



Legal drafting practice exercise

Analyse the following clauses to apply what you have learned so far in the legislation and regulation session



Which clause is best and which is worse? Why?



How would you defend in a court of law?



How would this wording affect you and your day-to-day functions?

OPTION 1:

This Act shall be applicable in general for the control of veterinary practice.

OPTION 2:

This Act has been introduced to regulate the practice of veterinary medicine by making provisions for the training, registration and licensing of veterinarians and veterinary para-professionals.

OPTION 3.

This act establishes the Veterinary Statutory Body, the Board of Veterinary Surgery, the registration of veterinarians and regulation of professional conduct of veterinarians, licensing and recognition of training programmes, and to repeal and replace [act from 1960].



1

"Veterinarian" means a person who graduated with a doctorate degree or above in a veterinarian profession from a recognized university and registered by the veterinary statutory body of a country to practice veterinary medicine/science in that country.

2

“Veterinary surgeon” means a person registered under section (X) of this Act.

- Section X: the VSB has a legal basis to register veterinary surgeons and other veterinary professionals.

3

“Veterinary Doctor” means a person who followed training adapted, registered, or approved by the country’s VSB to practice veterinary medicine.



Definition of Veterinary Paraprofessional

OPTION 1: “Veterinary Paraprofessional” is a person who is authorised by the veterinary statutory body to carry out certain designated tasks in a territory and delegated to them under the responsibility and direction of a veterinarian. The tasks for each category of veterinary para-professional are defined by the veterinary statutory body depending on qualifications and training, and according to need.

OPTION 2: “Animal health assistant” means a person holding a certificate from a veterinary science institute, which is recognized by at least 2 years.

OPTION 3: “Paraprofessional” means a person, other than a veterinary surgeon, authorised by the Council to carry out designated duties relating to veterinary medicine under the supervision of a veterinary surgeon;



OPTION 1: The profession of veterinary medicine” means all the procedures and activities that relate to veterinary medicine, animal health and welfare, public health, safety and production of food of animal origin.

OPTION 2: “Veterinary surgery” includes the practise of veterinary medicine and the giving or providing of any treatment, test, advice, diagnosis or attention such as is normally performed, given or provided by veterinary surgeons at an established location.

OPTION 3: “Veterinary medicine” refers to the examination of animals with regard to health, fitness or soundness; the diagnosis of animal disease and the provision of advice on the basis of such diagnosis (consultation); the prescribing, compounding and dispensing of medicinal products, therapeutic devices or treatments; certification, including regulatory compliance assessments; the delivery of care or preventative, curative or other appropriate medical or surgical procedures, including the insertion of subcutaneous implants in animals; and representing oneself directly or indirectly as a veterinarian.



OPTION 1. The objectives of the Council are to:

a) regulate the practice of the veterinary profession and the veterinary para-professions, and the

registration and licensure of persons practising such professions;

b) determine the minimum standards of training required for degrees, diplomas and certificates entitling the holders thereof to be registered to practice as veterinary professionals or veterinary

para-professionals;

c) determine the continuing education requirements for veterinarians and veterinary para-professionals

to ensure that they remain current with regard to relevant technical advances in the practice of veterinary medicine;

d) exercise effective control over

the professional conduct of persons practising the veterinary

profession and the veterinary para-professions;

e) determine the standards of professional conduct of persons practising the veterinary profession and

the veterinary para-professions;

f) advise the Minister in relation to any matter affecting the veterinary profession or veterinary paraprofessions.

OPTION 2. The Council shall be charged with the general duty of-

(a) determining what standards of knowledge and skill are to be attained by persons seeking to be registered under this Act as veterinary surgeons and of raising those standards from time to time as circumstances may permit;

(b) securing in accordance with the provisions of this Act the establishment and maintenance of a register of persons registered under this Act as veterinary surgeons and the publication from time to time of lists of those persons; and

(c) performing the other functions conferred on the Council by this Act or regulations.

OPTION 3. The Veterinary Statutory Body shall have the following functions:

a. assist in the promotion of the animal health industry and veterinary surgeons,

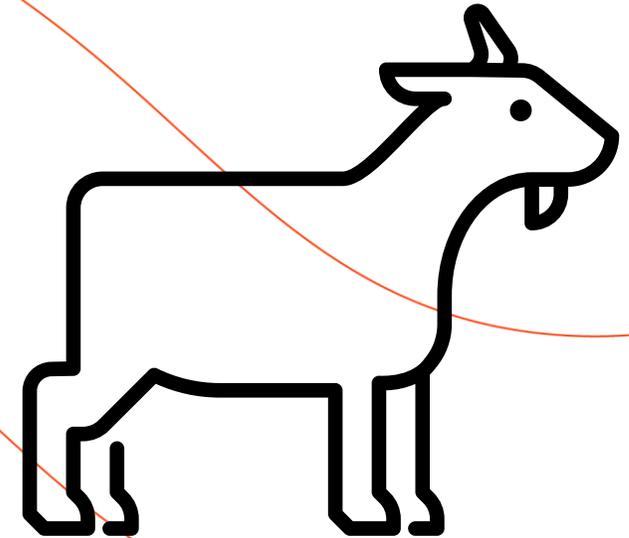
b. enforce discipline and control over those registered under this Act.

c. do all such things as are necessary or incidental to carrying out its functions.



Prerogatives of veterinarians and/or VPPs

- **OPTION 1:** For the purposes of this Act, a person practices as a veterinary surgeon if such person engages in the—
 - (a) prevention of an infectious or organic disease or pathological condition;
 - (b) performance of a surgical operation on an animal;
 - (c) dispensing or administration of veterinary medicines on animals;
 - (d) giving of any treatment, advice, training, research, consultancy services, diagnosis or attendance and other related veterinary services;
 - (e) inspection of foods of animal origin for purposes of food safety;
 - (f) provision of animal welfare services.
 - (g) any other act prescribed by the Minister.
- **OPTION 2:** Veterinarians registered with the VSB shall practice veterinary surgery. Veterinary surgery is defined to mean performing any operation and giving of any treatment, advice, diagnosis or attendance to an animal in [Country].
- **OPTION 3:** The Minister has a legal basis to issue regulations for the scope of practice for registered veterinarians and veterinary paraprofessional. (Country has not issued these regulations)





Penalties

- **OPTION 1:** Every person liable of an offence under this act must pay 10 mula (Law made in 1960: huge fine at the time, but equivalent in 2022 to 5 cents).
- **OPTION 2:** Every person who contravenes any provision of this Act or regulations is guilty of an offence and is liable, for the first offence, to a fine or a term of imprisonment or both, and for any subsequent offence, to a fine or a term of imprisonment or both.
- **OPTION 3:** Any person who contravenes this act is liable to a fine set by the Minister in regulations. (no regulations made).

Thank you

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