

Legislation Regulating the Veterinary Profession

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Overview

- Basic notions relevant to veterinary legislation
- Rules for drafting good quality veterinary legislation
- Benefits of good quality legislation
- Legislation governing the veterinary practice:
 - Purposes
 - Importance
 - Essential elements
- Modernizing veterinary practice legislation to include VPPs



What does «legislation» refer to?

- Corpus of rules that are in force in a country
- Constitution, statutes, regulations, by-laws, rules, orders, etc.
- General application
- Mandatory compliance
- Failure to comply has legal consequences



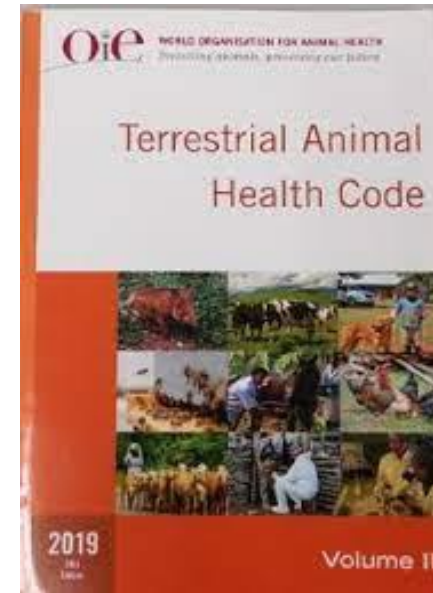


Veterinary Legislation

- Legislation that governs all areas of the veterinary domain in a country.
- The veterinary domain refers to “all the activities that are directly or indirectly related to animals, their products and by-products which help to protect, maintain and improve animal health, animal welfare and veterinary public health.” (Terrestrial Animal Health Code).
- The veterinary legislation sets out rules of conduct for persons engaged in activities within the veterinary domain, by imposing duties and prohibitions on them.
- The veterinary legislation provides legal basis for the powers and functions to be exercised by the Competent Authority for the regulation of the veterinary domain.

WOAH Standards

- Terrestrial Animal Health Code & Aquatic Animal Health Code
- Aimed at improving the health and welfare of animals throughout the world, by promoting measures to prevent and control of animal diseases, to improve animal welfare and to establish high-quality national Veterinary Services
- One condition for high-quality Veterinary Services is high-quality legislation to support their action





Chapter 3.4 TAHC: Veterinary Legislation

- General principles
- Rules for drafting good legislation
- Competent authorities
- Veterinarians and veterinary paraprofessionals
- Laboratories
- Animal production
- Animal diseases and animal welfare
- Veterinary medicinal products
- Human food production chain
- Import and export procedures and veterinary certification



Rules for Drafting Good Legislation

- Good policy makes good legislation.
- Use plain language that is comprehensible to end-users.
- Use clear, precise and unambiguous terminology.
- Use consistent terminology within the same text and from one text to another.





Rules for Drafting Good Legislation

- Ensure that all definitions are necessary and relevant to the national context.
- Use a logical and coherent structure, grouping together all provisions dealing with the same subject-matter.
- When prescribing a procedure, describe the various steps in a natural successive order.
- Rules only need to be stated once; avoid duplications or redundancies within the same text and from one text to another.
- Avoid contradictory or overlapping provisions.



Rules for Drafting Good Legislation

- Ensure that all provisions of the text form a coherent whole and that all provisions can be read together without causing confusion or ambiguity.
- Clearly enunciate the rights, duties and obligations of each person, the acts and forms of conduct that are prohibited, as well as the consequences for failure to comply.





Key Message

“Between what I think, what I want to say, what I believe I say, what I say, what you want to hear, what you hear, what you want to understand, what you think you understand, what you understand... There are 10 possibilities that we might have some problem communicating.”

Max Werber



Benefits of Good Quality Legislation

- No confusion and no room for interpretation.
- End-users understand how to govern themselves.
- Public officers have a good grasp of what the law says; compliance verification is easier.
- Common understanding of how the law should be applied leads to more consistent and equal treatment.
- Enforcement is more likely to be successful.
- Credibility of Veterinary Services is enhanced.
- Improvement of animal health and welfare.





Veterinary Practice Legislation

- Legislation that governs the practice of veterinary activities in the country, i.e., veterinary doctors, VPPs and other auxiliaries, if any.
- Overarching purposes: public interest and protection of the integrity of the veterinary profession.
- Public needs protection from usurpers and other persons unauthorized to provide veterinary services, like selling veterinary medicines.
- Public needs protection from wrongdoing or malpractice by veterinary services providers.
- Competence, good reputation and integrity of the profession lead to credibility and trust.



Essential Elements

- Competent authority responsible for the regulation of veterinarians and VPPs (Veterinary Statutory Body or other entity)
- Role, mandate and duties of the competent authority, management of internal affairs and organs (Council, Assembly, Inspection Committee, Discipline Committee, Registrar)
- Educational requirements for veterinarians and VPPs, including ongoing education
- Other qualifications for recognition and registration (nationality, membership fees, oath of office, etc.)
- Authority to develop a Code of Conduct and to enforce that code



Essential Elements

- Prerogatives, roles and responsibilities of veterinarians
- Classes of VPPs recognized by the country, according to their level of education
- Range of activities that can be performed by VPPs and general conditions governing the performance of these activities
- Supervision of VPPs by veterinarians
- Exceptional situations where VPPs may perform acts that usually fall within the prerogative of the veterinarians



Essential Elements

- Adherence to the Code of Conduct or other professional standards
- Complaint mechanism and procedure
- Disciplinary process and sanctions
- Offense provisions and penalties





Modernizing the Veterinary Practice Legislation

- Establish the policy that needs to be transposed in the legislation.
- Inventory of existing texts.
- Identify every provision that needs to be amended to include VPPs.
- Add any element that is missing for the proper regulation of VPPs.
- Take this opportunity to ensure that all elements are also in place for the proper regulation of veterinarians.



Modernizing the Veterinary Practice Legislation

- Take this opportunity to review the texts to improve their quality, if needed.
- Repeal any text that is still in the books but no longer needed.
- If changes are made to a statute, but some subject-matters are left to regulations, ensure that the regulations are drafted in parallel.
- Seek guidance and support from legal counsel.

Thank you

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1. How would you rate the readability of your veterinary legislation?
Comment qualifieriez-vous la lisibilité de votre législation?

Difficult to understand <i>Difficile à comprendre</i>	Acceptable if explanatory material <i>Niveau acceptable si accompagnée de documents explicatifs</i>	Easy to understand <i>Facile à comprendre</i>
1	2	3



2. How often do you experience difficulties in the field, due to unclear legislation?

Vous arrive-t-il de rencontrer des difficultés sur le terrain en raison d'un texte législatif qui n'est pas clair?

Very often <i>Très souvent</i>	Often <i>Souvent</i>	Occasionally <i>Parfois</i>	Rarely <i>Rarement</i>	Never <i>Jamais</i>
1	2	3	4	5



3. What is your biggest challenge in engaging in the modernization of your veterinary practice legislation to include VPPs?

Quel est le plus important défi que vous devez relever pour entreprendre la modernisation de votre législation afin d'y inclure les PPVs?

Low resources within the VS <i>Ressources limitées au sein des SV</i>	Insufficient legal support <i>Support juridique insuffisant</i>	Resistance from stakeholders <i>Résistance de la part des parties prenantes</i>	Low support from the Minister's Office <i>Faible support du Bureau du ministre</i>	Not applicable <i>Sans objet</i>	Other/ Autre
1	2	3	4	5	6