

## **GNR.1065 of 17 May 1991: Rules relating to the practising of the para-veterinary profession of veterinary technologist**

### **DEPARTMENT OF AGRICULTURE**

It is hereby made known for general information that –

- (a) the South African Veterinary Council has under section 30 (1) of the Veterinary and Para-Veterinary Professions Act, 1982 (Act No. 19 of 1982), made the rules relating to the practising of the para-veterinary profession of the veterinary nurse as set out in the Schedule;
- (b) the Deputy Minister of Agriculture, acting on behalf of the Minister of Agriculture, has under the section 30 (3) of the said Act approved the rules concerned; and
- (c) the said rules shall come into operation on 1 June 1991.

**J. G. TOERIEN,**

Registrar: S.A. Veterinary Council.

#### **SCHEDULE**

##### **1. Definitions**

Any word or expression in this Schedule to which a meaning has been assigned in the Act shall have that meaning, and "the Act" means Veterinary and Para-Veterinary Professions Act, 1982 (Act No. 19 of 1982), and the regulations made thereunder.

##### **2. Services pertaining specially to the profession of veterinary technologist**

- 2.1 For the purpose of the Act the following services shall be deemed to be services which pertain specially to the para-veterinary profession of veterinary technologist:
  - 2.1.1 Laboratory tests on plant matter, feeds, blood or organs for the isolation and identification of microorganisms for veterinary purposes, serological tests, biochemical analyses, chemical and biochemical tests to determine the presence of toxins, the identification of internal and external parasites and the preparation of histological preparations for examinations.
  - 2.1.2 The conducting of laboratory procedures which are required for specific veterinary examinations or research projects and the maintaining of records of observations and results arising from such research projects.
  - 2.1.3 The preparation of veterinary biological products for diagnostic tests, and vaccines for the prevention of diseases.
- 2.2 Notwithstanding the provisions of rule 2.1 a veterinary technologist shall perform the services referred to in that rule only -
  - 2.2.1 on behalf of a person -
    - 2.2.1.1 registered to practise a veterinary profession; or
    - 2.2.1.2 employing a person registered to practise a veterinary profession; or
  - 2.2.2 during the course of employment by a person -

- 2.2.2.1 registered to practise a veterinary profession; or
- 2.2.2.2 employing a person registered to practise a veterinary profession.

### **3. Course of conduct for veterinary technologists**

- 3.1 A person who practises the para-veterinary profession of veterinary technologist shall base his personal and professional conduct thereon-
  - 3.1.1 that he is a member of a learned and honourable profession and is required to act at all times in such a manner as will maintain and promote the prestige, honour, dignity and interests of the profession and the persons by whom it is practised;
  - 3.1.2 that he is morally obliged to serve the public to the best of his ability and in the light of the latest scientific knowledge;
  - 3.1.3 that he will not seek any personal advantage at the expense of any colleague in the profession; and
  - 3.1.4 that he will not permit himself to be exploited in a manner which may be detrimental to an animal, his clients, the public or the profession.
- 3.2 A person who practises as a veterinary technologist shall keep himself informed of the laws which affect him in the practising of his profession and shall as far as it lies within his power, assist in the application of those laws.
- 3.3 All persons practising as veterinary technologists are working for the same good cause, irrespective whether they are in private practice or in the service of an employer, and they shall therefor co-operate with each other and the authorities concerned to promote that cause.
- 3.4 A person who practises as a veterinary technologist shall refrain from expressing any criticism in public through which the reputation, status or practice of a colleague in the profession is or could be undermined or injured, or through which a reflection is or could be cast on the probity, skill, methods or conduct of such colleague.
- 3.5 The place at or from which a person practices as a veterinary technologist shall comply with the applicable minimum standards for a consulting room as may be determined by the Council from time to time.

### **4. Acceptance and payment of commission**

- 4.1 Subject to the provisions of rule.4.2 a person who practises as a veterinary technologist shall not-
  - 4.1.1 pay or offer any commission to anybody as a consideration for clients or possible clients which have been referred to him;
  - 4.1.2 accept any commission from anybody as a consideration for his recommendation of services offered or rendered by such person; and
  - 4.1.3 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 such other person's participation in the rendering of the service concerned.
- 4.2 The provisions of rule 4.1 shall not be so construed as to prohibit a person who practises as a veterinary technologist -
  - 4.2.1 from paying to a debt collecting agency any commission in respect of debts which are collected by such agency on his behalf; or
  - 4.2.2 from accepting any royalty or similar compensation in respect of an article or product to which he holds the immaterial property rights.

## **5. Canvassing and touting**

- 5.1 A person who practises as a veterinary technologist shall not -
- 5.1.1 canvass or endeavour to canvass any influence in order to procure a professional appointment for himself, his employer or a colleague in the profession;
  - 5.1.2 either personally or through an agent, tout or endeavour to tout any clients for himself, his employer or a colleague in the profession; or
  - 5.1.3 with a view to attract clients, grant or undertake to grant any person, firm, association or other body any discount on the fee usually charged for a service.

## **6. Covering**

- 6.1 A person who practises as a veterinary technologist shall not offer a professional appointment in his practice to another person unless such person is also registered or deemed to be registered in terms of the Act to practice as a veterinary technologist.
- 6.2 Subject to the provisions of rule 6.3 a person who practises as a veterinary technologist shall not-
- 6.2.1 place his professional knowledge at the disposal of a member of the public or a lay organisation; or
  - 6.2.2 be involved in co-operation or collaboration with a member of the public or a lay organisation, if unlawful or irregular practices are or may be encouraged thereby or it may adversely affect the para-veterinary profession of veterinary technologist.
- 6.3 The provisions of rule 6.2 shall not be so construed as to prohibit a person who practises as a veterinary technologist from rendering assistance under the circumstances concerned to a member of the public or a lay organisation in an emergency in order to save a life or to prevent suffering: Provided that the person shall as soon as possible thereafter notify the Council in writing of the relevant circumstances.

## **7. Professional secrecy**

- 7.1 A person who practises as a veterinary technologist shall treat all information obtained by him in the course of the practise of his profession, and which relates to an animal, as strictly confidential, irrespective whether that information has been obtained as a result of laboratory tests on samples of the animal or has been disclosed to him by another person.
- 7.2 Information referred to in rule 7.1-
- 7.2.1 may, subject to the provisions of rule 7.2.2, only be revealed to another person with the consent of the owner of the animal concerned;
  - 7.2.2 shall be revealed by the person concerned if he is directed thereto by a court, or is obliged thereto under some or other law;
  - 7.2.3 may be revealed by the person concerned if he is of the opinion that the public interest outweighs his obligation to the owner of the animal concerned.
- 7.3 A person who practises as a veterinary technologist shall not publish a list of the fees usually charged for services, or issue or show such list to anybody else than a colleague in the profession.

## **8. Promotion of products and services**

- 8.1 Subject to the provisions of rule 8.2 the name of a person who practises as a veterinary technologist shall not in any manner whatsoever, whether directly or indirectly, be used -
- 8.1.1 as part of the name of any business or organisation;
  - 8.1.2 in appeals to the public for contributions in aid of laboratories or the like;

- 8.1.3 in an advertisement to promote any article or a product which is or may be used in connection with the practising of a veterinary profession or a para-veterinary profession or the feeding, treatment or care of animals;
  - 8.1.4 in an advertisement in connection with any place at which laboratory tests are conducted; and
  - 8.1.5 in an advertisement in connection with any business or trade in which he has an interest or is employed if it is used thus in conjunction with his professional title or qualifications or his professional address or telephone number.
- 8.2 The provisions of rule 8.1 shall not be so construed as to prohibit -
- 8.2.1 a person who practises as a veterinary technologist from promoting a particular product or service in a *bona fide* attempt to save animals in a specific area during an emergency situation;
  - 8.2.2 the employer or a person who practises as a veterinary technologist from directing written notices to his shareholders and *bona fide* clients to indicate the name and field of activity of such person: Provided that such notice shall-
    - 8.2.2.1 contain the name of the person to whom it is directed; and
    - 8.2.2.2 be contained in a sealed window envelope or other envelope on which the name and address of the person to whom it is directed, appears;
  - 8.2.3 a person who practises as a veterinary technologist and who signs a letter regarding a veterinary matter on behalf of his employer, from indicating his professional title and qualifications with his signature; and
  - 8.2.4 a person who practises as a veterinary technologist from stating his name and professional title and qualifications in a document which is required in terms of the Companies Act, 1973 (Act No. 61 of 1973), in respect of a company of which he is a director.

**9. Structural requirements and facilities**

The council may from time to time lay down standards with regard to structural requirements of and facilities to be provided by laboratories.

**10. Records at laboratories**

Separate records shall be kept at a laboratory in respect of all tests performed on samples of each patient, as well as all products, and such records shall -

- 10.1 include particulars pertaining to the type of sample or organ tested as well as an animal tested and its clinical history, where possible; and
- 10.2 be kept for at least five years.