

## **An Act respecting the veterinary profession.**

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## CHAPTER 148.

### An Act Respecting the Veterinary Profession.

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HER MAJESTY, by and with the advice and consent of the  
Legislative Assembly of Manitoba, enacts as follows:—

#### SHORT TITLE.

1. This Act may be cited as "The Veterinary Association Short title.  
Act." 53 V. c. 60, s. 1, *part*.



## ASSOCIATION.

Who to constitute Veterinary Association.

**2.** All persons being duly qualified and registered under the provisions of this Act to practise as Veterinary Surgeons shall constitute "The Veterinary Association of Manitoba." 53 V. c. 60, s. 2.

Name and power of Veterinary Association.

**3.** The Association heretofore incorporated under the name of "The Veterinary Association of Manitoba," is hereby continued; and the same, being hereafter constituted in manner aforesaid, shall be a body politic and corporate by the name aforesaid, having perpetual succession and a common seal, and power to sue and be sued. 53 V. c. 60, s. 3.

## REGISTRATION.

Who may be registered.

**4.** The following persons shall be entitled to be registered as hereinafter provided:—

(a.) Graduates of the Veterinary School established under the provisions of this Act;

(b.) Persons who at the time of the coming into force of this Act were members in good standing of the Veterinary Association of Manitoba and were registered under the provisions of the Act chaptered sixty of the Statutes of the Province of Manitoba passed in the fifty-third year of Her Majesty's reign;

(c.) Persons possessing diplomas or certificates of admission as Veterinary Surgeons in any part of Her Majesty's Dominions by any body or association empowered by law to grant such diplomas or certificates, upon compliance with the provisions of the next following section of this Act. 53 V. c. 60, s. 4.

Admission and qualification of members.

**5.** Any person qualified under the provisions of the last preceding section shall be admitted as a member of the Veterinary Association of Manitoba, on payment of a fee to be fixed by a by-law of the Council and upon producing to the Registrar the document authenticating the qualification in respect whereof he asks to be registered; and in the case of any person seeking to qualify under sub-section "(c)" of the last preceding section, he shall be required to pass such examination as the Council may prescribe and to produce proof satisfactory to the Council that he was in good standing and in the actual practice of his profession up to the time of his coming to the Province. 53 V. c. 60, s. 5.



## MEETINGS—COUNCIL.

6. There shall be general meetings of the Association as hereinafter provided, and there shall be a Council to direct and manage the affairs thereof in the manner and subject to the regulations hereinafter mentioned; and at all general meetings and at all meetings of the Council a majority of members present having a right to vote thereat respectively shall decide upon the matters brought before such meetings, the person presiding having, in the case of an equality of votes, a casting vote. 53 V. c. 60, s. 6.

Votings at  
meetings of  
Association  
and of Coun-  
cil.

7. The Council of the Association shall be composed of not less than five and not more than seven members, to be elected in accordance with the provisions hereinafter contained, the majority of whom shall form a quorum. 53 V. c. 60, s. 7.

Composition  
of Council.

Quorum.

8. The members of such Council shall be elected for the period of one year, but any member may resign at any time by letter addressed to the Registrar; and upon the death, resignation or removal from Manitoba of any member of the Council, it shall be lawful for the Council to elect some other person, being a member of the Association, to supply the vacancy so made, and the person so elected shall be taken in all respects to represent the person in whose stead he has been appointed. 53 V. c. 60, s. 8.

Term and  
resignation of  
members of  
Council.

Election to fill  
vacancy.

9. The members of the Association shall hold a general meeting once in each year, and such special general meetings as the council may deem advisable. The annual general meeting shall be held on the second Wednesday of the month of April in each year, or at such other time as may be fixed by the Council. Notice of the time of such annual general meeting shall be given in such manner as the Council may by by-law determine; and upon a requisition in writing signed by five members of the Association entitled to vote requesting the Council to convene a special general meeting, such meeting shall accordingly be convened within such reasonable time as the Council shall think fit, and notice thereof shall be given in manner to be fixed by by-law. 53 V. c. 60, s. 9.

General and  
special meet-  
ings of  
Association.

Annual meet-  
ing of  
Association.

Notice of  
annual meet-  
ing.

Method of  
convening  
special gen-  
eral meeting.

10. The members of the Council and other officers of the Association, as at present constituted, shall be deemed to be duly elected and constituted, and shall continue in office and shall be entitled to exercise all the powers and authority given by this Act until the annual general meeting held next after the coming into force of this Act, and until their successors are appointed. 53 V. c. 60, s. 10.

Present  
members of  
Council and  
officers to hold  
office until  
first annual  
meeting.



## Elections.

**11.** The manner of holding elections of members of the Council of the said Association, the qualifications of voters and of members of the Council, and the mode of taking the votes thereat, shall be determined by by-law passed by the Council; and, in default of such by-law being or having been passed, the members of such Council shall be elected by ballot at each annual general meeting, and the persons qualified to vote and to be elected shall be such persons only as are members of the Association duly registered, and no person shall be entitled to vote who shall be in arrear in respect of any fees payable by him to the Association. 53 V. c. 60, s. 11.

## Powers of Council.

**12.** The Council of the Association shall have the sole control and management of the real and personal property of the Association, subject to the by-laws thereof:

Provided that no sale or mortgage shall be made of such real or personal property, except with the concurrence of a majority of the members, expressed by resolution at a general meeting under the provisions hereof. 53 V. c. 60, s. 15.

## OBJECTS OF ASSOCIATION.

## Objects of Association.

**13.** The objects of the Association shall include the study of Veterinary science, with a view to a more thorough understanding of the diseases, contagious and otherwise, to which the domesticated animals of the Province are liable; and the Council shall have power to make such by-laws, rules and regulations as may be deemed necessary for the carrying out of the objects of the Association, and, from time to time, may amend, revoke and repeal the same; and such by-laws, rules and regulations may be amended, revoked and repealed at any general meeting of the Association, provided that notice thereof be given in manner prescribed by the by-laws for the time being. 53 V. c. 60, s. 16.

## Power of council to pass and amend by-laws, &amp;c.

## Veterinary School.

**14.** The Council of the Association, with the concurrence of a majority of the members duly expressed at any general meeting, may establish, carry on and manage a Veterinary School for the instruction of pupils by competent and approved technical teachers in the science and practice of the Veterinary art, and may arrange for the examination of such pupils in anatomy, physiology, *materia medica*, therapeutics, chemistry, and as to the breeding of domesticated animals, and on such other subjects as the Council may think proper. And the Council may prescribe preliminary and other examinations, and may appoint and pay examiners, all of which shall be regulated by such rules and by-laws as the Council may enact; and candidates and pupils shall pay such fees as the Council may impose. 53 V. c. 60, s. 24.



**15.** For the purpose of carrying out the provisions of the last preceding section, the said Association shall have power to acquire and hold real estate, not exceeding at any time in annual value five thousand dollars, and the same or any part thereof to alienate, exchange and otherwise charge as occasion may require, and may erect buildings suited for such scheme, and for lectures and teachers in connection therewith, and for a library, and for other purposes proper for the objects of the Association. 53 V. c. 60, s. 25.

Power of  
Association to  
hold land.

#### OFFICERS.

**16.** The Council of the said Association shall, at the first meeting after the election of the Council in each year, appoint a Registrar and such other officers as the said Council may consider necessary, and shall elect, from their number, a President, Vice-President and Treasurer. 53 V. c. 60, s. 12.

Officers.

#### REGISTER.

**17.** It shall be the duty of the Registrar of the Association, immediately on his appointment, to make and keep a correct Register in accordance with the provisions of this Act of all persons who shall be entitled to be registered under this Act, and, from time to time, to make all necessary alterations in the addresses of persons registered under this Act, and for this purpose the form shewn in Schedule A to this Act may be used; and the Registrar shall perform such other duties as may be assigned to him by the Council; and if he make, or cause to be made, any wilful falsification in any matter relating to the Register, he shall incur a penalty of fifty dollars. 53 V. c. 60, s. 13.

Duties of  
Registrar.

**18.** No name shall be entered in the Register except of persons authorized by this Act to be registered, nor unless the Registrar is satisfied, by proper evidence, that the person applying is entitled to be registered; and, in case of persons applying under sub-section (c.) of the fourth section of this Act, the evidence shall be to the satisfaction of the Council; and in the event of any entry being made by fraudulent means, the Council shall have the power, upon giving such notice and hearing such evidence as it shall deem advisable, to order the erasure of the same. Any appeal from the decision of the Registrar shall be to the Council. 53 V. c. 60, s. 14.

Entry of  
names in  
register.

Erasure of  
names.



## FEES—CERTIFICATES.

Fees, how  
fixed.

Form of certi-  
ficate of  
registration.

Certificate of  
registration.

Fees and their  
application.

Penalty for  
non-payment  
of fees.

**19.** The Council shall have power to fix all fees of admission and annual fees, and shall prescribe the form of certificates to be issued by the Registrar under the twentieth section of this Act. 53 V. c. 60, s. 17.

**20.** Any person so registered as aforesaid shall be entitled, upon registration, to a certificate signed by the Registrar and sealed with the seal of the Association, and shall be entitled thereafter to a similar certificate annually, upon payment of a fee to be determined by the Council; the admission fee shall not be greater than twenty-five dollars, and the annual fee shall not be greater than ten dollars; and all fees and other moneys payable to the Association shall be paid to the Treasurer, and may be applied in carrying this Act into execution and for other purposes of the Association. 53 V. c. 60, s. 19.

**21.** The name of any person who is in default, in respect of any fees payable by him to the Association, may, by a resolution of the Council, be removed from the Register, whereupon such person shall cease to have any of the privileges of a Veterinary Surgeon under this Act. 53 V. c. 60, s. 20.

## EFFECT OF REGISTRATION.

Effect of  
registration.

**22.** Any person registered under the provisions of this Act, and no other, shall be styled "Veterinary Surgeon," and shall be entitled to practise as such and to demand and recover reasonable charges for professional services and the cost of any medicine or other medical appliances supplied by him in his professional capacity. 53 V. c. 60, s. 18.

Only regis-  
tered mem-  
bers to be  
appointed  
District  
Veterinarians  
or Veterinary  
Surgeons.  
Professional  
witness fees.

**23.** No person shall be appointed as District Veterinarian, or as Veterinary Surgeon, in any branch of the public service of the Province, unless registered under the provisions of this Act. Persons duly registered as aforesaid shall be entitled to professional fees for giving evidence in such cases as relate to the Veterinary profession. 53 V. c. 60, s. 21.

Penalty  
against un-  
authorized  
person prac-  
tising as  
Veterinary  
Surgeon.

**24.** Any person, other than those so registered as aforesaid, who appends to his name the style "Veterinary Surgeon," or any abbreviation thereof implying or calculated to lead people to infer that he is, or is recognized by law, as a Veterinary Surgeon, or that he possesses a diploma or certificate from any college or association authorized to grant such diploma or certificate, or who prescribes or administers medicine for animals for hire, gain or hope of reward, or who in any way



practises, or pretends or assumes to practise, as a Veterinary Surgeon for hire, gain or hope of reward, shall be liable for the first offence to a fine of not less than twenty dollars, and not more than one hundred dollars, and the costs of prosecution, and for each offence committed subsequently to a first conviction, the penalty shall be not less than fifty dollars and not more than two hundred dollars, and the costs of prosecution;

Provided that this section shall not apply to any charge for the castration or splaying of any animal. 53 V. c. 60, s. 22, *part.*

**25.** Such penalties and costs may be recovered by summary conviction before any two justices of the peace, one of whom may take the information and issue the summons, or before a police magistrate, one moiety of the fine to belong to the prosecutor and the other to the Treasurer of the Association for the use thereof. In default of payment, the person convicted shall be liable to imprisonment for a term not exceeding two months for a first offence, and not exceeding four months for any subsequent offence. 53 V. c. 60, s. 22, *part.*

**26.** Every prosecution under this Act shall be commenced within six months after the date of the offence charged. 53 V. c. 60, s. 22, *part.*

**27.** In any prosecution under this Act, the *onus* shall be upon the defendant, or the party charged with an offence against this Act, to prove that he is entitled to practise as a Veterinary Surgeon and to assume the title thereof; and the production of a certificate purporting to be signed and issued by the registrar and under the seal of the Association, and purporting to be issued pursuant to the provisions of the twentieth section of this Act shall be *prima facie* evidence that he is so entitled. 53 V. c. 60, s. 23.



## SCHEDULE.

The following is the Schedule referred to in this Act :—

## SCHEDULE A.

(Section 17.)

No.	NAME.	RESIDENCE.	Date of Graduating.	Where Graduated.	Qualifications Registered.	Date of Registration.	REMARKS.