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Government Notice

MINISTRY OF AGRICULTURE, WATER AND FORESTRY

No. 93

2016

RULES RELATING TO THE PRACTICE OF VETERINARY AND VETERINARY PARA-PROFESSION: VETERINARY AND VETERINARY PARA-PROFESSIONS ACT, 2013

In terms of section 54 of the Veterinary and Veterinary Para-Professions Act, 2013 (Act No. 1 of 2013) the Namibian Veterinary Council has, with the approval of the Minister responsible for Agriculture, Water and Forestry, made the rules set out in the Schedule.

J. KIRCHNER
REGISTRAR
NAMIBIAN VETERINARY COUNCIL

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PART 1

DEFINITIONS

1. In these rules a word or an expression to which a meaning has been assigned in the Act has that meaning and unless the context otherwise indicates -

“*ad hoc* animal services” means animal services rendered where a veterinary professional on an *ad hoc* basis in a remote area or place where there is no regular veterinary service;

“advertisement” means any form of communication including computer accessed communication in the media or any other visual or verbal announcement by a veterinary professional or veterinary group, whether paid for or not, which is intended to be read, heard or seen by members of the public with a view to direct attention to the services provided by such veterinary professional or veterinary group;

“animal clinic” means a veterinary facility where basic veterinary services are available and where examination, diagnostic and medical services for animals are rendered;

“animal hospital” means a veterinary facility where veterinary services are available at all times and where examination, diagnostic, prophylactic, medical, surgical and extended accommodation services for hospitalised animals are rendered;

“clinical subjects” means subjects at a veterinary tertiary institution relating to veterinary diagnostics and therapeutics, surgery, medicine, anaesthesiology, diagnostic imaging, theriogenology, clinical pathology and diagnostic pathology;

“computer-accessed communication” means any communication made by or on behalf of a veterinary professional or veterinary group that is disseminated through the use of a computer or related electronic device, including, but not limited to, websites, weblogs, search engines, electronic mail, banner advertisements, pop-up and pop-under advertisements, chat rooms, list servers, instant messaging, or other internet presences, and any attachments or links related to it;

“conditional registration” means registration to practice a veterinary profession under certain conditions determined by the Council in terms of section 29 of the Act, either in terms of duration of registration or in terms of activities permitted;

“extra-label” means use of medicine in a manner that is not in accordance with the approved label directions of that medicine including the use in animals not listed in the labelling, the use for disease and other conditions not listed in the labelling, the use at dosage levels, frequencies, or routes of administration other than those stated in the labelling and deviation from labelled withdrawal time based on these different uses;

“house or farm call” means when a veterinary professional leaves his or her main veterinary facility to render a basic medical or surgical service to his or her clients at the place where the animals are kept;

“logo” means any object or figure being a symbolic representation presented in a professional manner and used as a mark of recognition or distinguishing token;

“mobile clinic” means a vehicle which is modified and equipped to function as a veterinary facility and which may be transported or moved from one location to another for the rendering of a restricted range of medical and or surgical animal services from such vehicle;

“para-clinical or pre-clinical subjects” means subjects at a veterinary tertiary institution relating to veterinary anatomy and histology, veterinary microbiology, veterinary infectious diseases, veterinary pharmacology and toxicology, veterinary public health, veterinary epidemiology;

“products” mean veterinary and animal related products;

“the Act” means the Veterinary and Veterinary Para-Professions Act, 2013 (Act No.1 of 2013);

“unconditional registration” means registration to practice a veterinary profession without conditions in terms of section 29 of the Act;

“veterinary facility” means a facility at or from which a person practices a veterinary profession and which is registered in terms of Regulations relating to Veterinary and Veterinary Para-Professions published in Government Notice No. 17 of 27 February 2014;

“veterinary group” means any representative group of veterinarians recognised by the Council.

PART 2

SERVICES PERTAINING SPECIALLY TO VETERINARY PROFESSIONS

Services pertaining specially to veterinary professions

2. (1) For the purposes of the Act, the following services pertain specially to a veterinary profession:

- (a) all material or intellectual interventions that have as their objective the diagnosis, treatment or prevention of any mental or physical disease, injury, pain or defect in an animal or any physiological or pathological function or condition in an animal, whatever the cause of disease, injury, pain, defect, function or condition;
- (b) all advice direct, telephonic or by any other means or intellectual transfer of veterinary knowledge;
- (c) a surgical or dental operation or any other invasive intervention on an animal including all interventions that have the potential to cause pain to an animal;

- (d) all veterinary interventions, including food or feed chain activities affecting public health;
- (e) the administration of an anaesthetic agent to an animal; and
- (f) the prescribing or administration of a medicine to an animal and certifying the health status of an animal or group of animals or any veterinary certification relating to any of the services referred to in paragraphs (a) to (e).

(2) Tuition at tertiary level of veterinary clinical subjects requires unconditional registration in terms of the Act, while tuition of pre or para-clinical subjects by a veterinarian requires either unconditional or conditional registration.

(3) A veterinarian or veterinary para-professional participating in a research project in Namibia, where he or she is required to perform any of the services listed under subrule 1, requires either unconditional or conditional registration in terms of the Act.

(4) A veterinarian or veterinary para-professional working in a veterinary laboratory in Namibia requires either unconditional or conditional registration in terms of the Act.

(5) A person who wishes to render specialist veterinary clinical services in Namibia must be registered as a veterinarian before applying for registration as a veterinary specialist.

(6) This rule applies irrespective of whether the services contemplated in it are provided for financial gain or not.

Exceptions

3. The limitations referred to in rule (1), do not prohibit -
- (a) the diagnosis or treatment of a pathological condition in an animal which is caused by malnutrition, by an appropriately qualified person;
 - (b) the administration to an animal of a Schedule 0 substance referred to in the Medicines and Related Substances Control Act, 2003 (Act No.13 of 2003), by an appropriately qualified person;
 - (c) the bloodless castration of cattle, sheep, goats or pigs under the age of three months, by an appropriately qualified person;
 - (d) the dehorning of cattle under six months old using a debudding apparatus, by an appropriately qualified person;
 - (e) the amputation of tails of sheep under the age of three months, by an appropriately qualified person;
 - (f) the performing of artificial insemination on livestock by persons registered under the Livestock Improvement Act,1977(Act No. 25 of 1977);
 - (g) the administration of a medicine prescribed by and in accordance with the instruction of a person who practices a veterinary profession;
 - (h) the administration of an anaesthetic agent, excluding Schedule 5 substances referred to in the Medicines and Related Substances Control Act, 2003 (Act No. 13 of 2003) by a veterinary para-professional working under direction of a veterinarian; or

- (i) the taking of samples for laboratory examinations, by an appropriately qualified person.

PART 3

CONDUCT OF PERSONS PRACTISING VETERINARY PROFESSIONS

General principles

4. (1) Persons who practice a veterinary profession, must base their professional and personal conduct on the fact that -
- (a) they are members of a learned and honourable profession and are required to act at all times in such a manner as will maintain and promote the prestige, honour, dignity and interest of the profession and of the persons by whom it is practiced;
 - (b) they are morally obliged to serve their clients in all conscience to the best of their professional ability and in the light of the latest scientific knowledge and must exercise personal and independent judgment after taking into account all relevant circumstances, without any application of personal interest or external influence;
 - (c) they must comply with Council requirements regarding continued professional development and must submit a summary of such activities on request, using the form provided by the Council;
 - (d) they may not seek any personal advantage at the expense of any colleague in the profession;
 - (e) they may not permit themselves to be exploited in a manner that may be detrimental to an animal, their clients, the public or the profession and must act with honesty and integrity in relationships with others, including clients and colleagues;
 - (f) they must as far as it is possible within their professional ability not refuse basic emergency treatment and pain relief to an animal, unless justifiable special circumstances prevent it;
 - (g) they may not abandon the treatment of an animal under their professional care, unless they are satisfied that they have done their utmost to safeguard the well-being of the animal concerned or the animal has been transferred to the care of a colleague at the request of the client or a veterinarian;
 - (h) they must as far as reasonably possible obtain informed consent from a client before treatment or procedures are carried out on an animal;
 - (i) they must as far as professionally possible protect the client's confidentiality except -
 - (aa) when disclosure is required by law;
 - (ab) in cases where certification by the veterinarian is required;
 - (ac) in cases when disclosure concerns public or consumer health; or
 - (ad) cases in which the consent of the client has been obtained; and
 - (j) they must take all reasonable precautions to ensure the health and safety of their employees and must ensure that their employees have the knowledge and skill necessary to undertake tasks assigned to them.

(2) Persons who practice a veterinary profession must keep themselves informed of the laws which affect them in the practicing of their profession and must as far as it is within their power assist in the application of those laws.

(3) Persons who practice a veterinary profession must in particular have knowledge of animal health and welfare laws and must take into account social and environmental impacts of their professional activities.

(4) All veterinarians must take into account the five freedoms for assessing animal welfare which are -

- (a) freedom from hunger and thirst;
- (b) freedom from pain, injury and disease;
- (c) freedom from fear and distress;
- (d) freedom to express normal behaviour; and
- (e) freedom from discomfort,

and all veterinarians must consider the option of euthanasia even without the consent of the owner of the animal concerned in cases where in their professional opinion there are no medical means, to prevent excessive suffering of that animal.

(5) If a veterinarian does not possess adequate knowledge and ability to deal with a certain case in respect of an animal they must offer to refer the case to a colleague in the veterinary profession with the appropriate knowledge and skills.

(6) A person practicing a veterinary profession, must refrain from expressing any criticism in public by which the reputation, status or practice of a colleague in the profession is or could be undermined or prejudiced or by which a reflection is or could be cast on the probity, skill, methods or conduct of a colleague.

(7) The following practices are considered unethical in a veterinarian practice:

- (a) green hunting of wild animals, which is the practice by which a veterinarian facilitates the chemical immobilisation or anaesthesia of an animal by a person who is not a veterinarian, whether for financial gain or not;
- (b) any procedure, surgical or otherwise, performed on an animal solely for cosmetic reasons; and
- (c) the administration of anaesthesia or performing of any surgical procedure or both on an animal solely for the purposes of producing a film or for the purposes of tourism activities.

(8) A veterinarian who wishes to carry out activities contemplated in subrule (7) must apply to the Council and the application must be accompanied by a detailed proposal setting out the reasons for such activities by the veterinarian.

(9) The Council may -

- (a) approve an application under subrule (8); or
- (b) refuse to approve an application and provide reasons for the refusal.

Certificates

5. (1) Any certificate or other document which is issued by a veterinary professional in his or her professional capacity must contain only facts.

(2) A veterinary professional must only certify those matters -

- (a) of which he or she has personal knowledge;
- (b) which can be ascertained by himself or herself personally; or
- (c) which is the subject of a supporting certificate from another veterinary professional who has personal knowledge of the matters in question and is authorised to provide such a supporting document.

(3) The certification referred to in subrule (2) must -

- (a) be prepared with care and accuracy;
- (b) be legible;
- (c) be unambiguous and easy to understand;
- (d) be produced on one sheet of paper or where more than one page is required must be indivisible; and
- (e) contain dates in which the month is written in words.

(4) All certificates issued by a veterinary professional must indicate -

- (a) the name and residential address of the owner of the animal or animal product concerned;
- (b) the address of the premises where the animal or animal product is kept;
- (c) the breed, sex, colour and age of the animal;
- (d) any positive identification of the animal or animal product such as tattoo numbers, microchip numbers and body markings, where possible;
- (e) the purpose for which the animal or animal product is certified; and
- (f) the date of issue of the certificate as well as the date of examination of the animal or animal product.

(5) Vaccination certificates must, in addition to the requirements of subrule (3) and (4), indicate -

- (a) the batch number or date of manufacture of the vaccine used; and
- (b) the date of vaccination of the animal concerned.

(6) Any certificate or other document issued in a professional capacity by a veterinary professional must be signed by such a veterinary professional personally.

(7) Any correction or amendment made on the certificate referred to in this rule must be countersigned by the veterinarian concerned at the place of correction.

(8) When signing a certificate in terms of this rule, a veterinary professional must ensure that -

- (a) he or she signs, stamps and complete all manuscript portions in ink;
- (b) the certificate contains no deletions, other than those, which are indicated on the face of the certificate to be permissible and subject to such deletions being initialled by the certifying veterinary professional;
- (c) the certificate bears not only his or her signature but also, in clear lettering, his or her name, qualifications and official or practice stamp;
- (d) no blank spaces are left on any certificates;
- (e) the certificate is given a unique number, with records of numbers being retained by the issuing authority of the persons to whom certificates were supplied;
- (f) if a certificate attests to details of vaccinations administered to the animal concerned, the details must be clearly written onto the certificate; and
- (g) a sticker bearing the name, expiry date and batch number of vaccines is applied where a certificate attests to details of vaccinations administered to the animal concerned and this information does not appear on the certificate;
- (h) an official translation of a certificate is provided if such a request is made;
- (i) copies of certificates issued by a veterinary professional are retained for a period of five years; and
- (j) original certificates are always issued.

(9) Only a veterinary professional must sign veterinary certificates.

(10) Veterinary para-professionals may only sign certificates which do not specifically require the signature of a veterinarian and not in a space designated for the signature of a veterinarian.

(11) A facsimile or scan of a certificate is acceptable but a witness must be available to verify the contents of the facsimile and the certifying veterinary professional must retain the original certificate.

(12) Certificates may not require veterinary professionals to certify that there has been compliance with the laws of another country, unless the provisions of the applicable law are set out clearly on the certificate.

(13) A veterinary professional may not issue certificates with regard to his or her own animals if there is a potential for conflict of interest, for instance the certification for the purposes of the sale or insurance of such animals.

Acceptance and payment of commission

6. (1) Subject to subrule (2), a person who practices a veterinary profession, may not -

- (a) pay or offer a commission to any person as a consideration for clients or possible clients referred to the veterinary professional by such person;
 - (b) accept any commission from any person as a consideration for his or her recommendation of professional veterinary services offered or rendered to such person;
 - (c) share any fees which are charged for a service, with any person other than a colleague in the profession, unless such sharing is commensurate with the extent of the participation of that other person in the rendering of the service concerned; or
 - (d) charge or accept any fee for the pre-purchase examination of an animal simultaneously from both the buyer and the seller of that animal or for an insurance examination both the insurer and the owner of that animal.
- (2) Subrule (1) may not be construed as prohibiting a person who practices a veterinary profession from -
- (a) paying a debt collection agency any commission in respect of debts collected on his or her behalf by such agency; or
 - (b) accepting any royalty or similar compensation in respect of any article or product in respect of which he or she holds the copyright or patent rights.

Canvassing and touting

7. A person who practices a veterinary profession, may not directly or indirectly, but not limited to the following prohibitions -

- (a) canvass or endeavour to canvass any influence in order to procure a professional appointment for himself or herself, his or her employer or a colleague in the profession;
- (b) either personally or through an agent, tout or endeavour to tout any clients for himself or herself, his or her employer or a colleague in the profession;
- (c) approach a person who is not a client with a view to persuade such person to make use of his or her professional services; or
- (d) with a view to attracting clients, grant or undertake to grant to any person, firm, association or other body of persons a discount on the fee normally charged for a service.

Tendering of services

8. A person who practices a veterinary profession may -

- (a) provide a quotation of a fee charged by him or her for a particular service;
- (b) apply for a professional appointment in a position advertised as vacant or may advertise a vacancy in his or her practice; and
- (c) submit a tender for an advertised task or project.

Professional appointments

9. (1) Before a person who practices a veterinary profession assumes a professional appointment either in an honorary capacity or otherwise he or she must enter into a service contract regulating the appointment concerned.

- (2) A service contract referred to in subrule (1) -
 - (a) may not be used or calculated to be used as a means of advertising the person concerned or his or her name;
 - (b) must clearly specify the services which are expected of the person concerned; and
 - (c) may not give rise to the undermining of or prejudice to the practice of a colleague in the profession.

Covering

10. (1) A person who practices a veterinary profession may not -
- (a) conclude a partnership agreement relating to his or her practice with another person;
 - (b) offer a professional appointment in his or her practice to another person;
 - (c) employ another person in a professional capacity in his or her practice; or
 - (d) share his or her waiting and consulting rooms with another person,

unless such other person is a veterinarian.

- (2) A person who practices a veterinary profession, may not -
 - (a) place his or her professional knowledge at the disposal of a member of the public or a non-veterinarian organisation; or
 - (b) co-operate or collaborate with a member of the public or a non-veterinarian organisation if unlawful or irregular practices are or may be encouraged by such collaboration or it may adversely affect a veterinary profession.

(3) Subrule (2) may not be construed as prohibiting a person who practices a veterinary profession, from rendering assistance under the circumstances concerned to a member of the public or non-veterinarian organisation in an emergency, in order to save an animal life or to prevent animal suffering but the veterinary professional concerned must as soon as possible notify the Council in writing of the relevant circumstances.

Second opinions

11. (1) If a client of a veterinary professional requires a second opinion on the condition of an animal treated by the veterinary professional, such veterinary professional must -

- (a) assist the client with the choice arrangement with a colleague in the profession to provide the required second opinion; and
- (b) provide the colleague contemplated in paragraph (b) with a full case history of the animal concerned and state the reasons for requesting such second opinion.

(2) A veterinary professional may, after agreement with the client, request a second opinion on the condition of an animal being treated by him or her.

(3) A person from whom a second opinion has been requested in terms of subrule (1) or subrule (2) must provide his or her findings on the condition of the animal, to both the owner of that animal and the colleague concerned.

(4) After a person has provided a second opinion as contemplated in this rule, he or she may only attend to the animal concerned at the invitation of or with the consent of the person by whom that animal is being treated.

Use of veterinary medicines

12. (1) If a veterinary professional administers a medicine to an animal or prescribes the administering of a medicine to an animal, he or she must be satisfied that the medicine administered or to be administered is correct with due allowance for the benefits and risks which that medicine may hold for -

- (a) the animal to which it is administered or to which it is to be administered;
- (b) the person by whom it is administered; and
- (c) the consumers of the products of that animal, if residues of the medicine concerned should be present in those products.

(2) A veterinary professional must inform the owner of an animal to which a medicine has been administered or to which the administering of such medicine has been prescribed, fully with regard to -

- (a) the application and effect of and precautionary measures in connection with that medicine;
- (b) the period, if any, during which the products of that animal must be withheld from consumption by humans; and
- (c) the extra-label use of any medicine, which may be prescribed for a particular animal, if it is the professional opinion of the veterinarian who is treating the animal that the medicine is indicated for that animal.

(3) Only a veterinarian, specially registered with an additional professional category (wildlife) in terms of regulation 23 of the Regulations relating to Veterinary and Veterinary Para-Professions published under Government Notice No. 17 of 27 February 2014, may on application to the Namibia Regulatory Council and subject to the Medicines and Related Substances Control Act, 2003 (Act No.13 of 2003), acquire and use Schedule 5 substances, as the end-user.

Substitution

13. (1) A person who practices a veterinary profession may not examine or treat any animal at that time being treated by a colleague in the profession or advise the owner of such animal on the diagnosis or treatment of that animal, unless -

- (a) he or she is requested in terms of rule 11 to provide a second opinion on the condition of the animal concerned;
- (b) he or she is unaware of the fact that the animal in question is being treated by a colleague;

- (c) the colleague concerned agrees that he or she may take over the treatment of the animal concerned; or
 - (d) the owner or client of the animal concerned has requested him or her to take over the treatment of the animal concerned or to apply emergency treatment to the animal concerned.
- (2) If, in terms of subrule (1)(d) a person who practices a veterinary profession -
- (a) takes over the treatment of an animal, he or she must notify the colleague concerned accordingly as soon as possible; and
 - (b) applies emergency treatment to an animal, he or she must -
 - (i) determine before treating the animal that the colleague concerned is not available to apply such treatment personally;
 - (ii) for the purposes of such emergency treatment, act as a substitute for the colleague concerned; and
 - (iii) immediately notify the colleague concerned of the nature and extent of the emergency treatment applied by him or her.

Professional interference

- 14.** (1) If a person who practices a veterinary profession -
- (a) has obtained any confidential information regarding the nature and extent of the practice of a colleague in the profession; or
 - (b) has, whilst in the service of an employer, rendered professional services in a particular area where a colleague in the profession has a practice,

such a person may not open a practice in the area concerned before the expiry of such period that he or she and such colleague have agreed on in a formal written restriction of trade agreement.

(2) If colleagues in the profession cannot agree on a period referred to in subrule (1), the Council may advise such time period following consultation with the concerned veterinarians.

(3) If a person who practices a veterinary profession, renders professional services to an employer on a part-time basis, he or she may not use his or her connection with such employer in any manner to promote his or her own practice at the expense of other veterinarians rendering professional services on a part-time basis.

Professional confidentiality

15. (1) A person who practices a veterinary profession must treat all information obtained by him or her in the course of the practice of his or her profession and which relates to an animal, as strictly confidential, irrespective of whether that information has been obtained as a result of the examination, diagnosis or treatment of that animal or has been disclosed to him or her by another person.

- (2) Information referred to in subrule (1) -
- (a) may only be revealed to another person with the consent of the owner of the animal concerned;

- (b) may be revealed by the veterinary professional concerned, if he or she is so directed by a court or is obliged to reveal it under any law;
- (c) may be revealed by the veterinary professional concerned, if he or she is of the opinion that the public interest outweighs his or her obligation to the owner of the animal concerned; and
- (d) in the case of a notifiable disease in terms of the Animal Health Act 2011(Act No. 1 of 2011), be reported to the Directorate of Veterinary Services in the Ministry administering agriculture without delay, irrespective of whether such disease is suspected or confirmed.

(3) A person who practices a veterinary profession may not publish a list of the fees usually charged for services or issue or show such list to any person other than a colleague in the profession.

Approximate fees

16. (1) A veterinary professional must inform the person in charge of an animal in respect of which a service is to be rendered beforehand of the approximate fee which he or she intends to charge for such service -

- (a) if so requested by the person in charge of the animal;
- (b) if such fee exceeds the fee usually charged by the veterinarian for such service; and
- (c) if a service is required in addition to the original service anticipated.

(2) A veterinary professional claiming payment from a person in respect of services rendered by him or her must provide such person with a detailed account within 30 days after being so requested.

PART 4 ADVERTISING AND MARKETING

Advertising

17. (1) A veterinary professional may advertise his or her services, products and veterinary facilities or permit another person to do so but the advertisement must comply with these rules and may in no way compromise or impair directly or indirectly, but not limited to, any of the following:

- (a) the client's freedom to consult a veterinary professional of his or her choice; and
- (b) the good reputation of the veterinary profession.

(2) All advertising by a veterinary professional must be in good taste with regard to content, prominence and medium and may not be offensive to any cultural or religious community or be contrary to the spirit of the code of conduct of the veterinary profession.

(3) Subject to subrules (8) and (9) the content of an advertisement must be limited to a description of one or more of the following:

- (a) the nature of the services rendered;
- (b) the veterinary products, merchandise and foodstuffs stocked and sold;

- (c) the address and telephone number at which such services are rendered and the veterinary products, merchandise and foodstuffs sold;
- (d) the times during which the services are rendered;
- (e) the name of the veterinary professional concerned; and
- (f) a logo.

(4) An advertisement or notice describing a specific veterinary care or veterinary advice may be posted on the webpage of the veterinary facility and be sent by e-mail to the clients of the veterinary professional, but the notice must contain the telephone number of the facility as well as information concerning emergency and after hours services.

(5) An advertisement or notice referred to in subrule (4) may not list individual contact details of the clients concerned and must carry the clear instruction that the advertisement or notice may not be forwarded to any other person or persons by any recipient.

(6) A veterinary group may, subject to subrule (8), advertise as contemplated in this rule if the advertisement concerned has the approval of the majority of its members.

(7) The responsibility for ensuring that a group advertisement contemplated in subrule (6) complies with the standards required by these rules is on the chairperson or president and the executive committee of the group or the veterinary professional submitting the advertisement.

(8) Advertisements by or on behalf of a veterinary professional, may not -

- (a) be misleading in any respect;
- (b) compare the quality of services or products rendered, the standards of veterinary facilities or the knowledge or expertise of a veterinary professional with that of another veterinary professional or the veterinary profession generally and it may not claim to be superior in any respect;
- (c) criticise the quality of services or products rendered by another veterinary professional; and
- (d) have fees and incentives that relate to any services that pertain specially to the veterinary profession as the subject of any advertisement but prices of products, sold and services that do not pertain specially to the veterinary profession rendered at the veterinary facility may be advertised and incentives including the word "discount" may be used when advertising such products and non-veterinary services but the advertisement must clearly state that incentives and discounts do not apply to any services that pertain specially to the veterinary profession.

(9) Only a veterinary professional registered as a specialist with the Council, may claim that he or she is a specialist or an expert in a particular field in any advertisement.

(10) A veterinary professional may advertise that he or she has a particular interest in a certain species, organ or discipline but the advertisement must indicate that the veterinary professional is a general practitioner with such a particular interest.

(11) A veterinary professional may not collude with any person to ensure that his or her advertisement appears adjacent to an article or advertorial published by such person if the article or advertorial would be in contravention of these rules if published by the veterinary professional.

(12) A veterinary professional may not use a pop-up or pop-under advertisement in connection with a computer retrieved communication other than on the veterinary professional's website for his or her veterinary facility.

Promotion of products and services

18. (1) The name of a person who practices a veterinary profession may not be used in any manner, whether directly or indirectly -

- (a) as part of the name of any business or organisation, other than a veterinary facility registered by such person in terms of the Regulations relating to Veterinary and Veterinary Para-Professions published under Government Notice No. 17 of 27 February 2014;
 - (b) in appeals to the public for contributions in aid of animal homes, clinics or other facilities;
 - (c) in an advertisement to promote an article or a product, which is or may be used in connection with the practicing of a veterinary or veterinary para-profession or the feeding, treatment or care of animals;
 - (d) in an advertisement in connection with any place at which animals are sold or boarded, cared for or hospitalised for a consideration or in connection with a service which is rendered at such place for a consideration, irrespective of whether that place is owned, controlled or managed by that person or any other person; or
 - (e) in an advertisement in connection with any business or commercial enterprise in which he or she has an interest or is employed in a capacity other than as a veterinary professional, if it is used in connection with his or her professional title or qualifications or his or her professional address or telephone number.
- (2) Subrule (1), does not prohibit -
- (a) a person who practices a veterinary profession, from promoting a particular product or service in an attempt made in good faith to save animals during a state of emergency in a specific area; and
 - (b) the employer of a person who practices a veterinary profession, from directing written notices to its shareholders and clients indicating the name and fields of activity of such person but such notice must -
 - (i) contain the name of the person to whom it is directed; and
 - (ii) be contained in a sealed window or other envelope on which the name and address of the person to whom it is directed appears;
 - (c) a person who practices a veterinary profession and who signs a letter regarding a veterinary matter on behalf of his employer, from indicating his professional title and qualifications together with his or her signature; or
 - (d) a person who practices a veterinary profession, from stating his or her name and professional title and qualifications in a document which is required in terms of the Companies Act, 2004 (Act No. 28 of 2004), in respect of a company of which he or she is a director.

(3) A veterinary professional may create separate advertising boards that indicate products stocked or used by the veterinary professional at his or her veterinary facility but such boards may not contain the name of the veterinary professional or name of the registered veterinary facility or any other words that are misleading, confusing or conveying a false perception to the public or that may be construed as endorsement of such a product.

Articles and editorials

- 19.** A veterinary professional may, in printed media -
- (a) state his or her name;
 - (b) qualifications;
 - (c) his or her capacity; and
 - (d) the address, telephone numbers;
 - (e) name of the veterinary facility from which the veterinary professional practices

in articles or editorials published by the veterinary professional.

Entries in telephone directories

- 20.** (1) An entry in a telephone directory -
- (a) in the case of the particulars of a person who practices a veterinary profession, may consist of the name, professional and residential address, professional title and telephone number or numbers of that person; and
 - (b) in the case of a veterinary facility, may consist of the applicable words referred to in subrule 22(2)(b)(ii) and, if applicable, the words approved in terms of subrule 22(5), as well as the business and postal address and telephone number or numbers of the veterinary facility.
- (2) The particulars referred to in subrule (1) -
- (a) are not limited to appear only in the letter size and type applicable for ordinary entries in such telephone directory;
 - (b) must appear in the appropriate place in the alphabetic section of the telephone directory concerned; and
 - (c) in the case of a person who practices a veterinary profession may be repeated -
 - (i) together with the applicable particulars of his or her active partner; and
 - (ii) under the heading “veterinarian” or similar group reference in the telephone directory concerned, together with the applicable particulars of the name of the veterinary facility such veterinary professionals are associated with, if it has such classification.
- (3) Subrules (1) and (2) apply to entries in directories other than an official telephone directory.

Name-plates at veterinary facilities

21. (1) Subject to subrule (3), a veterinary professional may display a name plate for each veterinarian professional at each veterinary facility where the veterinarian professional practices his or her veterinary profession.

(2) A name-plate which is displayed in terms of subrule (1) -

- (a) may not be larger than 350 mm by 250mm;
- (b) must contain only an indication of the name, professional title and qualifications as recorded in the register of the person concerned; and
- (c) must be displayed -
 - (i) next to or above the main entrance door of the veterinary facility of such person concerned;
 - (ii) at the main entrance to the building in which the veterinary facility concerned is situated; or
 - (iii) next to the main entrance gate to the premises on which the veterinary situated.

(3) If the veterinary facility of a veterinary professional is situated in a building which is shared with other occupants, the name-plates in respect of that person may be displayed in any manner as referred to in subrule (2)(c).

(4) If a veterinary professional -

- (a) takes over the practice of a colleague in the profession; or
- (b) a partner in the practice dies or retires,

the name-plate of the predecessor or deceased or retired partner may be displayed at the consulting room of the practice concerned for a period not exceeding six months after the date of take-over, death or retirement but in the case of a take-over, the words "successor to" must be added before the name of the predecessor concerned on his name-plate and the name-plate of the person who has taken over the practice concerned must be displayed immediately above that of his predecessor.

(5) A name-plate referred to in subrule (1) may not be displayed at the place of residence of a veterinary professional or at any other place, unless that person has a veterinary facility at that place and actually practices at or from such veterinary facility.

Identification of veterinary facilities

22. (1) A veterinary facility may be identified by means of an identification board.

(2) An identification board referred to in subrule (1), may -

- (a) in the case of a veterinary facility -
 - (i) only be displayed next to or above the main entrance door of that veterinary facility, the main entrance to the building in which the facility is situated or next to the entrance gate to the premises on which such facility is situated;

- (ii) contain the words of the veterinary facility as entered into the register; and
 - (iii) contain the information specified for a name plate if the veterinary professional so desires.
- (b) In the case of an animal clinic or animal hospital -
- (i) only be displayed next to the main entrance gate to the premises on which that animal clinic or hospital is situated or at such other place on the premises concerned as may be necessary to identify such animal clinic or hospital concerned; and
 - (ii) subject to subrule (5) contain the words “veterinary clinic”, “animal clinic”, “veterinary hospital” or “animal hospital”, or words describing the nature of the facility as registered.
- (3) For the purposes of identification referred to in subrule (1), detached lettering may be used instead of an identification board referred to in subrule (1) if such lettering complies with subrule (2).
- (4) An identification board referred to in subrule (1) and lettering referred to in subrule (3) may be illuminated, but the use of neon type lettering may not be used.
- (5) The Council may, in the case of a veterinary facility, approve the words which may be used together with the applicable words referred to in subrule (2)(b)(ii) as the name of the veterinary facility concerned, as it appears in the register.
- (6) If the veterinary facility of a veterinary professional, is situated in a building in which joint provision for the identification of room numbers of tenants exists in the entrance hall or on the various floors -
- (a) the veterinary professional concerned may make use of such joint provision to identify his consulting room; and
 - (b) an additional name plate may, subject to rule 21(2)(a) and (b) be used next to the entrance door of such veterinary facility.
- (7) If a veterinary professional moves to a veterinary facility at a new address, a notice to this effect, stating the new address of his or her veterinary facility, may be displayed at this old address for a period of not more than six months following the date of such move.
- (8) If a veterinary professional takes over the practice of a colleague in the profession and opens his or her veterinary facility at an address other than that of his or her predecessor, a notice to this effect, stating the address of his or her veterinary facility, may be displayed at the address where the veterinary facility of his or her predecessor was situated for a period of not more than six months following the date of such takeover.
- (9) A veterinary facility where a person practices a veterinary profession, may be identified by means of a direction indicator board, subject to complying with applicable local authority legislation and may only contain the words as approved in terms subrules (2)(a)(ii), (2)(b)(ii) or (2)(c) and a direction arrow.
- (10) If a veterinary facility of a veterinary professional is concealed from the road a direction indicator board may be erected to indicate the direction of the veterinary facility subject to the applicable local authority legislation.

Indication of consulting hours

23. (1) A veterinary professional must indicate the consulting hours during which a veterinary professional is available for consultations at a veterinary facility at or from which he or she practices on a suitable board at such veterinary facility and the words “consultations by appointment only” may be added to the board.

(2) If a veterinary professional of a one-person practice anticipates to be away from his or her facility for a fixed period of time and cannot secure the services of a substitute, he or she must inform his or her clients of alternative services available, arranged with a colleague from another facility, by means of a temporary additional notice secured to the board contemplated in subrule (1).

(3) If a veterinary professional is not available for a period of time or is not able for any reason to attend emergency after-hours calls, he or she must arrange with a colleague from another facility to attend these cases and the alternative telephone number may be displayed on the board or recorded on an answering service described under rule 26(2).

(4) A board contemplated in subrule (1) must be displayed at the main entrance door or the main entrance gate to the veterinary facility referred to in that subrule.

(5) A board contemplated in subrule (1) -

(a) must in addition to stating the consulting hours concerned, indicate the telephone number where suitable veterinary assistance may in an emergency be obtained during normal consulting hours and outside consulting hours; and

(b) may be illuminated, but neon type lettering may not be used.

PART 5
MINIMUM STANDARDS FOR CONSULTING ROOMS

General

24. (1) All veterinarians, including those employed by the State, must work from a fixed veterinary facility.

(2) State veterinary facilities must conform to the structural requirements stated in rule 25.

Structural requirements for consulting rooms

25. (1) A consulting room at or from which a person practices a veterinary profession, must be a permanent structure, including buildings which are factory produced and site assembled.

(2) In addition to the requirements of any other applicable legislation, a consulting room must consist of -

(a) a reception and office area;

(b) a waiting room for clients with access to toilet facilities; and

(c) one or more examination rooms.

(3) The internal walls and floor surfaces, shelves and tables of a consulting room must be of such a nature that they can be properly cleansed and disinfected to ensure hygienic conditions.

(4) Direct public entrance to a consulting room may not be provided through any place of business.

(5) If simple non-invasive surgery with animals to be discharged on the same day is to be performed at the consulting room, the veterinarian must ensure that a place is equipped for that purpose, where aseptic conditions are maintained at all times during surgery.

(6) A consulting room must have a fire extinguishing apparatus, which meets the requirements of the applicable local authority legislation.

Facilities at consulting rooms

26. (1) A consulting room where a person practices a veterinary profession, must -
- (a) have the necessary minimum facilities, but not limited to such facilities, to ensure that -
 - (i) it is constructed as such to prevent the escape of an animal and to ensure the effective confinement of animals at all times;
 - (ii) an outpatient service can be rendered at the consulting room;
 - (iii) a laboratory service, including a microscope, for its own requirements is rendered at the consulting room or access to such service is available;
 - (iv) there is a separate area which is equipped as a pharmacy and dispensing area;
 - (v) have appropriate equipment or access for the effective sterilisation of surgical packs and other equipment for use during simple non-invasive operations;
 - (vi) have adequate storage for sterilised packs and employ acceptable techniques to indicate the effectiveness of sterilisation;
 - (vii) an area or room, with adequate ventilation and drainage into a sewer, with separates cages for animals recovering from anaesthesia or day-animals receiving treatment such as fluid therapy, can be safely and comfortably housed; and
 - (viii) animals are not permitted to stay at consulting-rooms overnight unless appropriate arrangements are made for care of the animals;
 - (b) during the consulting hours, specified on a board referred to in rule 22, be manned by a person who practices a veterinary profession to serve clients, unless an emergency prevents it.
- (2) In a consulting room -
- (a) the telephone at the number or alternative number which is indicated on the board referred to in rule 23(3) and in an official telephone directory in respect of the consulting room of a person who practices a veterinary profession, must be answered at all times; and
 - (b) the use of an automatic answering service may be used.

(3) The answering service referred to in subrule (2) must state the normal consulting hours and give contact details of an alternative facility as agreed in rule 23(1)(b) for emergency cases occurring after normal consulting hours.

- (4) Provision must be made at a consulting room for the storage and disposal of -
- (a) waste material in a manner, which must prevent the contamination of the consulting room concerned and all sharps such as needles and scalpel blades in a suitable container; and
 - (b) carcasses in a manner which will ensure that they do not start to decompose before being buried or incinerated.

Records at consulting rooms

27. A veterinary professional must keep a complete set of clinical records at the consulting room, in accordance with rule 34 for each animal in a legible accurate form to permit prompt retrieval.

PART 6

MINIMUM STANDARDS FOR ANIMAL CLINICS AND ANIMAL HOSPITALS

Structural minimum requirements for small animal clinics

28. (1) A small animal clinic at or from which a person practices a veterinary profession, must be a permanent structure, including buildings which are factory produced and site assembled.

- (2) Subject to any applicable legislation, a small animal clinic must consist of -
- (a) a reception and office area;
 - (b) a waiting room for clients with access to toilet facilities;
 - (c) one or more examination rooms, which can be used for pre-operative preparation;
 - (d) a separate room which is equipped as an operating room, where aseptic conditions must be maintained at all times during routine operations;
 - (e) a ward or enclosed area in which animals can be kept, which must -
 - (i) provide a separate cage for each animal;
 - (ii) be ventilated and, if necessary, heated or cooled;
 - (iii) allow the drainage and washing water to run off in an adequate sewer;
 - (iv) be so constructed as to prevent the escape of an animal; and
 - (v) to ensure the effective, safe and comfortable confinement of animals at all times; and
 - (f) a separate area which is equipped as a pharmacy and dispensing area.

(3) The internal wall and floor surfaces, shelves and tables of a small animal clinic must be of such nature that they can be properly cleaned and disinfected to ensure hygienic conditions and must, in the case of the operating-room and ward, be water-proof and washable to ensure that hygienic conditions can be maintained at all times.

(4) A small animal clinic must have a source of lighting and alternate power arrangements to allow the veterinary facility to function adequately at all times in the event of a power failure.

(5) A small animal clinic must have adequate access to appropriate equipment for the person who has to care for animals after hours should this be necessary.

(6) A small animal clinic must have an area where post mortem examinations can be performed with adequate drainage facilities, easy to be cleaned and disinfected.

(7) A small animal clinic must have a fire extinguishing apparatus, which complies with the applicable local authority legislation.

(8) Provision must be made at an animal clinic for hygienic, insect and rodent free storage of therapeutic and nutritional requirements.

Structural minimum requirements for small animal hospitals

29. (1) A small animal hospital at or from which a person practices a veterinary profession, must be a permanent structure including buildings which are factory produced and site assembled.

(2) Subject to any requirements of applicable legislation, a small animal hospital must consist of -

- (a) a reception and office area;
- (b) a waiting room for clients with access to toilet facilities;
- (c) one or more examination rooms;
- (d) one or more rooms for the treatment and pre-operative preparation of animals;
- (e) a separate room which is equipped as an operating room, where aseptic conditions must be maintained during routine operations at all times;
- (f) a ward in which animals can be kept, which must -
 - (i) provide a separate cage for each animal;
 - (ii) be ventilated and, if necessary, heated or cooled;
 - (iii) allow the drainage and washing water to run off in to an adequate sewer;
 - (iv) be so constructed as to prevent the escape of an animal;
 - (v) ensure the effective, safe and comfortable confinement of animals at all times;
- (g) a separate isolation ward with separate cages for individual animals with contagious diseases, with adequate disinfection facilities for personnel entering and leaving the area;

- (h) a separate room, clearly designated, in which diagnostic imaging procedures can be performed;
- (i) an area where post mortem examinations can be performed with adequate drainage facilities, easy to be cleaned and disinfected;
- (j) an area in which animals can be trained and which is designed and constructed in a manner which will prevent escaping and will promote hygiene; and
- (k) adequate facilities for the person who has to care for animals after hours should this be necessary.

(3) Subject to any applicable legislation, a small animal hospital must have a source of lighting and alternate power arrangements which allows the veterinary facility to function adequately in the event of a power failure.

(4) The internal wall and floor surfaces, shelves and tables of a small animal hospital must be of such nature that they can be properly cleansed and disinfected to ensure hygienic conditions and must, in the case of the operating-room, ward, exercising area and post mortem area be of a water-proof and washable nature to ensure that hygienic conditions can be maintained at all times.

(5) A small animal hospital must have a fire extinguishing apparatus, which complies with the applicable local authority legislation.

(6) Provision must be made at a small animal hospital for hygienic, insect and rodent free storage of therapeutic and nutritional requirements.

Structural minimum requirements for large animal hospitals

30. (1) A large animal hospital where a person practices a veterinary profession, must be a permanent structure including buildings which are factory produced and site assembled.

- (2) Subject to any applicable legislation, a large animal hospital must consist of -
- (a) a reception and office area with access to toilet facilities;
 - (b) a loading ramp and crush pen where animals can be safely off-loaded, and a proper examination can be performed;
 - (c) an area, clearly designated, where diagnostic imaging procedures can be performed;
 - (d) a separate room which is equipped as an operating-room;
 - (e) stables or partially covered paddocks where animals can be housed;
 - (f) an area in which animals can be trained and which is designed and constructed in a manner which will prevent escaping and will promote the maintenance of hygiene; and
 - (g) adequate facilities for the person who has to care for animals after hours should this be necessary.

(3) The internal wall and floor areas of a large animal hospital must be of such a nature that they can be cleansed and where necessary disinfected and must, in the case of the operating-

room and stable referred to in subrules (2)(c), (2)(d) and (2)(e) be waterproof and washable so that hygienic conditions can be maintained.

(4) At a large animal hospital hygienic conditions must be maintained at all times in and around the stables, paddock and the exercise area.

(5) At a large animal hospital a stable or covered paddock referred to in subrule (2)(e) must -

- (a) be constructed and equipped in such a manner that each animal can when necessary, be kept separately;
- (b) be ventilated;
- (c) have partial or complete shelter against adverse weather conditions; and
- (d) the drainage and washing water from a large animal hospital and stable must run off into an adequate sewer.

Facilities at animal clinics

- 31.** (1) An animal clinic from which a person practices a veterinary profession -
- (a) must have the minimum necessary facilities to ensure that -
 - (i) a diagnostic imaging service or access to diagnostic imaging procedures can be rendered at such facility;
 - (ii) anaesthesia can be applied during surgical operations;
 - (iii) a nursing care service can be rendered;
 - (iv) an emergency and or post-operative and or medicinal care service can be rendered;
 - (v) a laboratory service or access to such service is available;
 - (vi) there is a separate area which is equipped as a pharmacy and dispensing area;
 - (vii) post mortem examinations can be done at the clinic;
 - (b) must during the consulting hours specified on a board referred to in rule 21, be manned by a person who practices a veterinary profession, to serve clients by appointment, unless it is prevented by an emergency;
 - (c) may only hospitalise an animal overnight if trained supervision is available at the clinic concerned and if the treating veterinarian considers such hospitalisation necessary for the animal;
 - (d) may not hospitalise an animal with a contagious disease at a clinic, unless separate isolation facilities exist at the clinic;
 - (e) must have a fire extinguishing apparatus, which complies with the applicable local authority legislation;

- (f) must have equipment to determine the weight of animals adequately;
- (g) must have operating rooms with facilities complying with rule 41;
- (h) must have appropriate equipment or access to equipment for the effective sterilisation of surgical packs and other equipment;
- (i) must have adequate storage for sterilised packs and employ acceptable techniques to indicate the effectiveness of sterilisations; and
- (j) must have facilities and equipment or access for the safe and hygienic disposal of or incineration of soiled dressings, animal tissue or carcasses, sharps and any other contaminated or unwholesome matter or objects to prevent the decomposing and contamination of the veterinary facility as well as the environment.

(2) Unless it is prevented by circumstances, the telephone number which is indicated in an official telephone directory and on the board referred to in rule 23(5)(a) in respect of a clinic must be answered at all times and the use of an automatic answering service outside normal consulting hours is permissible for this purpose.

(3) The answering service referred to in subrule (2) must state the normal consulting hours and give contact details of the veterinarian on duty for emergency cases or contact details of an alternative facility as agreed in 23(3) for emergency cases.

(4) Provision must be made at an animal clinic for hygienic, insect and rodent free storage of therapeutic and nutritional requirements.

Facilities at animal hospitals

32. (1) An animal hospital at which a person practices a veterinary profession, must have the minimum necessary facilities, to ensure that -

- (a) a diagnostic service, including diagnostic imaging procedures can be rendered;
- (b) Anaesthesia can be applied during surgical operations;
- (c) emergency, intensive or nursing care services can be rendered;
- (d) no animal is hospitalised overnight at the animal hospital, unless trained supervision is available at the discretion of the treating veterinarian and access to appropriate equipment and to the treating veterinarian is available if necessary during the night;
- (e) a laboratory service can be rendered at the animal hospital or access to such service is available;
- (f) there is a separate area or room which is equipped as a pharmacy and dispensing area; and
- (g) post mortem examinations can be carried out at the facility.

(2) An animal hospital must during the consulting hours specified on a board referred to in rule 21 be manned by a practicing veterinarian to serve clients unless it is prevented by an emergency.

(3) An animal hospital must have at least one designated ward for the isolation of animals with contagious diseases which is equipped with appropriate facilities for people and equipment entering and leaving such wards to be adequately disinfected.

(4) An animal hospital must have -

- (a) a fire extinguishing apparatus that complies with the applicable local authority legislation;
- (b) have equipment to determine the weight of animals adequately;
- (c) have operating rooms with facilities;
- (d) have appropriate equipment or access to equipment for the effective sterilisation of surgical packs and other equipment;
- (e) have adequate storage for sterilised packs and employ acceptable techniques to indicate the effectiveness of sterilisation;
- (f) have facilities and equipment or access to it for the hygienic and safe disposal of or incineration of soiled dressings, animal tissue or carcasses, sharps, and any other contaminated or unwholesome matter or objects to prevent the decomposing and contamination of the animal hospital as well as the environment.

(5) The bedding material for the animals at an animal hospital must be stored away from any ward and if it is stored in an adjoining room such room must be separated from the ward concerned by means of a fire partition wall.

(6) Unless it is prevented by circumstances, the telephone number which is indicated in an official telephone directory and on the board referred to in rule 23(5)(a) in respect of an animal hospital, must be answered at all times and the use of an automatic answering service outside normal consulting hours is permissible for this purpose.

(7) The answering service referred to in subrule (6) must state the normal consulting hours and give contact details of the veterinarian on duty for emergency cases, or contact details of an alternative facility as agreed in rule 23(3) for emergency cases.

(8) Provision must be made at an animal hospital for hygienic, insect and rodent free storage of therapeutic and nutritional requirements.

Records at clinics and animal hospitals

33. The veterinary profession practising at the clinic or animal hospital must keep a complete set of clinical records, in accordance with rule 40 including of laboratory results, diagnostic imaging results and any tests or procedures performed, for each animal or group of animals in a legible accurate form to permit prompt retrieval.

PART 7

MINIMUM REQUIREMENTS FOR VETERINARY FACILITIES OTHER THAN ANIMAL CLINICS AND ANIMAL HOSPITALS

Mobile and *ad hoc* animal services

34. (1) The primary purpose of mobile and *ad-hoc* animal services is to offer and deliver affordable primary and secondary veterinary professional health care services to a range

of different animal species under a variety of different structural and environmental conditions in mainly remote geographical areas.

(2) A mobile or *ad hoc* animal service must be provided from a registered veterinary facility which must be used as the base from which the mobile or *ad hoc* animal service is operated.

(3) A mobile clinic or an *ad hoc* animal service may only be operated by veterinarians.

(4) An *ad hoc* animal service must be rendered from a facility of a permanent structure and must have -

(a) a reception or a consulting room area with access to toilet facilities of an acceptable standard of construction and appearance for its clients;

(b) be constructed of materials being impervious that it can be cleansed and disinfected;

(c) carry a supply of water and have adequate lighting and ventilation if inside a permanent structure;

(d) a record system that complies with rule 40 and which is stored at the main veterinary facility;

(e) a laboratory service and a microscope;

(f) a pharmacy service that complies with relevant legislation or access to such a service;

(g) separate areas adequately demarcated, in order to separate the place where consultations, surgical preparation and unsterile procedures are performed, from an aseptic place for sterile procedures such as castrations and pan hysterectomies of small animals;

(h) carry an appropriate range of medicines, instruments and protective clothing according to the type of service rendered;

(i) equipment for the disposal or collection of all soiled and waste materials, including carcasses or have access to it;

(j) appropriate equipment or access to it, for the effective sterilisation of surgical packs and other equipment;

(k) adequate storage for sterilised packs and employ acceptable techniques to indicate the effectiveness of sterilisation;

(l) access to communication facilities to contact a back-up veterinary facility or have access to such veterinary facility;

(m) be attached or affiliated to a fully equipped back-up veterinary facility, able to provide advanced secondary and tertiary animal health care service as well as emergency care or alternatively have referral access to such veterinary facility;

(n) have appropriate facilities to ensure the effective, safe and comfortable confinement of animals recovering from anaesthesia.

(5) At a facility where *ad hoc* animal services are rendered -

- (a) all animals must be monitored after surgery and not discharged unless adequately recovered from anaesthesia;
 - (b) general anaesthetic procedures must be in compliance with rule 42;
 - (c) all animals must be fully conscious and ambulatory before being discharging from such veterinary facility or where applicable leaving the place where the procedures were performed;
 - (d) aseptic and sterile conditions must be maintained at all times.
- (6) A mobile clinic must consist of a fully fitted vehicle operated from a fixed veterinary facility, and must be registered with the Council for the various procedures to be offered, according to the nature of such fittings in each individual case.
- (7) A mobile clinic must contain the standard equipment, including a microscope, sterilising equipment for instruments, including a lockable drug container and a refrigerator, necessary for a veterinary professional to perform physical examinations, procedures and treatment for the type of veterinary services offered, conforming to acceptable professional standards.
- (8) Optional additional items in the mobile clinic include diagnostic imaging equipment, anaesthetic machine and emergency resuscitation apparatus.
- (9) The veterinarian operating a mobile clinic must -
- (a) only perform surgical procedures, related to the type of instrumentation and equipment available, the species and the capability of the veterinary professional;
 - (b) comply with rules 26(1)(a)(v) and 26(1)(a)(vi); and
 - (c) have appropriate facilities to ensure the effective, safe and comfortable confinement of animals recovering from anaesthesia.
- (10) At a mobile clinic or a facility used for ad hoc animal services -
- (a) all animals must be monitored after surgery and may not discharged unless adequately recovered from anaesthesia;
 - (b) general anaesthetic procedures must comply with rule 42;
 - (c) all animals must be fully conscious and ambulatory before discharge from such veterinary facility or leaving the place where the procedure was performed; and
 - (d) aseptic and sterile conditions must be maintained at all times.
- (11) Standard equipment of the mobile clinic and a facility where ad hoc animal services are rendered must include the following:
- (a) sterile surgical instruments, suturing materials, sterilisation chemicals, syringes and needles if surgery is to be performed;
 - (b) appropriate protective clothing, sterile attire and means to change, dispose or sanitise them between visits;
 - (c) current and properly stored pharmaceuticals and biologicals, specially protected against overheating;

- (d) communication facilities or access to it for contacting the main veterinary facility or a referral veterinary facility; and
- (e) when in contact with known infectious diseases, special precautions must be taken to prevent transmission of infectious agents.

(12) Council may, on written application, consider the approval of mobile or *ad hoc* animal services other than those described in subrule (1).

House or farm calls

35. (1) A vehicle used by a veterinary professional for the purpose of house calls or farm calls must be maintained in a clean and sanitary condition.

(2) The vehicle referred to in subrule (1) must contain equipment that is necessary for the veterinary professional to perform physical examination and emergency treatment consistent with accepted professional standards of the type of veterinary services required.

(3) Standard equipment of the vehicle contemplated in subrule (1) must include the following:

- (a) sterile surgical instruments, suturing materials, syringes and needles if surgery is to be performed;
- (b) protective clothing, boots and the means to change or sanitise the equipment between visits;
- (c) current and properly stored pharmaceuticals and biologicals, specially protected against overheating; and
- (d) communication facilities, or access to it, for contacting the base veterinary facility.

(4) If the vehicle contemplated in subrule (1) comes in contact with known infectious diseases, special precautions must be taken by the veterinary professional in charge of the vehicle to prevent transmission of infectious agents.

General minimum requirements for veterinary professional consultancy

36. (1) A consultancy facility at which a veterinary professional provides veterinary expert advice in selected fields of veterinary science must be of a permanent structure including buildings which are factory produced and site assembled.

(2) A consultancy facility contemplated in subrule (1), where a veterinary professional has a practice, must have -

- (a) a reception and or office area with access to toilet facilities for clients;
- (b) a record system complying with rule 40;
- (c) a telephone at the number or alternative number which is indicated on the name board or in an official telephone directory in respect of such veterinary professional consultancy;
- (d) if necessary depending on the type of professional veterinary service delivered -
 - (i) a laboratory service or access to such a service; and

- (ii) a pharmacy service or access to such a service.

Production animal and equine practice

37. (1) The primary purpose of a production animal and equine practice is to offer and deliver a range of primary and secondary veterinary professional animal health care services to a range of different animal species including but not limited to bovine, caprine, ovine, porcine, equine, poultry, fish, insect and mollusc species under a variety of different structural and environmental conditions which may be in remote geographical areas.

(2) A practice referred to in subrule (1) must be operated by personnel registered with the Council and must maintain acceptable professional standards at all times.

(3) A production animal and equine practice referred to in subrule (1), where a person practices a veterinary profession must be of a permanent structure and must have -

- (a) a reception area and or office area with access to toilet facilities for clients;
- (b) a record system to conform to rule 40;
- (c) unless it is impossible due to circumstances, the telephone at the number indicated on the name board or in an official telephone directory in respect of such practice, must be answered at all times and the use of an automatic answering service is permissible for this purpose, but such a service which must state the normal consulting hours and give contact details of the veterinarian on duty for emergency cases or contact details of an alternative facility as contemplated in rule 23(3) for emergency cases;
- (d) a laboratory service including a microscope or access to such service;
- (e) a pharmacy service complying with relevant legislation including required registers or access to such service;
- (f) appropriate equipment or access to it for the effective sterilisation of surgical packs and other equipment for the use of simple routine operations;
- (g) adequate storage for sterilised packs and employ acceptable techniques to indicate the effectiveness of sterilisation.

(4) If a vehicle forms a vital component of the large animal practice to function, it must contain the standard equipment that is necessary for a veterinary professional to perform a physical examination and treatment for the type of veterinary services required conforming with acceptable professional standards, including -

- (a) sterile surgical instruments, suturing materials, syringes and needles if surgery is to be performed;
- (b) protective clothing, boots and the means to change or sanitise the instruments between visits;
- (c) current and properly stored pharmaceuticals and biologicals, specially protected against overheating;
- (d) communication facilities or access to it for contacting the main veterinary facility or a referral veterinary facility; and

- (e) precautionary measures to be taken when in contact with known or suspected infectious diseases to prevent transmission of infectious agent;
- (f) a supply of water and adequate lighting when required; and
- (g) the provision of storage of and disposal facilities of all waste including carcasses.

Wildlife animal practice

38. (1) The primary purpose of a wildlife animal practice is to offer and deliver a range of primary and secondary veterinary professional animal health care services to a range of different wildlife animal species under a variety of different structural and environmental conditions.

(2) A wildlife animal practice must be operated by persons registered with the Council.

(3) A wildlife animal practice must maintain acceptable professional standards at all times.

(4) A wildlife animal practice where a person practices a veterinary profession must be of a permanent structure and must have -

- (a) a reception area or office with access to toilet facilities for clients;
- (b) a record system to conform to rule 40;
- (c) unless it is impossible due to circumstances, the telephone at the number indicated on the name board or in an official telephone directory in respect of such consultancy must be answered at all times and the use of an automatic answering service giving the contact details of the wildlife professional or an alternative wildlife facility is permissible for this purpose;
- (d) a laboratory service including a microscope for its own requirements or access to such service;
- (e) a pharmacy service complying with relevant legislation concerning safe and secure storage for scheduled medicines kept at the premises or access to such service;
- (f) in the case of a veterinary professional with permission to use Schedule 5 medicines, a secure lockable storage facility for these medicines, which is only available to the veterinarian;
- (g) a dart gun as remote injector owned and operated by the veterinarian responsible for performing anaesthesia on wild animals;
- (h) appropriate equipment or access to it, for the effective sterilisation of surgical packs and other equipment for the use of simple routine operations;
- (i) adequate storage for sterilised packs and employ acceptable techniques to indicate the effectiveness and expiry date of sterilisation.

(5) If a vehicle forms a vital component of the wildlife animal practice to function the vehicle must -

- (a) contain the standard equipment that is necessary for a veterinary professional to perform a physical examination and treatment for the type of veterinary services

required, conforming with the professional standards similar to that of the code of good veterinary practice;

- (b) contain standard equipment including -
- (i) sterile surgical instruments, suturing materials, syringes and needles if surgery is to be performed;
 - (ii) protective clothing, boots and the means to change or sanitise such instruments between visits;
 - (iii) current and properly stored and secured pharmaceuticals and biologicals, specially protected against overheating;
 - (iv) have communication facilities, or access to it, for contacting the base veterinary facility or a referral veterinary facility;
 - (v) for the purpose of transportation of wildlife, be of such construction that the transported animals cannot escape, be safe, comfortable and if necessary be individually caged and the construction material must be of such nature to be easily cleansed and disinfected and construction must make it possible for inspection of loaded animals by veterinary officials when required;
 - (vi) when in contact with known infectious diseases, special precautions must be taken to prevent transmission of infectious agents;
 - (vii) carry a supply of water and have adequate lighting when required; and
 - (viii) if necessary provision must be made or have access to equipment for the storage of and disposal of all waste including carcasses.

Animal transport vehicle

39. (1) An animal transport vehicle must be constructed in such a way that injuries to the animals are prevented, animals cannot escape therefrom and it can be easily sanitised.

(2) The words “Animal Transport Vehicle” or similar words, the approved name and logo of the registered veterinary facility and the telephone number of the veterinary facility may be displayed on the vehicle.

PART 8 GENERAL PROVISIONS

Record system at a veterinary facility

40. (1) A veterinary professional in charge of a veterinary facility must keep a clinical record system in a legible and accurate form consisting of -

- (a) the identification of the client concerned;
- (b) the name of the animal or other forms of identification, as well as the species, breed, gender and clinical information;
- (c) vaccination records;

- (d) procedures performed, all diagnostic images and laboratory and pathological reports in respect of the animal concerned;
- (e) diagnosis;
- (f) the treatment, as well as particulars of medicines, prescribed or administered;
- (g) discharge instructions; and
- (h) detailed comments in the event of any unforeseen occurrence.

(2) The veterinary professional referred to in subrule (1) must make proper security arrangements to protect records contemplated in that subrule from loss, fire, alterations or unauthorised use.

(3) The veterinary professional contemplated in subrule (1) must keep a register of any transfer of records with instructions given, indicating the date as well as the particulars of the owner or person concerned.

(4) The veterinary professional referred to in subrule (1) must keep and maintain a medicines and controlled substances register that complies with the Medicines and Related Substances Control Act, 2003 (Act No. 13 of 2003).

(5) The veterinary professional referred to in subrule (1) must keep a reliable functional back-up storage system for records.

(6) The veterinary professional referred to in subrule (1) must keep the record system referred to that subrule for a period of five years.

(7) A person operating a wildlife veterinary facility must keep a record system in a legible and accurate form consisting of -

- (a) identification of the client concerned;
- (b) the number and species of animals attended on any specific date;
- (c) the nature of the operation or procedure performed; and
- (d) comments on any unforeseen or untoward occurrence.

Guidelines for minimum structural and facility requirements for an operating room

41. (1) An animal clinic or animal hospital must in addition to the requirements of Part 5 provide -

- (a) one or more rooms for the treatment and pre-operative preparation of animals; and
- (b) a separate room which is equipped as an operating room, which room must have -
 - (i) an adequate light source;
 - (ii) a surgical table with an impervious operating surface that can be easily cleaned and disinfected;
 - (iii) an adequate supply of oxygen;

- (iv) if surgical orthopaedic cases are attended, a radiographic viewer or provision for viewing electronic or digital radiographs;
 - (v) adequate ventilation;
 - (vi) an appropriate supply of equipment and sterile surgical instruments, including a lockable cupboard for emergency drugs, which may be open for the duration of surgical procedures, at all times.
- (2) At an animal clinic or an animal hospital -
- (a) there must be no thoroughfare through an operating room and it may not be used as a storage room;
 - (b) only final preparation of the animal must be done in an operating room;
 - (c) aseptic conditions must be maintained in the operating room at all times including the use of sterilised gowns, gloves, masks, caps, drapes and the sterilisation of all surgical instruments; and
 - (d) suitable scrubbing facilities must be available.

Guidelines for minimum requirements for anaesthesia

- 42.** (1) The following are guidelines for anaesthesia of animals:
- (a) it must be performed in a veterinary facility by a veterinarian or a registered veterinary nurse or veterinary para-professional under direction of a veterinarian;
 - (b) equipment for anaesthesia and facilities adequate and appropriate for the needs of the relevant practice and veterinary facility must be provided at all times;
 - (c) an appropriate range of endotracheal tubes must be available;
 - (d) oxygen must be available at all times to meet any emergency or other situation unless circumstances prevent this;
 - (e) proper storage for all flammable gases must be provided;
 - (f) a means to provide artificial ventilation must be available;
 - (g) intravenous fluids, administration sets and drugs for cardiopulmonary resuscitation must be readily available for use in cases of emergency;
 - (h) lockable facilities must be available for scheduled drugs in accordance with the relevant legislation;
 - (i) where applicable, equipment for the control of body temperature must be provided;
 - (j) when an anaesthetic machine is used, anaesthetic equipment must be adaptable for variation in body weight within the species of animal for which it is intended and anaesthetic gas scavenging equipment must be in use;
 - (k) all persons administering and monitoring anaesthesia must be properly trained in the efficient use of all anaesthetic facilities and equipment;

- (l) all anaesthetic equipment must be properly maintained and serviced at regular intervals;
 - (m) all animals must undergo a pre-anaesthetic examination;
 - (n) in an animal hospital an anaesthetic logbook indicating the type and nature of anaesthesia for each animal must be kept;
 - (o) in an animal hospital the monitoring, maintenance and recovery from anaesthesia may be effected by trained personnel under supervision of a veterinary professional who must be on the premises until the animal has adequately recovered from anaesthesia;
 - (p) all animals must be monitored after surgery and may not be discharged or left unattended unless the animal has adequately recovered from anaesthesia meaning -
 - (i) in canines and felines, that the swallowing reflex of the animal has returned and in brachycephalic breeds that sternal recumbency can be maintained without assistance;
 - (ii) in equines, that the animal is standing without assistance;
 - (iii) in ruminants that sternal recumbency can be maintained without assistance;
 - (iv) in wild animals that they are alert and standing up and able to defend themselves from or avoid predators;
 - (q) all animals must be fully conscious and ambulatory before being discharged from a veterinary facility;
 - (r) adequate facilities must be provided for the safe induction and recovery of animals from anaesthesia;
 - (s) in the case of anaesthesia involving darting of wild animals with substances classified under Schedule 5 of the Medicines and Related Substances Control Act, 2003 (Act No. 13 of 2003), there must be at least one person available who is trained to respond to a case of accidental human exposure to an anaesthetic agent including administration of an antidote where applicable;
 - (t) in the case of equines, any indoor area to be used during the administration of general anaesthesia and for the recovery from such must be padded with a material that is impervious and can be easily cleansed and disinfected and which covers the whole floor area as well as the wall to a height of at least two meters; and
 - (u) an indoor equine theater must be provided with a transportation system to be used in the transportation of animals to and from the area used during induction of general anaesthesia and for the recovery from such and the operating room.
- (2) Wildlife and large veterinary professional practitioners not using hospital facilities are exempt from subrule (1)(c), (f), (m) and (r).

Guidelines for minimum requirements for diagnostic imaging

43. The following are guidelines for diagnostic imaging facilities and equipment:

- (a) imaging facilities suitable and adequate for the needs of the type of veterinary practice or facility or access to such facilities must be provided and be readily available at all times;
- (b) operation and maintenance of diagnostic imaging facilities and equipment must comply with manufacturer stipulations;
- (c) diagnostic imaging facilities and equipment must be capable of producing images of diagnostic quality appropriate to the range of animals seen at the veterinary facility;
- (d) structural requirements for veterinary facilities where radiation equipment is installed as well as safety precautions for the use of this equipment must comply with the relevant legislation;
- (e) in the case of non-digital and where applicable digital radiography, the following must be available:
 - (i) a suitable range of cassettes, screens, grids and contrast materials; and
 - (ii) suitable facilities for the processing, developing, recording, viewing, filing and storage of diagnostic images;
- (f) each radiograph must have a permanent identification and must include the identity of animal and owner, veterinary facility identity, date and indication of left or right;
- (g) the use of self-adhesive labels for the identification of radiographs is not allowed;
- (h) in the absence of a special agreement between the radiographer and the owner of the animal a diagnostic image remains the property of the veterinary professional who originally requested it;
- (i) the diagnostic image must be released immediately on the request of another veterinary professional, where he or she has been instructed by the owner of the animal to make such a request and the expenses incurred in producing the diagnostic images must be paid for by the owner;
- (j) a register must be kept of the transfer referred to in paragraph (i) indicating the date of transfer as well as the particulars of the owner concerned;
- (k) diagnostic image referred to in paragraph (i) must be returned to the original veterinary professional as soon as possible or alternatively at a date agreed on by prior arrangement between the original veterinary professional and the owner of the animal;
- (l) the owner of an animal must be provided with a written report related to a diagnostic image referred to in paragraph (i) if the owner requested such a report; and
- (m) diagnostic images must be kept for a period of at least five years.

Responsibilities of veterinarians regarding veterinary para-professionals

44. (1) A veterinary para-professional renders services which supplement the services regarded in terms of Part 1 to pertain specially to a veterinary profession and is only permitted to work under direction and at the discretion of a registered veterinarian.

- (2) The nature of the veterinary services performed by any veterinary para-professional must be in accordance with the specific training of that para-professional.
 - (3) If medicines scheduled under the Medicines and Related Controlled Substances Act, 2003 (Act No. 13 of 2003) are necessary for a para-professional to perform his or her work, the medicine concerned must be either prescribed or administered by a veterinarian.
 - (4) The veterinarian under whose direction the veterinary para-professional works accepts responsibility for work performed by a veterinary para-professional.
 - (5) A wildlife veterinary para-professional may perform chemical immobilisation of wild animals in emergency situations where a veterinarian is not immediately available.
 - (6) All scheduled medicines used by wildlife veterinary para-professionals must be recorded in the registers maintained by the veterinarian concerned and a report signed by the veterinarian as well as the para-professional must be submitted to Council on a six monthly basis.
 - (7) Animal physiotherapy and chiropractic cases must be referred to the veterinary para-professional by a veterinarian following the making of a diagnosis and the prescribing of treatment.
 - (8) If no referral has been made to a veterinary para-professional by a veterinarian in terms of subrule (7), the veterinary para-professional must inform the usual veterinarian of an animal presented for treatment of the request for treatment made by the owner of the animal.
 - (9) Veterinary para-professionals must maintain appropriate records in accordance with rule 40.
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