

CONSOLIDATION OF VETERINARY PROFESSION ACT
R.S.N.W.T. 1988,c.V-2

(Current to: March 29, 2006)

AS AMENDED BY:

S.Nu. 2001,c.10,s.8

s.8 in force May 29, 2001

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Any certified Bills not yet included in the Annual Volumes of the Statutes of Nunavut can be obtained through the Office of the Clerk of the Legislative Assembly.

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GLOSSARY OF TERMS USED IN CONSOLIDATIONS

Miscellaneous

- c. means "chapter".
- CIF means "comes into force".
- NIF means "not in force".
- s. means "section" or "sections", "subsection" or "subsections", "paragraph" or "paragraphs".
- Sch. means "schedule".
- SI-005-98 means the instrument registered as SI-005-98 in 1998. (*Note: This is a Northwest Territories statutory instrument if it is made before April 1, 1999, and a Nunavut statutory instrument if it is made on or after April 1, 1999 and before January 1, 2000.*)
- SI-012-2003 means the instrument registered as SI-012-2003 in 2003. (*Note: This is a Nunavut statutory instrument made on or after January 1, 2000.*)

Citation of Acts

- R.S.N.W.T. 1988,c.D-22 means Chapter D-22 of the *Revised Statutes of the Northwest Territories, 1988*.
- R.S.N.W.T. 1988,c.10(Supp.) means Chapter 10 of the Supplement to the *Revised Statutes of the Northwest Territories, 1988*. (*Note: The Supplement is in three volumes.*)
- S.N.W.T. 1996,c.26 means Chapter 26 of the 1996 Annual Volume of the Statutes of the Northwest Territories.
- S.Nu. 2002,c.14 means Chapter 14 of the 2002 Annual Volume of the Statutes of Nunavut.

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VETERINARY PROFESSION ACT

INTERPRETATION

Definitions

1. In this Act,

"licence" means a licence to practise veterinary surgery in the Territories issued under this Act; (*permis*)

"Register" means the Veterinary Register referred to in subsection 2(1); (*registre*)

"Registrar" means the Registrar of Health Professions appointed under the *Dental Profession Act*; (*registraire*)

"veterinary surgeon" means a person holding a licence under this Act; (*vétérinaire*)

"veterinary surgery" means the surgical, dental or medical treatment of animals but does not include the castration, spaying, vaccinating or dehorning of animals. (*médecine vétérinaire*)

S.Nu. 2001,c.10,s.8(2).

REGISTRATION AND LICENSING

Veterinary Register

2. (1) The Registrar shall keep a register, called the Veterinary Register, and enter in it the names of all persons who are entitled under this Act to be registered in the Veterinary Register.

Licences

(2) The Registrar may issue a licence to any person who is registered in the Register. S.Nu. 2001,c.10,s.8(3),(4).

Qualifications for registration

3. A person who

- (a) possesses a diploma or certificate of veterinary surgery granted by a school, college, body or association empowered by law to grant that diploma or certificate in any part of Her Majesty's Dominions,
- (b) possesses a diploma or certificate of veterinary surgery granted by a school, college, body or association in the United States that is recognized by the American Veterinary Medical Association as qualified to grant that diploma or certificate,
- (c) is licensed under a veterinary association Act of a province or the Yukon Territory, or

(d) is a veterinary inspector appointed under the *Animal Disease and Protection Act (Canada)*, and who pays the fees required by this Act, is entitled to be registered in the Register.

Validity of licence

- 4.** (1) No licence is valid unless
- (a) the registration fee in respect of the year for which the licence is issued is paid; and
 - (b) the holder is registered under subsection 2(1).

Duration of licence

(2) A licence issued under this Act expires on January 15 of the year following the date of issue.

Registration fee

(3) The annual registration fee is the prescribed fee.

Persons entitled to practise

5. No person is entitled to recover a fee or remuneration for professional services rendered or materials or appliances provided by him or her in the practice of veterinary surgery unless he or she holds a licence under this Act at the time the services are rendered or materials or appliances are provided.

Removal from Register

6. (1) The Registrar shall remove from the Register the name of a person registered who does not, on or before June 30 in any year, pay the prescribed annual registration fee.

Reinstatement

(2) A person whose name is removed from the Register under subsection (1) is entitled to have his or her name reinstated on the Register and to receive a licence if that person pays a fee of \$25 in addition to the annual registration fee required by subsection 4(3). S.Nu. 2001,c.10,s.8(5).

DISCIPLINE

Board of Inquiry

7. (1) The Commissioner may establish a Board of Inquiry composed of two or more persons appointed by the Commissioner for the purpose of investigating any complaint made against a veterinary surgeon with respect to an alleged contravention of this Act, or any complaint of malpractice or infamous, disgraceful or improper conduct.

Quorum

(2) A majority of the members of a Board of Inquiry is a quorum and a finding by a majority of a Board of Inquiry on any matter is final.

Powers of Board of Inquiry

(3) A Board of Inquiry may

- (a) make rules and regulations under which the inquiry is to be held;
- (b) summon and bring before it any person whose attendance it considers necessary to enable the Board of Inquiry to properly inquire into the matter complained of;
- (c) swear and examine all persons referred to in paragraph (b) under oath;
- (d) compel the production of documents; and
- (e) do all things necessary to provide a full and proper inquiry.

Finding of Board of Inquiry

(4) A Board of Inquiry shall, after investigation of a complaint under this section, make a finding and shall immediately report its finding to the Registrar.

S.Nu. 2001,c.10,s.8(6).

Power of Registrar where finding of guilt

8. (1) Where a veterinary surgeon is, after due inquiry, found by a Board of Inquiry to be guilty of

- (a) a contravention of this Act,
- (b) malpractice, or
- (c) infamous, disgraceful or improper conduct,

the Registrar may suspend or cancel the licence of that veterinary surgeon and strike the name of that veterinary surgeon off the Register.

Reinstatement

(2) A veterinary surgeon whose name has been struck off the Register or whose licence has been suspended or cancelled, may be reinstated on the Register, his or her licence renewed and his or her rights and privileges under that licence restored, in the manner and on the conditions that the Commissioner, in the Commissioner's discretion, may decide. S.Nu. 2001,c.10,s.8(7).

OFFENCES AND PUNISHMENT

Offences and punishment

9. A person who, not being the holder of a licence under this Act,

- (a) publicly or privately for hire, gain or hope of reward, practises veterinary surgery,
- (b) appends to his or her name the title "veterinary surgeon" or any abbreviation of that title,
- (c) holds himself or herself out in any way to be duly qualified to practise veterinary surgery,
- (d) assumes any title or description implying or designed to lead the public to believe that he or she is duly qualified to practise veterinary surgery, or

(e) prescribes or administers medicine for or to animals for hire, gain or hope of reward,
is guilty of an offence and liable on summary conviction, for the first offence, to a fine of not less than \$20 and not exceeding \$100 and, for each subsequent offence, to a fine of not less than \$50 and not exceeding \$200.

Limitation period

10. A prosecution for an offence under this Act may not be commenced after one year from the time when the matter of the prosecution arose.

Burden of proof

11. In a prosecution for an offence under this Act the burden of proof that the person against whom the charge is laid is the holder of a licence is on the person against whom the charge is laid.

REGULATIONS

Regulations

12. The Commissioner, on the recommendation of the Minister, may make regulations

- (a) prescribing the amount of fees to be paid in respect of a licence or renewal of licence issued under this Act and a registration applied for or made under this Act; and
- (b) respecting any matter the Commissioner considers necessary and advisable for the effective carrying out of the intent and purposes of this Act.