– (i) establish or maintain a private healthcare facility or services premise without being granted a certificate of approval by the Council under paragraph 57(3)(f); or (ii) operate or provide such facility or service to the public without being granted a license under paragraph 57(4)(c)(viii).
		(b)	A body corporate or a company which fails to comply with this section commits an offence.
	(2)		Notwithstanding subsection (1), in the case of a registered veterinary surgeon who is in partnership with a body corporate or a company proposing to establish or maintain a private veterinary healthcare facilities or services, he shall not operate or provide such facilities or services to the public without first obtaining a licence from the Council.
	(3)		Each application to the Council for certificate of approval to establish or maintain a private veterinary healthcare facility or service is subject to the followings-
		(a)	application shall be in a prescribed form and in such manner as determined by the Council;
		(b)	application shall be accompanied by a fee as prescribed in the <i>Fifth Schedule</i> ;
		(c)	application shall be submitted together with-
		(i)	a comprehensive plan for the establishment or maintenance of the proposed private veterinary healthcare facility or service including the site plan,

			building layout plan, design, construction, specification, the type of facility or service to be provided and the proposed arrangements for manpower recruitment including arrangements for manpower training;
			(ii) a copy of its constituent document, duly verified by a statutory declaration made by an officer authorized by the applicant meet the requirements under subsection 56(1), if the applicant is not a natural person but a body corporate or a company; and
			(iii) such other information, particulars or documents as may be deemed necessary for the purpose of determining the application and the suitability of the applicant undertakes to ensure that practitioners only carry out the tasks defined as practice of veterinary medicine;
		(d)	at any time after receiving the application, the Council may by written notice require the applicant to provide additional information, particulars or documents.
		(e)	the requirements under <i>paragraphs (3)(a) and (3)(c)</i> may differ as between different applicants and classes, categories, or descriptions of applications as determined by the Council and that separate certificate of approval to establish or maintain shall be applied for private healthcare facilities or services that are not physically, administratively or organizationally linked;
		(f)	the Council may grant or refuse a certificate of approval for an application without giving any reasons or with conditions or restrictions after considering the followings-
			(i) the nature of the healthcare facility or service to be provided;
			(ii) the extent to which the healthcare facilities or services are already available in an area;
			(iii) the need for the healthcare facility or service in an area;
			(iv) the future need for the healthcare facility or service in an area;
			(v) any other matter which in his opinion is relevant;

			(vi) to the satisfaction of the Council that the applicant has the capability to perform duties as above;
			(vii) the applicant or any director or shareholder has been convicted of an offence involving fraud or dishonesty or who is an undischarged bankrupt or has omitted his legal obligations in a body corporate or a society and
			(viii) may require that the application be appropriately amended or completed and resubmitted or that a fresh application be submitted in its place.
		(g)	Any person who contravenes any restrictions or conditions of a certificate of approval issued under subsection (3) commit an offence.
	(4)	(a)	An application for a license to operate or provide a private veterinary healthcare facility or service shall be made within three years from the date of the issuance of the certificate of approval to establish or maintain in respect of such facility or service.
		(b)	If a license to operate or provide a private veterinary healthcare facility or service is not being applied for within the time specified in paragraph (4)(a), the approval to establish or maintain granted under subsection (3)(f) shall be deemed to have been revoked unless an extension of that time is granted by the Council.
		(c)	An application for a license to operate or provide a private veterinary healthcare facility or service shall be made to the Council –
			(i) in the prescribed form and manner;
			(ii) accompanied by the prescribed fee as in <i>Fifth Schedule</i> ;
			(iii) by submitting together with the application such information, particulars and documents as may be specified by the Council;
			(iv) at any time after receiving the application and before it is determined, the Council may by written notice require the applicant to provide additional information, particulars or documents;

			(v) the requirement under paragraphs (4)(c)(i) and (4)(c)(iii) may differ as between different descriptions of private veterinary healthcare facilities or services;
			(vi) where additional information, particulars or documents required under paragraphs (4)(c)(iii) and (4)(c)(iv) is or are not provided by the applicant within the specified time or extended time, the application-
			(A) shall be deemed to have been withdrawn; and
			(B) shall not be further proceeded with,
			without prejudice to a fresh application being made by the applicant;
			(vii) an application may be withdrawn <u>at any time before it is granted or refused</u> ;
			(viii) the Council may grant or refuse an approval for an application without giving any reasons or with conditions or restrictions and reserves the right to carryout an inspection of the premises at any time;
			(ix) a license to operate or provide a private veterinary healthcare facility or service, unless sooner suspended or revoked, shall remain in force for a period of two years from the date on which it is issued, and may by application in the prescribed form and on payment of the prescribed fee as prescribed in the <i>Fifth Schedule</i> be renewed for a similar period by the grant of a new license. A license to operate or provide a private healthcare facility or service other than a private veterinary hospital or veterinary clinic shall specify the type of private healthcare facility or service for which it is issued and the purpose for which the license may be maintained;
			(x) paragraphs (4)(c)(v) and (4)(c)(vi)) shall apply <i>mutatis mutandis</i> to an application for renewal of a license by the licensee to operate or provide;
			(xi) when renewing a license, the Council may vary the terms or conditions attached to the license and may impose additional terms and conditions;

			(xi) a copy of the license to operate or provide a private veterinary healthcare facility or service shall be exhibited by the licensee in a conspicuous part of the premises of the private veterinary healthcare facility or service; and
			(xii) a licensee or a holder of a licensed healthcare facility or service shall -
			(A) ensure that the licensed or registered / approved private healthcare facility or service is maintained or operated by a person in charge;
			(B) inspect the licensed or registered private healthcare facility or service in such manner and at such frequency as may be prescribed;
			(C) ensure that persons employed or engaged by the licensed healthcare facility or service are registered under any law regulating their registration, or in the absence of any such law, hold such qualification and experience;
			(D) identify and nominate the person-in-charge and changes in the person-in-charge of the facility and services for the reporting and updating of competence of personnel, grievance procedure, compliance and incident reporting of the facility and services; and
			(E) comply with such other duties and responsibilities;
			(xiii) notwithstanding paragraph (4)(c)(xii), different persons may be appointed to manage and assume the duties and responsibilities relating to non-clinical matters including financial, administration and management of non-clinical resources; and
			(xiv) A licensee shall make an application in the prescribed form and manner, pay a prescribed fee as in <i>Fifth Schedule</i> and obtain approval from Council before carryout-

			<p>(A) any extension or alteration to the facility and the operational matters of services; or</p> <p>(B) any transfer of the name of licensee to another person,</p> <p>of the license issued under paragraph 58(4)(c)(viii), otherwise he commits an offence under this section.</p>
		(d)	<p>(i) Any licensee aggrieved by the decision of the Council to cancel or revoke his licence under subsection 44(5) or refusal to issue licence after cancellation, as the case may be, may appeal to the Minister, whose decision shall be final, and no action or proceeding shall be maintainable in any court of law in respect of such cancellation or refusal.</p> <p>(ii) any licensee whose appeal has been granted under paragraph 58(4)(d)(i), he may make a new application in such manner as may be determined by the Council and accompanied a fee as in <i>Fifth Schedule</i>, the Council, after due consideration of the circumstances of the case, may direct that a licence be reissued with the same terms or conditions attached earlier and may impose additional terms and conditions as the Council deemed necessary.</p>
		(e)	A licensee who contravenes any restrictions or conditions of a licence issued under paragraph 58(4)(c)(viii) commit an offence,
	(5)	This Part shall not apply to the case of a body corporate or a company carrying on the practise of veterinary medicine if it is –	
		(a)	a private veterinary hospital or veterinary clinic operated or provided solely by a registered veterinary practitioner and granted an annual practicing certificate; or
		(b)	an appointed trustee in bankruptcy carrying on, through a registered veterinary practitioner approved by the Council to take over the practice of veterinary medicine, the business of veterinary medicine of a bankrupt registered veterinary practitioner; or
Part VI			
DISCIPLINARY PROCEEDINGS			

Disciplinary authority		
59.	(1)	The Council shall have disciplinary authority over all veterinary practitioners and the Board shall have disciplinary authority over all veterinary para-professionals' practitioners registered under this Act.
	(2)	The Council and the Board as the case may be may exercise disciplinary authority over any practitioner -
-		
		(a) who has been convicted in Malaysia or elsewhere of any offence punishable with imprisonment (whether in itself only or in addition to or in lieu of a fine);
		(b) who has been guilty of infamous conduct in any professional respect;
		(c) who has contravened any provision of the code or guide of professional conduct and ethics or any guidelines endorsed or issued by the Council or the Board;
		(d) who allows an unregistered person to practise veterinary medicine on the premises used by or under the control of such practitioner in the performance of his professional duties;
		(e) who by his presence, countenance, advice, assistance, or cooperation has knowingly enabled an unregistered person, whether described as an assistant or otherwise, to practise veterinary medicine;
		(f) who practises veterinary medicine in premises in which an unregistered person practises veterinary medicine to the knowledge of the practitioner;
		(g) who in relation to a veterinary practitioner, allows a veterinary para-professional to practice veterinary medicine in the private sector when not under the direct supervision of a veterinary surgeon who holds a current and valid annual practicing certificate;
		(h) who in relation to a veterinary practitioner, allows a veterinary para-professional practising in the private sector to carry out procedures not listed in the <i>Seventh Schedule</i> of this Act;
		(i) who in relation to a veterinary para-professional practicing in the private sector, carries out veterinary procedures not listed in the <i>Seventh Schedule</i> of this Act;

		(j)	who in relation to a veterinary practitioner, allows a post-basic veterinary para-professional practicing in the private sector, to carry out procedures not listed in the <i>Sixth Schedule</i> or the <i>Seventh Schedule</i> of this Act in relation to the discipline for which he is registered;
		(k)	who in relation to a post-basic veterinary para-professional practising in the private sector, carries out veterinary procedures not listed in the <i>Sixth Schedule</i> or the <i>Seventh Schedule</i> of this Act in relation to the discipline for which he is registered;
		(l)	who has obtained registration by fraud or misrepresentation; or
		(m)	who at the time of his registration was not entitled to be registered;
Complaints Committee			
60.	(1)	There shall be a Complaint Committee to manage any complaint or information received against any practitioner.	
	(2)	The Complaints Committee shall consist of the following members who shall be appointed by the President:	
		(a)	a veterinary practitioner representing the Council;
		(b)	a veterinary practitioner from the private sector who is not a member of the Council; and
		(c)	a veterinary practitioner from the Department of Veterinary Services of the Ministry of Agriculture and Agro-based Industry.
	(3)	The members of the Complaints Committee shall have at least seven years' experience as a veterinary surgeon and have not been subjected to any disciplinary punishments by the Council.	
	(4)	The members of the Complaints Committee shall be appointed for a term not exceeding three years and be eligible for reappointment.	
Complaints or information against practitioner			
61.	(1)	All complaints or information received against a practitioner shall be made in writing and be forwarded to the Complaints Committee.	

	(2)	The Complaints Committee shall deliberate on any complaint or information received against any practitioner based on the classification of complaints or information specified in section 62.
	(3)	The complaints or information received against any practitioner and the recommendation of the Complaints Committee shall be forwarded to the President for his decision.
Classification of complaints or information		
62.	The classification of complaints or information is as follows:	
	(a)	where the complaint or information involves any of the offences referred to in paragraphs 59(2)(a) to (j), and is in relation to a veterinary practitioner only or to a veterinary practitioner and a veterinary para-professional, the complaint or information shall be referred to a Preliminary Investigation Committee;
	(b)	where the complaint or information involves any of the offences referred to in paragraphs 59(2)(a), (b), (c), (d), (e), (h) and (j), and is in relation to a veterinary para-professionals only, the complaint or information shall be referred to a Disciplinary Committee;
	(c)	where the complaint or information involves any of the offences referred to in paragraphs 59(2)(k) to (o), and is in relation to a veterinary practitioner, the complaint or information shall be referred to the Council;
	(d)	where the complaint or information involves any of the offences referred to in paragraphs 59(2)(k) to (o), and is in relation to a veterinary para-professional, the complaint or information shall be referred to the Board; or
	(e)	where the complaint or information involves an offence committed by a practitioner or member of public against this Act or any other Act, the complaint or information shall be referred to the Director General.
Preliminary Investigation Committee		
63.	(1)	There shall be a Preliminary Investigation Committee to investigate any complaint or information against a practitioner or any disciplinary matter that may be inquired into by the Council.
	(2)	The Preliminary Investigation Committee shall consist of the following five members who shall be appointed by the President-

		(a)	where the case involves only a veterinary practitioner—
			(i) four veterinary surgeons, each of whom shall be a veterinary surgeon of not less than seven years' experience; and
			(ii) one lay person; or
		(b)	where the case involves a veterinary practitioner and a veterinary para-professional—
			(i) three veterinary surgeons, each of whom shall be a veterinary surgeon of not less than seven years' experience;
			(ii) one veterinary para-professional; and
			(iii) one lay person.
	(3)	The Preliminary Investigation Committee shall determine whether or not there shall be an inquiry based on its investigation and shall recommend its findings by a report to the Council.	
Disciplinary Committee			
64.	(1)	There shall be a Disciplinary Committee to investigate any complaint or information against a veterinary para-professional or any disciplinary matter that may be inquired into by the Board.	
	(2)	The Disciplinary Committee shall consist of the following five members who shall be appointed by the President:	
		(a)	three veterinary para-professional;
		(b)	one veterinary surgeon; and
		(c)	one lay person.
	(3)	The Disciplinary Committee shall determine whether or not there shall be an inquiry based on its investigation and shall recommend its findings to the Board.	
Dismissal of complaints			
65.	The Complaints Committee may recommend to the President for a summary dismissal of any complaint or information received under section 60 if the Complaints Committee is satisfied that—		

		(a)	the name and address of complainant is unknown or untraceable;
		(b)	the complaint or information does not constitute an ethical issue or an offence under this Act or any other Act;
		(c)	the complaint or information received is doubtful; or
		(d)	the complainant has withdrawn the complaint in writing.
Conduct of a disciplinary inquiry by the Council or the Board			
66.	(1)	Where the report submitted by the Preliminary Investigation Committee or Disciplinary Committee states that there are insufficient grounds to support the complaint or information, the Council or the Board shall endorse the report.	
	(2)	Where the report submitted by the Preliminary Investigation Committee or the Disciplinary Committee states that there are sufficient grounds for disciplinary proceeding to be taken against a practitioner, the Council or the Board shall inquire into the case.	
	(3)	A practitioner against whom disciplinary proceedings are taken shall be given an opportunity to make a statement against the charge laid against him or be defended by his advocate and solicitor before a decision is arrived at by the Council or the Board.	
	(4)	After consideration of the report, the recommendation made by the Preliminary Investigation Committee or the Disciplinary Committee and any statement by the practitioner, the Council or the Board as the case may be may –	
		(a)	dismiss the complaint; or
		(b)	find the practitioner guilty and impose any of the punishments listed in subsection 67(1).
	(5)	The practitioner concerned shall be notified by the registrar by registered post of the decision of the Council or the Board, as the case may be, as soon as possible after the making of such decision.	
	(6)	In conducting the inquiry, the Council or the Board shall not be bound by the provisions of the Evidence Act 1950 [Act 56] or by any legal procedure but may conduct the inquiry in any manner it deems fit.	
Disciplinary punishments			
67.	(1)	The Council or the Board may, in the exercise of its disciplinary authority, impose any one or more of the following punishments-	

		(a)	order the name of the practitioner to be removed from the Register;
		(b)	order the name of the practitioner to be suspended from the Register for any period as the Council or the Board thinks fit;
		(c)	order the practitioner to be reprimanded; or
		(d)	caution or advise the practitioner.
	(2)	Notwithstanding subsection (1), the Council or the Board may suspend the application of the punishment under paragraph (1)(a), (b) or (c), subject to such conditions as the Council or the Board thinks fit, which may include any of the following, for a period not exceeding two years-	
		(a)	direct such practitioner to seek medical treatment;
		(b)	direct such conditions relating to the practitioner's practise of veterinary medicine or the provision of veterinary services, as it considers appropriate, be imposed on the practitioner's registration;
		(c)	direct the practitioner to undergo educational courses or programmes as determined by the Council or the Board; or
		(d)	direct that the practitioner report on his veterinary practice to such practitioners or persons as determined by the Council or the Board, as the case may be.
	(3)	The Council or the Board, may make such order as the Council or the Board thinks fit, with regard to the payment of the costs of the Registrar and of any complainant or of the practitioner, and any other costs incurred which may be recovered as a civil debt.	
Certificate to be returned			
68.	(1)	A practitioner whose name has been removed or suspended from the register shall, within seven days of the pronouncement of the order under section 66, surrender to the registrar, as the case may be, his certificate of registration and all valid practising certificates, and the punishment shall take effect immediately.	
	(2)	Where the practitioner or his advocate and solicitor was not present before the Council or the Board at the time of the pronouncement of the order, the registrar, as the case may be,	

		shall send a notice of the order made by the Council or the Board to the practitioner.
	(3)	The notice in subsection (2) shall be sent to the practitioner's principal practising address, or his last known address, if that address differs from his principal practising address and it appears to the Registrar that such service is more effective.
	(4)	Upon receiving the notice under subsection (2), the practitioner shall surrender his certificate of registration and all valid practising certificates to the registrar, as the case may be, within fourteen days of the date of the notice, and the punishment shall take effect immediately.
	(5)	Any practitioner who fails to comply with this section commits an offence and shall, on conviction, be liable to a fine not exceeding one hundred thousand ringgit or to imprisonment for a term not exceeding two years or to both.
	(6)	The registrar shall publish in the <i>Gazette</i> or make public announcement the name of any person removed or suspended from practice under this section.
Appeal		
69.	(1)	Any person who is aggrieved by an order made against him by the Council in the exercise of its disciplinary authority under section 6 or its registration under sections 35, 38, 39 and 40 or its alteration of the register or removal or restoration of names in register under sections 30, 31 and 32 except for where such decision is in consequence of such person's failure to obtain a practicing certificate or the cancellation of such certificate, may appeal to the High Court within thirty days from the date of the making of the order.
	(2)	For the purpose of subsection (1), the practice in relation to such appeal shall be subject to the rules of court applicable in the High Court. Provided that the High Court shall not have power to hear any appeal against an order made under <i>subsection (1)</i> unless notice of such appeal is given within thirty days from the date of the making of the order in the prescribed manner or where subsection 68(2) is applicable within thirty days of the service of the order as described in that subsection.
	(3)	The decision of the High Court upon such appeal in subsection (3) shall be final.

	(4)	Any person who is aggrieved by an order made against him by the Board in the exercise of its disciplinary authority may, within thirty days from the date of the making of the order, appeal in writing to the Council whose decision shall be final.
Reinstatement of name in Register		
70.		Any practitioner whose name has been removed from the Register pursuant to an order of the Council or the Board under paragraph 67(1)(a) shall, if his appeal is allowed, be reinstated in the register and the registrar shall issue a certificate of registration and a practising certificate to him.
PART VII		
OFFENCES		
Fraudulent registration		
71.	(1)	Any person who fraudulently procures or attempts to procure himself or any other person to be registered by making or producing, or causing to be made or produced, any false or fraudulent representation or declaration, either orally or in writing, shall be guilty of an offence against this Act.
	(2)	In relation to subsection (1), if such person is registered, the Council or the Board shall have absolute discretion to immediately suspend the person forthwith, pending an inquiry or a charge being brought against him in court.
Prohibition of practice of veterinary medicine by unregistered persons		
72.	(1)	A person who is not registered or exempted from registration under this Act shall not practice veterinary medicine.
	(2)	For the purposes of subsection (1), a person shall be deemed to be practicing veterinary medicine within the meaning of this Act, if he acts or does anything as stated under subsection 2(2) in this Act.
	(3)	Any person who contravenes subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding three hundred thousand ringgit or to imprisonment for a term not exceeding six years or to both.
Falsely personating as a practitioner		
73.	(1)	An unregistered person who -
	(a)	willfully and falsely pretends to be registered as a practitioner under this Act or to be qualified to practise veterinary medicine;
	(b)	willfully and falsely takes or uses the name or title of Veterinary surgeon, Veterinary doctor, Veterinarian, qualified veterinary surgeon, Doctor of Veterinary

			Medicine, Professor of veterinary medicine or surgeon, Veterinary Practitioner, Veterinary Specialist, Animal Doctor, veterinary para-professional or any terms equivalent in any language;
		(c)	willfully and falsely takes or uses any name, title, stamp, addition or description implying that he is registered as a practitioner under this Act, or that he is recognised by law as a Veterinary Surgeon, or Veterinary Para-Professional or that he is qualified to heal or treat veterinary disorders or derangements whether by veterinary medicine or any other means of any kind or description whatsoever;
		(d)	willfully and falsely takes or uses any name, title, addition or description, or uses any instrument, medicines or equipment calculated to induce any person to believe that he is qualified to practice veterinary medicine;
		(e)	practices veterinary medicine in any form and in any premise not approved;
		(f)	he uses the term “Animal Clinic”, Animal Dispensary, “Veterinary clinic”, “Animal Centre”, “Veterinary Centre”, “Veterinary dispensary”, “Veterinary hospital”, “Veterinary Surgery”, “Animal Healthcare Centre”, “Veterinary Centre” or the equivalent of any of these terms in any other language on the signboard over his place of practice or in any name card, professional stationery or in any item in print, in purported practise of veterinary medicine as a person registered under this Act; or
		(g)	uses a symbol designed by the Council or the Board for the use of registered practitioners only.
	(2)	Any person who contravenes subsection (1) commits an offence and shall, on conviction, be liable to a fine not exceeding three hundred thousand ringgit or to imprisonment for a term not exceeding six years or to both, and in the case of a continuing offence, shall be liable to a further fine not exceeding one thousand ringgit for every day during which the offence continues after conviction.	
	(3)	For the purposes of subsection (1)-	
		(a)	the taking or using by any person of the terms “veterinary surgeon”, “qualified veterinary surgeon”, “doctor of veterinary surgery”, “professor of veterinary medicine”, “Veterinarian” “veterinary para-professionals”,

			“veterinary nurse”, “veterinary assistant”, “veterinary technologist” “veterinary dentist”, “veterinary acupuncturist” or any terms in veterinary complementary medicine such as “veterinary aruyveda, holistic medicine or alternative therapy” “veterinary clinic”, “veterinary dispensary”, “veterinary hospital” or the equivalent of any of these terms in any other language in relation to the practice of veterinary medicine shall be deemed, unless the contrary be proved, to be the taking or using of a name, title, addition or description calculated to induce any person to believe that he is qualified to practice veterinary medicine;
		(b)	the using by any person of any instrument or veterinary material used exclusively by persons qualified to practice veterinary medicine shall be deemed unless the contrary be proved to be the using of an instrument calculated to induce a person to believe that he is qualified to practice veterinary medicine; and
		(c)	where any person, other than a registered veterinary surgeon, a registered veterinary para-professional or a dealer in medical and veterinary equipment, appliances and instruments, has in his possession any one or more of the following instruments and appliances commonly used in the practice of veterinary medicine, that is to say, a cutting unit, a forcep, a mirror, or a probe, he shall be deemed, unless the contrary be proved, to be willfully and falsely pretending to be registered under this Act and to be qualified to practice veterinary medicine.
Penalty for registered veterinary surgeons falsely describing vocation			
74.	A registered veterinary surgeon who-		
		(a)	uses, in describing his vocation, any term other than the term “registered veterinary surgeon”;
		(b)	willfully or falsely pretends to be or takes or uses the name or title of a veterinary surgeon, veterinary dentist, qualified veterinary doctor, doctor of veterinary surgery, veterinary specialist, professor of veterinary medicine or any name, title or description implying in itself or in the circumstances in which it is used, that such registered veterinary surgeon possesses or holds any qualification to practice other than that he is registered as a registered veterinary surgeon,

	commits an offence and shall, on conviction, be liable to a fine not exceeding fifty thousand ringgit or imprisonment for a term not exceeding one year or to both.	
Offences relating to practising certificate		
75.	(1)	A practitioner who practises veterinary medicine without a valid practising certificate commits an offence and shall, on conviction, be liable to a fine not exceeding fifty thousand ringgit or to imprisonment for a term not exceeding one year or to both.
	(2)	A practitioner who knowingly practises veterinary medicine with a person who does not have a valid practising certificate commits an offence and shall, on conviction, be liable to a fine not exceeding twenty thousand ringgit or to imprisonment for a term not exceeding six months or to both.
	(3)	A practitioner but does not include a temporary practice certificate holder, who employs a person who does not have a valid practising certificate to practise veterinary medicine commits an offence and shall, on conviction, be liable to a fine not exceeding one hundred thousand ringgit or to imprisonment for a term not exceeding two years or to both.
	(4)	Any person who contravenes this section shall not be entitled to recover any fee, charge, reward, disbursement or cost incurred during the time when he or any other such person mentioned in this section does not have valid practising certificate.
Falsely displaying certificate		
76.	Any person who displays or permits to be displayed in any premises—	
	(a)	a certificate of registration;
	(b)	a practicing certificate;
	(c)	a certificate of registration as a specialist;
	(d)	a certificate of registration as a post-basic veterinary para-professional; or
	(e)	a certified copy of any of (a), (b), (c) or (d),
	bearing his name or photograph at any time when his name is not in the Veterinary Register or the Veterinary Para-Professionals' Register or he does not hold a valid practicing certificate, commits an offence and shall, on conviction, be liable to a fine not exceeding three hundred thousand ringgit or imprisonment for a term not exceeding six years or to both.	
Employing a person who is not a registered Veterinary Para-Professional		

77.	Any person who employs a person to perform the duties and responsibilities of a registered Veterinary Para-Professional, when such person is not registered under this Act, shall be guilty of an offence against this Act.	
Covering		
78.	A practitioner who—	
	(a)	allows an unregistered person to practice veterinary medicine on the premises used by the practitioner in the performance of his professional duties;
	(b)	by his presence, countenance, advice, assistance, or cooperation has enabled an unregistered person, whether described as an assistant or otherwise, to practise veterinary medicine; or
	(c)	practises veterinary medicine in the premises in which an unregistered person practises veterinary medicine,
	commits an offence and shall, on conviction, be liable to a fine of not more than of three hundred thousand ringgit or to imprisonment for a term not exceeding six years or to both.	
PART VIII		
ENFORCEMENT		
Appointment of authorised officers		
79.	(1)	The Director General may appoint in writing any public officer, to be an authorised officer as he deems necessary for the purposes of this Act.
	(2)	An authorised officer shall be issued with an authority card in such manner by the Director-General shall determine.
	(3)	In the State of Sabah and Sarawak, the appointment of authorized officer and the issuing of authority card under subsection (1) and (2) shall be carried out by the State Directors.
	(4)	For the avoidance of doubt, it is declared that for the purpose of this Act, an authorized officer shall have all or any of the powers of a police officer of whatever rank in relation to police investigations in seizable cases as provided under the Criminal Procedure Code [Act 593], and all powers shall be in addition to the powers provided for under this Act and not in derogation thereof.
Production of official authority card		

80.	An authorized officer exercising powers under this Act shall at all times carry and produce the authority card issued under subsection 79(2) in the course of entering or inspecting any premises.	
Power to search and seize with warrant		
81.	(1)	If it appears to a Magistrate, upon written information on oath and after such enquiry as he considers necessary, that the practitioner or the owner or occupier of any premises has been used or believed to be used or is about to be used as a place to practise veterinary medicine and there is reasonable cause to believe that an offence under this Act or any regulations made under it has been committed, the Magistrate may issue a search warrant authorising any authorised officer named therein to enter the premises to-
		(a) search for and seize, any animal, carcass, record, veterinary or medical appliance or drugs, signboards, equipment or any other materials or things that he reasonably believes to furnish evidence of the commission of the offence;
		(b) take samples from animal or carcass, of any veterinary or medical appliance or drugs, or any other materials or things found on the premises for the purpose of ascertaining whether an offence has been committed; and
		(c) make copies of or take extracts from any record, materials or any other article found in the premises.
	(2)	An authorised officer may in the exercise of his powers under this section if it is necessary to do so-
		(a) break open any outer or inner door of, or any fence, enclosure, gate or other obstruction to the premises in order to effect entry;
		(b) remove by force any obstruction to entry, search, seizure or removal as he is empowered to effect; and
		(c) detain every person found on the premises that have been searched until the search and seizure exercise is completed.
Power to search and seize without warrant		
82.	(1)	If an authorized officer is satisfied upon information received that he has reasonable cause to believe that by reason of delay in obtaining a search warrant under subsection 81(1) the investigation would be adversely affected or evidence of the

		commission of an offence is likely to be tampered with, removed, damaged or destroyed, the authorized officer may enter the premises and exercise in, upon and in respect of the premises all the powers referred to in section 81 in as full and ample a manner as if he were authorized to do so by a warrant issued under that section.
	(2)	The authorized officer shall report the same in subsection (1) to a Magistrate and the Magistrate shall make an order for further detention for investigation or release of any seizure made.
Warrant admissible notwithstanding defects		
83.		A search warrant issued under this Act shall be valid and enforceable notwithstanding any defect, mistake or omission therein or in the application for such warrant, and any record, veterinary or medical appliance, signboards, materials, equipment or any other thing, licence, certificate, or other article seized under such warrant shall be admissible in evidence in any proceedings under this Act.
Access to records and computerised data		
84.	(1)	An authorised officer conducting a search under this Act shall be given access to manual records and computerised data whether stored in a computer or otherwise.
	(2)	In this section “access” includes being provided with the necessary password, encryption code, software or hardware and other means required to enable comprehension of data.
	(3)	Any person who contravenes subsection (1) shall be guilty of an offence against this Act.
List of things seized		
85.	(1)	Except as provided in subsection (2), where any record, veterinary appliances, material, signboard, equipment or other thing is seized under this Act, the seizing officer shall prepare a list of the things and immediately deliver a copy signed by him to the registered person or the occupier of the premises as the case may be which has been searched under this Act.
	(2)	Where the premises is unoccupied, the authorised officer shall whenever possible post a list of the things seized conspicuously on the premises.
Release of things seized		
86.	(1)	If anything has been seized under this Act, the authorized officer may at any time after that before it is forfeited under this Act and is not otherwise required for the purpose of any proceedings under this Act, or for the purpose of any prosecution under any other law, release the thing to the person as he determines to be

		lawfully entitled to the thing with the approval of the court, and in such event neither the authorized officer nor the Government, shall be liable to any proceedings by any person, if the seizure and the release of the thing had been effected in good faith.
	(2)	A record in writing shall be made by the authorized officer effecting the release of anything under subsection (1) specifying the circumstances of, and the reason for, the release.
Power to seal		
87.	(1)	Where, by reason of their nature, size or amount, it is not practicable to remove any record, veterinary or medical appliance, material or other thing under paragraph 86(1)(a), the authorised officer shall by any mean,-
		(a) place the record, veterinary or medical appliance, equipment, material or other thing in a room, compartment or cabinet located on that premises; and
		(b) mark, fasten and seal the container, door or opening providing access to the room, compartment or cabinet.
	(2)	Where an authorised officer has reasonable cause to believe that any premises is being used as a place to practice veterinary medicine by an unregistered person, the authorised officer may by any means seal the premises.
	(3)	The person occupying or using the premises as a place to practise, if the premises has been sealed, may within twenty-one days of such sealing produce to the authorized officer the registration certificate and practicing certificate of the alleged unregistered person referred to in subsection (2).
	(4)	The seal under subsection (2) shall be removed if the person referred to in subsection (3) complies with the requirement of that subsection.
	(5)	It shall be an offence for any person without lawful authority to break, tamper with or damage the seal referred to in subsection (1) or (2) or remove any record, veterinary appliance, equipment, material or other things under seal or to attempt to do so.
Forfeiture of goods seized		
88.	(1)	Any books, records, veterinary appliance, signboard, materials, substance or any other thing seized in exercise of any power conferred under this Act shall be liable to forfeiture.
	(2)	An order for the forfeiture or for the release of all the things seized and liable to forfeiture under this Act shall be made by the court

		before which the prosecution with regard thereto has been held and an order for the forfeiture of the things seized shall be made, if it is proved to the satisfaction of the court that an offence under this Act has been committed and that the things seized were the subject matter of or were used in the commission of the offence, notwithstanding that no person may have been convicted of such offence.
	(3)	If there is no prosecution with regard to anything seized in exercise of any power conferred under this Act, such thing shall be taken and deemed to be forfeited at the expiration of one calendar month from the date of service of a notice to the last known address of the person from whom the thing was seized indicating that there is no prosecution in respect of such thing, unless before that date a claim thereto is made in the manner set out in subsections (4), (5) and (6).
	(4)	Any person asserting that he is the owner of the thing seized referred to in subsection (3), which is not liable to forfeiture may personally or by his agent, authorised in writing, give written notice to the authorised officer in whose custody such thing is held that he claims the thing.
	(5)	On receipt of the notice referred to in subsection (4), the authorised officer shall refer the matter to the Magistrate.
	(6)	The Magistrate to whom the matter is referred under subsection (5) shall issue a summons requiring the person asserting that he is the owner of the thing seized and the person from whom it was seized, to appear before the Magistrate, and on their appearance or default to appear, due service of the summons having been proved, the Magistrate shall proceed to the examination of the matter and on proof that an offence under this Act has been committed and that the thing seized was the subject matter of or was used in the commission of such offence, shall order the thing to be forfeited and shall, in the absence of such proof, order its release.
	(7)	Subject to subsection (2) anything forfeited or deemed to be forfeited shall be delivered to the authorised officer and shall be disposed as may be determined by the Director General.
Cost of holding goods seized		
89.	Where anything seized under this Act is held in the custody of the Government pending completion of any proceeding in respect of an offence under this Act or its regulations, the cost of holding such thing in custody shall, in the event of any person being found guilty of an offence, be a debt due to the Government by such person and shall be recoverable accordingly.	

No cost or damages arising from seizure to be recoverable		
90.	No person shall, in any proceedings before any court in respect of anything seized in the exercise or the purported exercise of any power conferred under this Act, be entitled to the costs of such proceedings or to any damages or other relief unless such seizure was made without reasonable cause.	
Obstructing, etc. authorized officer in his duties		
91.	Any person who, without lawful excuse –	
	(a)	intimidates, obstructs or impedes an authorized officer in performing his duties;
	(b)	refuses to permit examination any documents, apparatus, equipment, veterinary medicine or articles by an authorized officer;
	(c)	refuses to produce any documents, apparatus, veterinary medicine or articles for examination by an authorized officer;
	(d)	refuses to surrender any documents, apparatus, signboard or articles to an authorized officer;
	(e)	refuses to provide any information as required by an authorized officer; or
	(f)	attempts or assists to do any of the above acts,
	commits an offence and shall, on conviction, be liable to a fine not exceeding fifty thousand ringgit or to imprisonment for a term not exceeding one year or to both.	
Institution Prosecutions		
92.	(1)	No prosecution in respect of an offence committed under this Act or any regulations made under it shall be instituted except with the written consent of the Public Prosecutor.
	(2)	In the case of an offence against section 108, any police officer or authorized officer may arrest without warrant any person who, not being a veterinary surgeon, a registered veterinary surgeon or a veterinary para-professional, is practicing or is believed to be practicing veterinary medicine in any street or public place or any other place.
PART IX		
MISCELLANEOUS		
Compulsory service		

93.	(1)	The Director General or any person authorized by writing by the Director General may issue a written notice to any veterinary surgeon who obtains registration under section 35 to assume appointment as a veterinary surgeon in such post and on such date as specified in the written notice.
	(2)	A veterinary surgeon served with the written notice under subsection (1) shall comply with such written notice, and if he fails to do so he shall be served with a show cause notice by the President.
	(3)	Any veterinary surgeon served with the show cause notice under subsection (2) shall reply to the show cause notice within thirty days of the date of the receipt of such notice.
	(4)	Where the President accepts the explanation in the reply to the show cause notice, he shall decide on the action to be taken on the veterinary surgeon.
	(5)	Where the President refuses the explanation in the reply to the show cause notice, he shall direct the Veterinary Registrar to remove the name of the veterinary surgeon from the Veterinary Register.
	(6)	Where any veterinary surgeon fails to reply to the show cause notice served under subsection (2) within the specified time, the President shall direct the Veterinary Registrar to remove the name of the veterinary surgeon from the Veterinary Register.
	(7)	Any veterinary surgeon whose name has been removed from the Veterinary Register under subsection (5) or (6) may appeal in writing to the Minister and shall, if his appeal is allowed, be reinstated in the Veterinary Register.
	(8)	The decision of the Minister under subsection (7) may be made subject to such terms and conditions as the Minister thinks fit.
	(9)	Where a written notice under subsection (1) has been served on any veterinary surgeon, the Director General may cancel the written notice, and, if he thinks fit, cause to be served on the veterinary surgeon a further written notice.
Period of service		
94.	(1)	A veterinary surgeon who commences to serve in a post in pursuance of a written notice issued under section 93, shall continue to serve in that post or in such other subsequent post as may be determined by the Director General for a continuous total period to be prescribed.

	(2)	Any veterinary surgeon who fails to comply with subsection (1) shall be served with a show cause notice by the President.
	(3)	Any veterinary surgeon served with the show cause notice under subsection (2) shall reply to the show cause notice within thirty days of the date of the receipt of such notice.
	(4)	Where the President accepts the explanation in the reply to the show cause notice, he shall decide on the action to be taken on the veterinary surgeon.
	(5)	Where the President refuses the explanation in the reply to the show cause notice, he shall direct the Veterinary Registrar to remove the name of the veterinary surgeon from the Veterinary Register.
	(6)	Where any veterinary surgeon fails to reply to the show cause notice served under subsection (2) within the specified time, the President shall direct the Veterinary Registrar to remove the name of the veterinary surgeon from the Veterinary Register.
	(7)	Any veterinary surgeon whose name has been removed from the Veterinary Register under subsection (5) or (6) may appeal in writing to the Minister and shall, if his appeal is allowed, be reinstated in the Veterinary Register.
	(8)	The decision of the Minister under subsection (7) may be made subject to such terms and conditions as the Minister thinks fit.
Power of Minister to grant reduction or complete exemption from the period of service		
95.	(1)	The Minister may, by order published in the Gazette, grant reduction as he considers appropriate or complete exemption from the period of service—
		(a) in respect of any particular person;
		(b) generally, in respect of any class of persons for such period as he may specify; or
		(c) generally, in respect of all persons for such period as he may specify
	(2)	The Minister may, upon application being made to him by any person liable to undergo the period of service under section 79, grant to such person a postponement from commencing or completing such service, for such period as he thinks appropriate.

	(3)	The decision of the Minister under subsection (2) shall be final.	
Inspection of premises used for the practice of veterinary medicine			
96.	(1)	For purposes of the provisions of subsections 43(5), 44(5), 57(1), 58(3) and 58(4) of this Act, the Director General, may appoint an inspector in writing to inspect premises of private veterinary healthcare facility or services that are being used or proposed to be used or in respect of which there is reasonable cause to believe that they are being used for the practice of veterinary medicine.	
	(2)	An inspector so appointed shall, in the course of entering or inspecting any premises shall show the written authority given under subsection (1).	
	(3)	The appointed inspector in subsection (1) shall have authority —	
		(a)	to enter and inspect at any time any premises which are used or proposed to be used or in respect of which there is reasonable cause to believe that they are being used for the practice of veterinary medicine; and
		(b)	to inquire into and to report to the Council or the Board on the conditions under which veterinary medicine is being or is proposed to be practised.
	(4)	The reports made by an inspector under subsection (3) shall be in the prescribed form and it shall submit such reports to the Council or the Board not later than fourteen days after the date of the inspection.	
	(5)	In the State of Sabah and Sarawak, the power of Director General under this section shall be carried out by the respective State Director.	
Duty to assist an inspector			
97.	(1)	Whenever an inspector exercises his powers under subsection 96(3) this Act, the practitioner or the owner or occupier of any premises used, believed to be used or is about to be used as a place to practise veterinary medicine and any person found in that premises shall—	
		(a)	provide the inspector with the assistance as he may reasonably require;
		(b)	give the inspector all reasonable information in related matter; and

		(c)	produce to the inspector any book, record or document in his possession or custody or under his control or within his power to furnish, relating to the affairs of the place of practice.
	(2)		Any person who contravenes subsection (1) commits an offence and shall, be liable to a fine not exceeding fifty thousand ringgit or to imprisonment for a term not exceeding one year or both.
Compounding of offences			
98.	(1)		No offer to compound shall be made without the written consent of the Public Prosecutor.
	(2)		The Director General or any person authorised in writing by the Director General may compound any of the offences specified, committed by any person under this Act, or under any Regulations made under this Act, by making a written offer to such person reasonably suspected of having committed the offence to compound the offence upon payment to the Director General or any person authorised in writing by the Director General such amount not exceeding fifty per centum of the amount of maximum fine for that offence to which that person would have been liable if he had been convicted of the offence, within such time as may be specified in the offer.
	(3)		An offer under subsection (2) may be made at any time after the offence has been committed but before any prosecution of it has been instituted and where the amount specified in the offer is not paid within the time specified in the offer or within such extended period as the Director General or any person authorised in writing by the Director General may grant, prosecution of the offence may be instituted at any time thereafter against the person to whom the offer was made.
	(4)		Where an offence has been compounded under subsection (2):
		(a)	no prosecution shall thereafter be instituted in respect of such offence against the person whom the offer to compound was made; and
		(b)	any book, record, document, apparatus, equipment, instrument, signboard, material, article, substance or any other thing seized in connection with the offence, the authorized officer may destroy, forfeit or release subject to such terms and conditions as he may think fit with approval of court.
	(5)		In the State of Sabah and Sarawak, the power of Director General under this section shall be carried out by the State Directors.

General penalty			
99.	(1)	Any person guilty of an offence against this Act or any regulations made thereunder shall be liable on conviction –	
		(a)	in the case of an individual person, sole proprietor or partner-
			(i) in respect guilty of an offence to a fine not exceeding one hundred thousand ringgit; and
			(ii) in respect of the second or subsequent offences to a fine not exceeding two hundred thousand ringgit or imprisonment for a term not exceeding six years or both such fine and imprisonment.
		(b)	in the case of a body corporate or company–
			(i) in respect guilty of an offence to a fine not exceeding three hundred thousand ringgit; and
			(ii) in respect of the second or subsequent offences to a fine not exceeding four hundred thousand ringgit.
	(2)	In the case of continuing offence such person shall be liable to a further penalty-	
		(a)	in the case of an individual, sole proprietor or partner of one thousand ringgit for each day during the continuance of such offence after conviction in addition to the respective penalty under paragraph (1)(a).
		(b)	in the case of body corporate or company of five thousand ringgit for each day during the continuance of such offence after conviction in addition to the respective penalty under paragraph (1)(b).
Offence committed by a body corporate or a company			
100.	(1)	If a body corporate or company commits an offence under this Act or any its regulations, any person who at the time of the commission of the offence was a director, chief executive officer, chief operating officer, manager, secretary or other similar officer of the body corporate or company was purporting to act in any such capacity or was in any manner or to any extent responsible for the management of any of the affairs of the body corporate or company or was assisting in such management-	
		(a)	may be charged severally or jointly in the same proceedings with the body corporate or company; and

		(b)	if the body corporate or company is found to have committed the offence, shall be deemed to have committed that offence unless, having regard to the nature of his functions in that capacity and to all circumstances, he proves-
			(i) that the offence was committed without his knowledge, consent or connivance; and
			(ii) that he took all reasonable precautions and had exercised due diligence to prevent the commission of the offence.
	(2)		If any person would be liable under this Act or any of its subsidiary legislation to any punishment or penalty for any act, omission, neglect or default, he shall be liable to the same punishment or penalty for every such act, omission, neglect or default of any employee or agent of his, or of the employee of such agent, if such act, omission, neglect or default was committed—
		(a)	by his employee in the course of his employment;
		(b)	by the agent when acting on his behalf; or
		(c)	by the employee of such agent in the course of his employment by such agent or otherwise on behalf of the agent.
Exemptions			
101.	(1)		Notwithstanding anything to the contrary contained in this Act, it shall be lawful for any person who is pursuing a course of study as veterinary para-professional, to carry out, in pursuance of such course of study, any veterinary investigation, veterinary examination or veterinary treatment of animals in any hospital, clinic, health centre, or other institution which is approved by the Council for the purpose of this section or in any University or University College or an institution of higher learning approved by the Minister, provided such investigation, examination or treatment is carried out by such person under the control and supervision of a veterinary surgeon who holds a current and valid practising certificate.
	(2)		Notwithstanding anything to the contrary contained in this Act, it shall be lawful for any person who is pursuing a course of study in veterinary medicine or veterinary surgery in any University or University College, to carry out, in pursuance of such course of study, any veterinary investigation, veterinary examination or

		veterinary treatment of animals in any hospital, clinic, health centre, or other institution which is approved by the Council for the purpose of this section, provided such investigation, examination or treatment is carried out by such person under the control and supervision of a veterinary surgeon who holds a current and valid practising certificate.	
	(3)	Notwithstanding anything to the contrary contained in this Act, it shall be lawful for any person who has been granted a certificate of approval to appear for the Professional Qualifying Examination under sections 33, 40 and 46 to carry out veterinary procedures, provided such procedures are carried out –	
		(a)	with the approval of the Council, in the course of any training in preparation for the Professional Qualifying Examination; or
		(b)	as a requirement of the Professional Qualifying Examination.
	(4)	The veterinary hospital, veterinary clinic, veterinary health centre, or other institution approved by the Council under the previous subsections, or the owner or owners thereof, shall not be liable for any injury, loss or damage of a civil nature occasioned to any patient or other person solely in consequence of any investigation, examination or treatment of an animal under the previous subsections by a person pursuing a course of study in veterinary medicine or veterinary surgery, or as a veterinary para-professionals in an institution, provided that nothing in this subsection shall be construed as conferring on the person pursuing such course of study, or on the institution in which he is pursuing such course of study or on any officer or employee of such institution, any immunity from any liability for such injury, loss or damage.	
	(5)	The owner of food production animals and the owner's full-time regular employee from caring for or treating the animal belonging to such owner, under the prescription, supervision or direction of a registered veterinary surgeon with a current and valid annual practicing certificate except where the ownership of the animal was transferred for the purpose of circumventing this Act.	
	(6)	Any person engaged in bona fide scientific research and in the operation of laboratory animal facilities for the purpose of veterinary or medical research under the supervision of a registered veterinary surgeon with a current and valid annual practicing certificate in an institution or educational institution approved for the purpose by the Minister which requires reasonable experimentation involving animals from carrying on	

		acts which otherwise are prohibited or restricted by this act or any regulations made thereunder and subject to any laws in Malaysia and requirements on ethical requirements in animal research, animal welfare and the prevention of cruelty to animals.
	(7)	The employees of the government from performing his official duties.
	(8)	A person from advising or consulting with respect to or performing acts which the Council has determined as accepted livestock or animal management practice.
	(9)	Any veterinary para-professional person approved by Council from performing specified procedures and the usage of veterinary equipment in the practice of veterinary medicine in an approved premise.
	(10)	Notwithstanding anything to the contrary in this Act, it shall be lawful for any person to carry out procedures falling within the meaning of the practice of veterinary medicine, where that person is employed for that purpose and where such procedures are carried out in the course of that person's employment and under the supervision of a veterinary surgeon in the public service.
Veterinary practitioners authorised by the Director General to be deemed Government Veterinary Officers		
102.	(1)	The Director General may authorise in writing any veterinary practitioner who is registered under section 35 and not being a veterinary practitioner in the public service to undertake any of the following functions, that is: -
		(a) investigation, examination, treatment or management of any animal, or
		(b) perform an autopsy or post-mortem investigation on any deceased animal/animal specimens.
		in any hospital, clinic or health centre or in any other similar institution.
	(2)	A veterinary practitioner who is so authorised under subsection (1) to perform any of the functions referred to in paragraphs (a) and (b) thereof shall be deemed to be a Government Veterinary Officer for the purpose of the Criminal Procedure Code and any other relevant laws in Malaysia during the time he is carrying out such functions.
Liability of the Government for torts committed by non-Government practitioners while attending to patients at the request of or by arrangement with the Government		

103.	A registered veterinary practitioner who holds a current and valid practising certificate, who is not a public officer and who, at the request of or by arrangement with the Government, carries out any investigation, examination, treatment or management of any animal, or performs an autopsy or post-mortem investigation of any deceased animal or animal specimen in any Government hospital, clinic or health centre or in any other similar institution of the Government shall, while carrying out such investigation, examination, treatment or management, be deemed to be a public officer for the purpose of section 5 of the Government Proceedings Ordinance 1956; and notwithstanding subsection 6(4) of the Ordinance, proceedings may be brought against the Government in respect of any act, neglect or default of such practitioner done or committed in the course of or in connection with such investigation, examination, treatment or management.	
Appointment of Legal Advisors		
104.	The Council may appoint one or more legal advisors –	
	(a)	to assist the Council, the Board or any of their committees or subcommittees during any inquiry touching on disciplinary matters;
	(b)	to institute and conduct any civil proceedings on its behalf or on behalf of the Board; and
	(c)	to assist the Council, the Board or any of their committees or subcommittees on any matter pertaining to the Act or Regulations / any subsidiary legislation made thereunder.
Code or Guide to Professional Conduct		
105.	(1)	The Council shall establish the Code or Guide to Professional Conduct and Ethics to be observed by all veterinary practitioners and holders of Temporary Practice Certificate to the extent and in such manner as it considers appropriate.
	(2)	The veterinary practitioners and holders of Temporary Practice Certificate shall comply with the provisions as specified in subsection (1).
	(3)	If it comes to the knowledge of the Council that there is an alleged breach of the Code or Guide to Professional Conduct and Ethics, the matter shall be referred to the Complaints Committee.
Guidelines and directives		
106.	(1)	The Council or the Board may issue guidelines and directives as the Council or the Board considers necessary or expedient.

	(2)	The guidelines and directives issued under this section shall be complied with by all practitioners.
	(3)	Any practitioner who fails to comply with the guidelines or directives shall be subjected to the disciplinary authority of the Council or the Board, as the case may be.
The Council or the Board may require information		
107.	(1)	The Council or the Board may from time to time call for such information as it may require to be furnished by any practitioner whose name is on the Register and such practitioner shall furnish the information within thirty days of being required to do so.
	(2)	Every person whose name is on the Register shall, within three months of any change that may occur in the particulars he has furnished to the Council or the Board, notify the Council of the change.
	(3)	A practitioner who fails to comply with subsection (1) or (2) in respect of himself shall be guilty of an offence against this Act.
Power of the Minister to issue directions		
108.		The Minister may, from time to time, issue general directions not inconsistent with the provision of this Act or any regulations made thereunder and the Council or the Board shall give effect to such directions.
Returns, reports and information		
109.		The Council or the Board shall furnish the Minister with all such returns and information with respect to its activities as he may from time to time require.
Public Authorities Protection		
110.		The Public Authorities Protection Act 1948 [<i>Act 198</i>] shall apply to any action, suit, prosecution or proceeding against the Council or the Board or against any member, officer, servant or agent of the Council or the Board or its committees in respect of any act, neglect or default done or committed by him in such capacity.
Public servants		
111.		All officers including the Chief Executive Secretary and the Secretaries of the Council or the Board, its committees, sub-committees or its employees, while discharging their duties as members, shall be deemed to be public servants within the meaning of the Penal Code [<i>Act 574</i>].
Prescribed fees		
112.	(1)	Any fees and charges payable under this Act or its regulations shall be as prescribed in the <i>Fifth Schedule</i> .

	(2)	In addition to subsection (1), fees and charges prescribed in the <i>Fifth Schedule</i> may include an application for-
	(a)	a certified true copy of any disciplinary proceedings; or
	(b)	a copy of official document including any supporting letter or document,
		issued by the Council, the Board or the Registrar.
	(3)	Any application fee paid shall not be refundable or be used as other payment and is valid for that intended period of time and purpose only.
Power to amend Schedules		
113.		The Minister may, from time to time, after consultation with the Council, by order published in the <i>Gazette</i> , amend the <i>Schedules</i> to this Act.
Regulations		
114.	(1)	The Council may, with the approval of the Minister, make directives and regulations to prescribe anything which under this Act is required to be prescribed, and generally to carry out the objects and purposes of this Act.
	(2)	In particular and without prejudice to the generality of the foregoing powers, such directives and regulations may prescribe –
	(a)	the duties of the Registrar;
	(b)	the form of the Veterinary Register and the Veterinary Para-Professionals' Register, the mode in which they shall be kept and the contents thereof;
	(c)	the fees to be paid in respect of applications and proceedings under this Act and in respect of certificates and other documents issued under this Act and provide for such exemptions therefrom as the Council or the Veterinary Para-Professionals' Committee may deem appropriate;
	(d)	the form, manner and requirements in which applications for registration and for practising certificates shall be made;
	(e)	the form of any certificate or other document required for carrying out the purpose of this Act;
	(f)	the manner of qualifying and accrediting institutions and qualifications to be entered into the <i>Third</i> and <i>Fourth</i>

			<i>Schedules</i> , proof of qualifications in veterinary medicine, the appointment of examiners and fees payable by examinees and to examiners;
		(g)	the manner of receipt of applications and approval of registration, annual practicing permits, temporary practicing permits, and issuance of licenses to veterinary healthcare facilities and services, regulating the requirements and inspection of premises for the practice of veterinary medicine and veterinary healthcare facilities and services;
		(h)	the management of the property of the Council, the common seal of the Council and the attesting of documents by or on behalf of the Council, the audit of its accounts, proceedings of the Council and any tribunal or committees formed by the Council;
		(i)	the duties to be performed by the Council Secretary and the Secretary to the Board;
		(j)	the issuance of veterinary certificates of veterinary illness;
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		(k)	the manner for securing of legal advice by the Council and the Board, the provision of legal advisors therefore, the qualifications and functions of such legal advisors and the remuneration to be paid to them;
		(l)	the procedure for receipt of complaints or information touching on any disciplinary matter that may be inquired into by the Council and the establishment of Committees to be known as Preliminary Investigation Committees to make a preliminary investigation into complaints or information touching on any disciplinary matter involving veterinary surgeons that may be inquired into by the Council and to determine whether or not there shall be an inquiry by the Council;
		(m)	the procedure for receipt of complaints or information touching on any disciplinary matter that may be inquired into by the Board and the establishment of subcommittees to be known as Disciplinary Committees to make a preliminary investigation into complaints or information touching on any disciplinary matter that may be inquired into by the Board and to determine whether or not there shall be an inquiry by the Board;

		(n)	the prohibition of a member of any Preliminary Investigation Committee from attending any meeting of the Council whilst it is inquiring into a complaint or information, of which he took part in the preliminary investigation;
		(o)	the prohibition of a member of any Disciplinary Committee from attending any meeting of the Veterinary Para-Professionals' Board whilst it is inquiring into a complaint or information, of which he took part in the preliminary investigation;
		(p)	the procedure to be followed in relation to-
		(i)	the submission of complaints and information to the Preliminary Investigation Committees or the Disciplinary Committees;
		(ii)	the preliminary investigation of any complaint or information by a Preliminary Investigation Committee or a Disciplinary Committees;
		(iii)	the formulation of charges arising out of complaints and information;
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		(iv)	the reference to the Council by the Preliminary Investigation Committee of cases arising out of complaints and information;
		(v)	the reference to the Board by the Disciplinary Committee of cases arising out of complaints and information; and
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		(vi)	disciplinary inquires held by the Council and the Board;
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		(q)	exemptions from the application of the provisions of paragraph 73(3)(b) in respect of the use of specific instrument by specific persons or classes of persons, subject to such restrictions and conditions as may be specified;
		(r)	the formation of a Veterinary Qualifying and Accreditation Committee for the purpose of evaluation of applications for the Professional Qualifying Examination, and conducting the Professional Qualifying Examination for veterinary practitioners;

		(s)	the formation of a Veterinary Specialists' Qualifying Committee for the purpose of evaluation of applications for recognition as specialists; and
		(t)	any other matters for the purpose of this Act.
PART X			
REPEAL, SAVINGS AND TRANSITIONAL			
Repeal and dissolution			
115.	(1)	The Veterinary Surgeons Act 1974 (<i>Act 147</i>) is repealed (the repealed Act).	
	(2)	The Malaysian Veterinary Council established under the repealed Act is dissolved (the dissolved Council) in six months from the appointed date.	
	(3)	Notwithstanding the repeal of the Veterinary Surgeons Act 1971 under subsection (1), the repealed Act shall not affect order and regulations issued or made under or by virtue of the repealed Act and in force immediately before the commencement of this Act and such order and regulations shall remain in force and shall continue to remain in force as if every such order and regulations were issued or made under or by virtue of this Act until replaced or revoked by any order or regulations issued or made under or by virtue of this Act.	
	(4)	The provisions of the repealed Act (<i>Act 147</i>) relating to subsections 40 (1) and (2) shall be preserved.	
Transfer of powers, etc.			
116.	The powers, rights, privileges, liabilities, obligations and duties which immediately before the appointed date were those of the dissolved Council shall devolve on the Council established by this Act as from that date.		
Existing contracts			
117.	All deeds, bonds, agreements, instruments and working arrangements subsisting immediately before the appointed date shall have full force and effect against or in favour of the Council established by this Act and shall be enforceable as fully and effectually as if, instead of the dissolved Council or any person acting on behalf of the dissolved Council, the Council established by this Act had been named therein or been a party thereto.		
Membership of dissolved Council			

118.	(1)	Notwithstanding anything to the contrary, the members of the dissolved Council and the members of any committee appointed under the repealed Act who held office before the appointed date shall cease to hold office after six months from the appointed date.
	(2)	Nothing in subsection (1) shall affect the accountability of the outgoing members of the dissolved Council.
Savings for practising certificate		
119.	(1)	Notwithstanding the repeal and dissolution under section 115 or any provision of this Act to the contrary, every person who, before the appointed date holds a valid practising certificate issued to him under the repealed Act shall, on the appointed date, be deemed to have a practising certificate under this Act for the remainder of the year in which this Act comes into operation and shall be subject to the terms and conditions as the Council established by this Act may impose.
	(2)	The provisions of this Act relating to the cancellation, suspension and renewal of practising certificate shall apply to all persons deemed to have valid practising certificate under subsection (1).
Savings for register		
120.	(1)	Every person who, immediately before the appointed date was registered in Part I or Part II of the Register of Veterinary Surgeons, Malaysia under the repealed Act, shall on the appointed date, be deemed to be registered as a veterinary surgeon in Division I of the Malaysian Register of Veterinary Surgeons under this Act.
	(2)	All registers kept and maintained under the repealed Act shall on the appointed date be deemed to be registers kept and maintained under this Act.
Continuance of pending applications, etc.		
121.	(1)	All applications, approvals or decisions, on appeal or otherwise, pending before the dissolved Council under the repealed Act shall, on the appointed date, be dealt with by the Council in accordance with the provisions applying under this Act.
	(2)	All applications, approvals or decisions, on appeal or otherwise, pending before the Minister under the repealed Act shall, on the appointed date be dealt with by the Minister in accordance with the provisions applying under this Act.
	(3)	All instruments, certificates and documents lodged with the dissolved Council before the appointed date shall, on the

		appointed date, be deemed to have been lodged with the Council established by this Act.
Continuance of civil and criminal proceedings		
122.	(1)	Neither the repeal under section 115 nor anything contained in this Act shall affect any person's liability to be prosecuted or punished for offences committed under the repealed Act before the appointed date and the prosecution of such offences shall be taken in accordance with the repealed Act.
	(2)	Any proceedings, whether civil or criminal, cause of action or disciplinary action pending or existing before a Preliminary Investigation Committee, the Council or any court immediately before the appointed date by or against the dissolved Council or any person acting on behalf of the dissolved Council may be continued or instituted by or against the Council established by this Act by or against the dissolved Council or such person as if this Act had not been enacted.
	(3)	Any appeal brought or any leave to appeal applied for on or after the appointed date against a decision given immediately before the appointed date in any legal proceedings to which the dissolved Council was a party may be brought by or against the Council established by this Act.
Veterinary institution		
123.		A Malaysian citizen who graduates from any of the veterinary institution listed in the Second Schedule to the repealed Act within five years from the appointed date shall be eligible to be registered under section 35 of this Act.
Reference in law or document to dissolved Council		
124.		A reference in any law or document in force immediately before the appointed date to the dissolved Council shall on the appointed date be construed as a reference to the Council established by this Act.
Reference to the repealed Act		
125.		Any reference to the repealed Act in any written law shall be construed as a reference to this Act and any reference to any specific provision of the repealed Act in any written law shall be construed as a reference to a provision of this Act which corresponds as nearly as may be to such specific provision.

First Schedule	
[subsections 6(7) and 20(5)]	
SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL AND THE BOARD	
Tenure of office	
1.	(1) Subject to such conditions as may be specified in his instrument of appointment, a member of the Council—
	(a) who is appointed under paragraphs 6(1)(c), (d) and (i) of the Act; or
	(b) who is elected under paragraphs 6(1)(e) to (h) of the Act,
	shall, unless he sooner resigns or vacates his office or the appointment is revoked, hold office for a term not exceeding three years and shall be eligible for reappointment or re-election, provided that the member shall not hold office for more than two consecutive terms.
	A member of the Board appointed under paragraphs 20(1)(d) to (i), unless he sooner resigns or vacates his office or his appointment is sooner revoked, shall hold office for a term not exceeding three years and is eligible for re-appointment, provided that no member of the Board is eligible to hold office for more than two consecutive terms.
Vacation of office	
2.	(1) A member of the Council, shall be deemed to have vacated his office if—
	(a) he dies;
	(b) he is no longer a resident in the constituency that elected him or that he represents;
	(c) he is no longer practicing in the relevant sector under which he was elected or appointed;
	(d) he absents himself from three consecutive meetings of the Council or, he attends less than fifty percent of the meetings of the Council in a year, without leave from the President;
	(e) he becomes an undischarged bankrupt;
	(f) he is of unsound mind or is otherwise incapable of discharging his duties;
	(g) he has been convicted on a charge in respect of—
	(i) an offence involving fraud, dishonesty or moral turpitude;

			(ii) an offence under any law relating to corruption; or
			(iii) any other offence punishable with imprisonment whether in itself only or in addition to or in lieu of a fine;
		(h)	his conduct, whether in connection with his duties as a member of the Council, or otherwise, has been such as to bring discredit to the Council;
		(i)	his name has at any time been removed as a result of disciplinary proceedings, from—
			(i) the Veterinary Surgeons Register, Malaysia; or
			(ii) any register of veterinary practitioners or the equivalent maintained in any place outside Malaysia;
		(j)	his resignation is accepted by the President; or
		(k)	his appointment is revoked by the Minister.
	(2)	A member of the Board, shall be deemed to have vacated his office if—	
		(a)	he dies;
		(b)	he absents himself from three consecutive meetings of the Board or, he attends less than fifty percent of the meetings of the Council in a year, without leave from the Chairman;
		(c)	he becomes an undischarged bankrupt;
		(d)	he is of unsound mind or is otherwise incapable of discharging his duties;
		(e)	he has been convicted on a charge in respect of—
			(i) an offence involving fraud, dishonesty or moral turpitude;
			(ii) an offence under any law relating to corruption; or
			(iii) any other offence punishable with imprisonment whether in itself only or in addition to or in lieu of a fine;
		(f)	his resignation is accepted by the Chairman; or
		(g)	his appointment is revoked by the Minister.
	(3)	Where any veterinary surgeon who is a member by virtue of paragraphs 6(1)(g) to (j) dies before completion of his term of office, resigns or	

		otherwise ceases to be a member by reason of any provision of this Act, a veterinary surgeon shall be elected in his place, for the residue of the term for which such veterinary surgeon might have held office if he had not died, resigned or ceased to be a member.
	(4)	Notwithstanding subsection (2), the vacancy of any member elected under paragraphs 6(1)(g) to (h) shall not be filled for the residue of that term, if his term of office would have come to an end within twelve months by effluxion of time.
	(5)	The Council or the Board shall not be prevented from performing any of its functions or exercising any of its powers under this Act by any vacancy in its membership.
Chairperson of Council and Board meeting		
3.	(1)	In the absence of the President at any meeting of the Council or the Chairman at any meeting of the Board, for any reason, the Veterinary Registrar or the Veterinary Para-Professionals' Registrar, as the case may be, shall preside at the meeting.
	(2)	In the absence of the President at any meeting of the Council or the Chairman at any meeting of the Board, for any reason, the Veterinary Registrar or the Veterinary Para-Professionals' Registrar, as the case may be, shall preside at the meeting.
	(3)	In the absence of the President and the Veterinary Registrar at any meeting of the Council or the Chairman and the Veterinary Para-Professionals' Registrar at any meeting of the Board, for any reason, any other member of the Council appointed by the President or any other member of the Board appointed by the Chairman, as the case may be, shall preside at the meeting.
	(4)	The Veterinary Registrar, the Veterinary Para-Professionals' Registrar or the member appointed under subparagraph (3), as the case may be, shall—
		(a) during the period in which he is performing the functions of the President under this paragraph be deemed to be the President; or
		(b) during the period in which he is performing the functions of the Chairman under this paragraph be deemed to be the Chairman.
Frequency and venue of meetings		
4.	(1)	The Council or the Board and the committees shall hold as many meetings as are necessary for the efficient performance of its functions and such meetings shall be held at such places and times as specified in a written notice issued on behalf of the President in respect of the Council, the Chairman in respect of the Board or the chairman of the committee in respect of the committee, provided that meetings are held

		at least a year four times by the Council and two times a year by the Board.
	(2)	The members of the Council or the Board may request a meeting of the Council or the Board, as the case may be, by submitting a requisition notice to the Secretary in accordance with subparagraph (3).
	(3)	A requisition notice under subparagraph (2) shall contain the signatures of at least—
	(a)	five members of the Council and shall specify the matters to be discussed by the Council; or
	(b)	<u>three members</u> of the Board and shall specify the matters to be discussed by the Board.
Quorum		
5.	(1)	The quorum for meetings of the Council shall be <u>seven</u> and the quorum for meetings of the Board shall be <u>five</u> .
	(2)	The quorum for meetings of committees shall be <u>not less than half</u> of the members of the committee.
Council, Board and committee may invite others to a meeting		
6.		The Council, the Board or a committee may invite any person to attend any meeting, or deliberation of the Council, the Board or the committee for the purpose of advising the Council, the Board or the committee on any matter under discussion, but such person shall not be entitled to vote at the meeting or deliberation.
Casting vote		
7.		The decision of the Council or the Board shall be adopted by a simple majority of votes of the members present and voting, and in the case of an equality of votes, the President or the Chairman, as the case may be, shall have a casting vote in addition to his deliberative vote.
Minutes		
8.	(1)	The Council, the Board and the committees shall cause minutes of all its meetings to be maintained and kept in a proper form.
	(2)	The minutes of meetings of the Council, the Board and the committees, if duly signed, shall, in any legal proceedings, be admissible as prima facie evidence of the facts stated in the minutes without further proof.
	(3)	Every meeting of the Council, the Board and the committees of which minutes have been made in accordance with subparagraphs (1) and (2) shall be deemed to have been duly convened and held and all members at the meeting to have been duly qualified to act.

	(4)		A committee shall make available copies of the minutes of all its meetings to the Council should the Council request for it or to the Board should the Board request for it.
Procedure			
9.	The Council, the Board and the committees may regulate its own procedure.		
Disclosure of interest			
10.	(1)	A member of the Council, the Board or a committee or any person invited to attend the meeting of the Council, the Board or a committee, having directly or indirectly, any interest in relation to any matter under discussion by the Council, the Board or the committee shall disclose to the Council, the Board or the committee, as the case may be, the fact and nature of his interest.	
	(2)	A disclosure under subparagraph (1) shall be recorded in the minutes of the meeting of the Council, the Board or the committee, as the case may be.	
	(3)	After the disclosure under subparagraph (1), the member of the Council, the Board or the committee or any person invited to attend the meetings of the Council, the Board or the committee—	
		(a)	shall not take part or be present in any deliberation or during the making of any decision of the Council, the Board or the committee, as the case may be, about the matter; and
		(b)	shall be disregarded for the purpose of constituting a quorum of the Council, the Board or the committee, as the case may be, in the deliberation or during the making of any decision about the matter.
Validity of acts and proceedings			
11.	No act done or proceedings taken under this Act shall be questioned on the ground of—		
		(a)	any vacancy in the membership of, or any defect in the constitution of, the Council, the Board or a committee; or
		(b)	any omission, defect or irregularity not affecting the merits of the case.
Office of the Council or the Board			
12.	The office of the Council and the Board shall be at such place as the Director General may determine.		

SECOND SCHEDULE

[paragraph 33(1)(a)]

**REGISTRABLE QUALIFICATIONS
FOR REGISTRATION OF VETERINARY SURGEONS**

Country in which Qualification is granted	Institution granting Qualification	Description of qualification
1. Australia	a. University of Melbourne	Bachelor of Veterinary Science
	b. University of Queensland	i. Bachelor of Veterinary Science
		ii. Bachelor of Veterinary Science (Hons)
	c. University of Sydney	Bachelor of Veterinary Science
	c. Murdoch University	Bachelor of Veterinary Medicine and Surgery
2. Bangladesh	a. Bangladesh Agricultural University	Doctor of Veterinary Medicine
	b. Eastern Pakistan Veterinary College, University of Decca	Licentiate in Veterinary Science
	c. Eastern Pakistan Veterinary College, University of Decca	Diploma of Veterinary Medicine and Surgery
	d. East Pakistan Agricultural University, Mymensingh	Licentiate in Veterinary Science
	e. East Pakistan Agricultural University, Mymensingh	Bachelor of Science (Veterinary Science and Animal Husbandry)
	f. East Pakistan Agricultural University, Mymensingh	Diploma of Veterinary Medicine and Surgery

	g. East Pakistan College of Veterinary Science and Animal Husbandry	Doctor of Veterinary Medicine
3. Canada	a. Ontario Veterinary College University of Guelph	Doctor of Veterinary Medicine
	b. Western College of Veterinary Medicine, University of Saskatchewan	Doctor of Veterinary Medicine
4. India	a. Bengal Veterinary College	Graduate in Veterinary Science
	b. University of Calcutta	Bachelor of Veterinary Science
	c. Bidhan Chandra Krishi Viswaridyalaya (Bengal Veterinary College)	Bachelor of Veterinary Science and Animal Husbandry
	d. Bihar Veterinary College, Magadh, University	Bachelor in Veterinary Science and Animal Husbandry
	e. Rajendra Agricultural University, Bihar (Bihar Veterinary College)	Bachelor in Veterinary Science and Animal Husbandry
	f. Bombay Veterinary College	Graduate of the Bombay Veterinary College
	g. Bombay Veterinary College (Mahatma Phule Krishi Vidyapeeth Agricultural University)	Bachelor in Veterinary Science and Animal Husbandry

h.	Bombay Veterinary College (Konkan Krishi Vidyapeeth, Dapoli)	Bachelor in Veterinary Science and Animal Husbandry
i.	University of Bombay	Bachelor of Veterinary Science
j.	Orissa College of Veterinary Science and Animal Husbandry, Utkal University	Bachelor in Veterinary Science and Animal Husbandry
k.	Utkal University, Orissa State	Bachelor of Veterinary Science
l.	University of Agra	Bachelor of Veterinary Science
m.	Andra Pradesh Agricultural University, Hyderabad	Bachelor of Veterinary Science
n.	University of Mysore	Bachelor of Veterinary Science
o.	University of Agricultural Sciences, Mysore	Bachelor of Veterinary Science
p.	Kerala Veterinary College and Research Institute	Bachelor of Veterinary Science
r.	Kerala Agricultural University, Mannuthy	Bachelor of Veterinary Science
s.	Uttar Pradesh Agricultural University, Pantnagar	Bachelor of Veterinary Science
t.	Govind Ballabh Pant University of Agriculture and Technology Pantnagar	Bachelor of Veterinary Science and Animal Husbandry

	v. University of Udaipur, Rajasthan	Bachelor of Veterinary Science
	w. Madras Veterinary College	Graduate of the Madras Veterinary College
	x. University of Madras	Bachelor of Veterinary Science
	y. Tamil Nadu Agricultural University (Madras Veterinary College) TANUVAS	Bachelor of Veterinary Science
	z. University of Agricultural Science, Bangalore	Bachelor of Veterinary Science
	aa. Jawaharlal Nehru Krishi Vishwa Vidyalaya Jabalpur	Bachelor of Veterinary Science and Animal Husbandry
	bb. Assam Agricultural University	Bachelor of Veterinary Science and Animal Husbandry
5. Indonesia	a. Fakultas Kedokteran Hewan dan Peternakan, Institut Pertanian Bogor	Doktor Hewan
	b. Universiti Gadjah Mada, Jogjakarta	Doktor Hewan
	c. Universitas Air Langga	Doctor of Veterinary Medicine
6. Malaysia	a. Universiti Pertanian Malaysia / Universiti Putra Malaysia	Doctor of Veterinary Medicine
	b. Universiti Malaysia Kelantan	Doctor of Veterinary Medicine
7. New Zealand	Massey University	Bachelor of Veterinary Science
8. Pakistan	a. Punjab Veterinary College	Licensed Veterinary Practitioner, Punjab

	b. College of Animal Husbandry, Lahore, University of Punjab	Bachelor of Veterinary Science and Bachelor of Science (Animal Husbandry)
	c. University of Veterinary & Animal Sciences, Lahore	Doctor of Veterinary Medicine
	d. College of Animal Husbandry, Lahore, University of Agriculture, Lyallpur	Doctor of Veterinary Medicine
	e. University of Agriculture, Lyallpur	Doctor of Veterinary Medicine
	f. West Pakistan Agricultural University, Lyallpur	Doctor of Veterinary Medicine
8. Sri Lanka/Ceylon	University of Ceylon/Sri Lanka/Peradeniya	Bachelor of Veterinary Science
9. Taiwan	a. National Taiwan University	Bachelor of Veterinary Medicine
	b. National Chung Hsing University	Doctor of Veterinary Medicine
10. United Kingdom	a. Royal College of Veterinary Surgeons	Membership (institutions recognized by MRCVS)
	b. University of Bristol	Bachelor of Veterinary Science
	c. University of Cambridge	Bachelor of Veterinary Medicine
	d. University of Edinburgh	Bachelor of Veterinary Medicine And Surgery
	e. University of Glasgow	Bachelor of Veterinary Medicine And Surgery
	f. University of Liverpool	Bachelor of Veterinary Science

	g. University of London	Bachelor of Veterinary Medicine
11. United States of America	Colorado State University	Doctor of Veterinary Medicine

THIRD SCHEDULE

[subsection 33(a)]

REGISTRABLE QUALIFICATIONS FOR REGISTRATION OF VETERINARY PARAPROFESSIONALS

Country	Discipline	Education / Institute / Organization	Qualification
1. Malaysia	1.1 Veterinary Nurses	a. Veterinary Management Institute / Veterinary Association of Malaysia Department of Veterinary Services b. Veterinary Institute / Veterinary Institute of Malaysia, Department of Veterinary Services	Certificate - Veterinary Nurse
	1.2 Veterinary Technologists -Veterinary Assistants	Veterinary Research Institute, Department of Veterinary Services	i. Certificate– Veterinary Assistant ii. Certificate– Competency in Artificial Insemination in Ruminants
	1.3 Veterinary Laboratory Assistants / Technologists	Veterinary Research Institute, Department of Veterinary Services	Certificate – Veterinary Laboratory Assistant

THIRD SCHEDULE

[subsection 33(a)]

REGISTRABLE QUALIFICATIONS FOR REGISTRATION OF VETERINARY PARAPROFESSIONALS

Country	Discipline	Education / Institute / Organization	Qualification
	1.4 Animal Scientists	a. Universiti Malaysia Kelantan	i. Bachelor of Applied Science with Honours (Animal Science)
	1.5 Animal Productionists / Nutritionists		ii. Bachelor of Science (Agricultural Science – Livestock Production)
	1.6 Agronomists	b. Universiti Pertanian Malaysia / Universiti Putra Malaysia	i. Bachelor of Agriculture with Honours (Animal Science and Production)
	1.7 Other qualifications		ii. Diploma in Animal Health and Production Bachelor of Fisheries
			c. Universiti Darul Iman Malaysia
		d. Universiti Malaysia Sabah	Bachelor of Science (Agricultural Science – Livestock Production)
		e. Universiti Malaysia Sarawak	i. Bachelor of Science (Animal Science and Management)
			ii. Bachelor of Science (Aquatic Science and Management)
	f. Universiti Sains Malaysia	Bachelor of Science with Honours (Animal Biology)	
	g. Universiti Sultan Zainal Abidin	Bachelor of Science (Animal Production and Health) with Honours	
2. Australia	Veterinary Nurses	Animal Industries Resource Centre and Provet – Australia	i. Certificate in Veterinary Nursing ii. Diploma in Veterinary Nursing

THIRD SCHEDULE

[subsection 33(a)]

REGISTRABLE QUALIFICATIONS FOR REGISTRATION OF VETERINARY PARA-PROFESSIONALS

Country	Discipline	Education / Institute / Organization	Qualification
		TAFE NSW Sydney Institute of Australia	Veterinary Nursing Program(?)
3. United Kingdom	Veterinary Nurses	Royal College of Veterinary Surgeons, United Kingdom	Veterinary Nurse

-Need to verify further with relevant authorities and the institutions.

FOURTH SCHEDULE

[paragraph 39(1)(b)]

**REGISTRABLE QUALIFICATIONS FOR REGISTRATION OF POST-BASIC
VETERINARY PARA-PROFESSIONALS**

Country	Discipline	Education / Institute / Organization	Qualification

-Need to verify and discuss further with the relevant authorities and institutions.

FIFTH SCHEDULE

[section 112]

FEES

No.	Items	Fees (RM)
1.	Registration as a veterinary surgeon. [subsection 35(2)]	200.00
2.	Registration as a veterinary specialist (per specialty). [subsection 38(2)]	1000.00
3.	Registration as a veterinary para-professional. [subsection 35(2)]	50.00
4.	Registration as a post-basic veterinary para-professional. [subsection 39(2)]	100.00
5.	Application for annual practicing certificate. [paragraph 44(4)(c)]	100.00
6.	Application for annual practicing certificate after being suspended under subsection 44(4). [subsection 45(1)]	100.00
7.	Application for annual practicing certificate after appeal against its cancellation granted by the Minister. [subsection 44(7)]	100.00
8.	Application to add or amend any information or particulars the existing Annual Practicing Certificate or holder of current practicing certificate. [subsection 43(11)]	100.00
9.	Extract from the Malaysian Register of Veterinary Surgeons or Malaysian Register of Veterinary Para-Professionals (certified true copy) per copy per person registration. [subsection 29(7)]	100.00
10.	Application for a temporary practicing certificate for veterinary surgeon. [subsection 46(3)]	200.00
11.	Application for a temporary practicing certificate for veterinary para-professional. [subsection 46(3)]	150.00

12.	Application for a temporary practicing permit for veterinary specialist. [subsection 46(9)]	500.00
10.	Alteration of qualification and additional qualifications. [subsection 52(3)]	100.00
11.	Application for a certificate of conditional registration / letter of good professional standing including translation. [subsection 40(2)/paragraph 111(2)(ii)]	250.00
12.	Application for a certificate of approval to establish and maintain a veterinary healthcare facility or services. [paragraph 58(3)(b)]	500.00
13.	Application for a <i>licence</i> to operate and provide a veterinary healthcare facility or services. [paragraph 58(4)(c)(ii)]	1,000.00
14.	Application for <i>approval to make changes</i> to the approved license- (i) to renovate or alter the facility and the operational matters of services; or (ii) to transfer of licensee's name. [paragraph 58(4)(c)(xiv)]	250.00
15.	Application for a new licence after being cancelled or revoked or refusal to waive a licence after cancellation under subsection 44(5). [paragraph 58(4)(d)(ii)]	500.00
16.	Application to sit for Professional Qualifying Examination conducted by the Council or the Board. [paragraph 33(1)(c), paragraph 33(2)(d) or paragraph 46(1)(b)(i)]	250
17.	Application for Annual Practicing Certificate after appeal against its cancellation granted by the Minister. [subsection 43(7)]	100
18.	Application for a certified copy of any disciplinary proceedings (per case per copy). [paragraph 111(2)(i)]	250.00

SIXTH SCHEDULE		
[subsection 49(3)]		
PROCEDURES THAT MAY BE CARRIED OUT BY A VETERINARY PARA-PROFESSIONALS IN THE PRIVATE SECTOR		
A veterinary para-professional employed in the private sector may carry out the following procedures:		
<i>(a)</i>	Veterinary health promotion, education and instruction;	
<i>(b)</i>	Photography on instruction of the veterinary surgeon; and	
<i>(c)</i>	Clinical procedures that may be carried out by a veterinary para-professionals under supervision in the private sector shall be limited to the following:	
	<i>(i)</i>	Restraining and handling of animals;
	<i>(ii)</i>	General taking of body temperature, respiration, pulse rates;
	<i>(iii)</i>	Application of dressings/bandages on wounds;
	<i>(iv)</i>	General handling of instruments under direct supervision of a veterinary surgeon during treatment and surgery; and
	<i>(v)</i>	Venipuncture, blood taking and setting up of intravenous drip line.

SEVENTH SCHEDULE

[subsection 49(4)]

**PROCEDURES THAT MAY BE CARRIED OUT
BY A POST-BASIC VETERINARY PARA-PROFESSIONALS
IN THE PRIVATE SECTOR**

A veterinary para-professionals registered in Division B of the Veterinary Para-Professionals' Register as a post-basic veterinary para-professional and employed in the private sector may carry out, in addition to the procedures in the Sixth Schedule, the following procedures in relation to the discipline for which he is trained-

1.	Removal of sutures;
2.	Assisting in the injection of non-scheduled poisons;
3.	Simple post-surgical wound dressing;
4.	Scrub nurse and runner in the operating theatre;
5.	Preparation of equipment and materials for sedation procedures;
6.	Removal of splints;
7.	Equipment – i.e. ultrasound/imaging for which the person has competency certificates;
8.	For equine management-
	(i) Management practices – i.e. hoof trimming, teeth rasping.
9.	For livestock and poultry production-
	(i) vaccination;
	(ii) injections; and
	(iii) castrations of piglets/removal of retained testicles/repair of hernia.

References:

1. Veterinary Practice Bill 201x (First Draft) by the previous Legislation Committee of Malaysian Veterinary Council (MVC);
2. Veterinary Surgeons Act, 1974 (*Act 147*) and its subsidiary laws;
3. Dental Act of 1971 (*Act 51*);
4. Dental Bill 2017 (*DR 46*);
5. Medical Act 1971 (*Act 50*);
6. Medical (Amendment) 2012);
7. Animals Act 1953 (*Act 647*);
8. Animals (Amendment) 2013 (*Act A1452*); and
9. Animal Welfare Act 2015 (*Act 772*).