



BELIZE

**VETERINARY SURGEONS ACT
CHAPTER 326**

REVISED EDITION 2020

**SHOWING THE SUBSTANTIVE LAWS AS AT
31ST DECEMBER, 2020**

This is a revised edition of the Substantive Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2020.



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CHAPTER 326

VETERINARY SURGEONS

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CHAPTER 326

VETERINARY SURGEONS

6 of 1996.
S. I. 69 of 1996.
22 of 2004.

[13th May, 1999]

PART I

Preliminary

1. This Act may be cited as the Veterinary Surgeons Act. Short title.

2. In this Act, unless the context otherwise requires, Interpretation.

“animal” means a living being, other than a human being, including mammals, fowls, birds, fish, amphibians and reptiles, whether wild, captive or domestic;

“animal health assistant” means a person other than a veterinary surgeon who is registered as an animal health assistant under Part III;

“Board” means the Veterinary Surgeons Board established under section 3 of this Act;

‘CARICOM Member State’ means a State which is a party to the Treaty of Chaguaramas establishing the Caribbean Community, including the CARICOM Single Market and Economy; 22 of 2004.

“Council for Human and Social Development” means the body of the Caribbean Community empowered by Article 35 of the Treaty of Chaguaramas establishing the Caribbean Community, including the CARICOM Single Market and Economy to establish common standards and measures for 22 of 2004.

accreditation or mutual recognition of diplomas, certificates and other evidence of qualifications of nationals of CARICOM Member States;

“Minister” means the Minister for the time being responsible for Veterinary Surgeons;

“practice of veterinary medicine and surgery” includes,

- (a) diagnosing, treating, surgically operating, correcting, changing, relieving, or preventing animal disease, deformity, defect, injury or other physical or mental conditions including the prescribing or administration of any drug, medicine, biologicals, apparatus, applications, anaesthetic, or other therapeutic or diagnostic substance or technique and the using of any manual or mechanical procedure for artificial insemination or embryo transfer, testing for pregnancy, or for correcting sterility or infertility or rendering advice or recommendation with regard to any of the above with a view to obtaining a fee, salary, reward or other remuneration;
- (b) representing directly or indirectly, publicly or privately an ability and willingness to do an act described in paragraph (a);
- (c) using any title, words, abbreviations or letters in a manner or under circumstances which induces the belief that the person using them is qualified to do any act described in paragraph (a);
- (d) applying principles of environmental sanitation, food inspection, environmental pollution control, animal nutrition, zoonotic

disease control and disaster medicine in the promotion and protection of public health;

“prescribed” means prescribed by regulations made under this Act;

“qualification” means a degree, diploma, membership, fellowship, licence, certificate or other suitable status or document granted, after examination following a prescribed course of study in the fields of veterinary science in all its auspices at a recognized university, college, school, or institution or any other body acting under the authority of the government of any country or place, as prescribed under this Act. The preceding also applies to animal health assistants where the course of study in the field of veterinary science is prescribed for animal health assistants;

“Register” means any of the Registers which are required to be kept under section 13 of this Act;

“Registrar” means the Registrar General; “Regulations” means regulations made under this Act;

“veterinary premises” means premises at which veterinary medicine and surgery is practiced and includes a veterinary centre, veterinary clinic and veterinary hospital;

“veterinary specialist” means a veterinary surgeon registered under this Act as a veterinary specialist with respect to a veterinary specialty and whose name remains upon the Register of Veterinary Specialists with respect to such veterinary specialty;

“veterinary surgeon” means a person registered as a veterinary surgeon under this Act and whose name remains upon the Register of Veterinary Surgeons; it includes the terms “veterinarian”, “veterinary practitioner”, “veterinary medical doctor”, “medico veterinario”, “medico veterinario

zootechnista”, “animal doctor”, and “vet” or any other abbreviation thereof;

“veterinary surgery” includes veterinary medicine, obstetrics, dentistry and all other branches or specialties of veterinary science.

PART II

Establishment, Constitution, etc., of Veterinary Surgeons Board

Establishment of
Board.

3.-(1) There is hereby established for the purposes of this Act, a body to be called “The Veterinary Surgeons Board of Belize”, which shall have and may exercise and discharge the powers, duties and functions conferred or imposed upon it by or under this Act.

(2) The provisions contained in the Schedule shall have effect with respect to the constitution and procedure of the Board and otherwise in relation thereto.

Functions of the
Board.

4.-(1) The functions of the Board shall be to,

- (a) register veterinary surgeons, veterinary specialists and animal health assistants;
- (b) examine where necessary, and determine the qualification and fitness of applicants for registration to practice veterinary medicine and surgery in Belize;
- (c) interview applicants for registration for the purpose of determining their suitability for registration;
- (d) grant, refuse, suspend or revoke registration including temporary registration to practice

veterinary medicine and surgery in Belize or otherwise discipline licensed veterinary surgeons consistent with the provisions of this Act and any rules or regulations made thereunder;

- (e) ensure the maintenance of acceptable standards of professional conduct by persons registered as veterinary surgeons or animal health assistants, as the case may be under this Act or any regulations made thereunder;
- (f) entertain complaints against registered veterinary surgeons alleging poor standards of practice and of professional ethics;
- (g) conduct investigations for the purpose of discovering violations of this Act or grounds for disciplining veterinary surgeons or animal health assistants;
- (h) appoint from its own membership one or more members to act as representatives of the Board at any meeting within or outside of Belize where such representation is deemed desirable;
- (i) bring proceedings in the courts for the enforcement of this Act or any regulations made thereunder;
- (j) establish and publish standards of professional conduct for the practice of veterinary medicine and surgery; and
- (k) do such other things as may be necessary to achieve the objects of this Act or any regulations made thereunder.

(2) The powers listed above are granted for the purpose of enabling the Board to effectively supervise the practice of veterinary medicine and surgery and are to be construed liberally to accomplish this objective.

22 of 2004.

(3) The Board shall exercise the functions specified in subsection (1) (a), (b), (c) and (d) subject to subsection 5 (2) of this act.

Grounds for refusal of registration.

5.-(1) The Board shall refuse to register a person under this Act, where in the opinion of the Board,

- (a) the applicant does not meet the qualifications and requirements for registration;
- (b) the past conduct of the applicant affords reasonable ground for believing that the applicant will not engage in the practice of veterinary surgery with honesty and integrity;
- (c) there is reasonable ground for believing that the applicant is impaired; or
- (d) the veterinary premises of the applicant does not meet the requirements and standards prescribed by any regulations made by the Board.

22 of 2004.

(2) The nationality of a national of a CARICOM Member State shall not be a ground for,

- (a) the refusal to register a person;
- (b) the examination of a person prior to the registration; or
- (c) the interview of a person prior to registration.

6.-(1) All monies received by the Board or Registrar, including fees and charges, shall be paid into the funds of the Board.

Funds of the Board.

(2) The remuneration of members of the Board and all other expenses of and incidental to the administration of this Act, shall be paid by the Board out of its funds,

Provided that where such funds are insufficient for the purpose of the administration of this Act, there may be made from the Consolidated Revenue Fund, such payments to the funds of the Board as the Minister of Finance may deem necessary for such purpose, which payments are hereby appropriated for the purpose.

(3) Any surplus money of the Board which is not required for the purposes of the last preceding subsection may be expended by the Board for the purpose of the advancement of veterinary science in such manner as the Board may determine.

7.-(1) The Board may of its own motion or upon the complaint of a person aggrieved, cause an investigation to be made of the conduct of a veterinary surgeon.

Investigation by the Board.

(2) A person aggrieved by the conduct of a veterinary surgeon and who desires to complain of such conduct shall furnish to the Board his complaint in writing.

(3) The Board shall notify the veterinary surgeon of the nature of the complaint or matter and call upon him to state in writing before a specified day (which day shall allow a reasonable interval for the purpose), any explanation or representation he may wish to make in respect of the complaint.

(4) Having regard to any explanation or representation made by the veterinary surgeon the Board may,

(a) determine that no enquiry shall be held; or

- (b) conduct such enquiry into the matter as the Board may consider appropriate.

Enquiry.

8.-(1) In the conduct of a formal enquiry, the Board shall serve on the veterinary surgeon against whom formal enquiry is to be instituted, a notice which shall,

- (a) specify in the form of a charge, the matter into which the enquiry is to be held; and
- (b) state the time and place at which the enquiry is proposed to be held.

(2) Except with the consent of the veterinary surgeon, an enquiry shall not be fixed for a date earlier than twenty-eight days after the date of notice of enquiry.

(3) In any case where there is a complaint, a copy of the complaint shall be sent to the veterinary surgeon with the notice of enquiry.

(4) The veterinary surgeon shall be entitled to receive free copies, or to be allowed access to any documentary evidence relied on for the purpose of the enquiry.

(5) The veterinary surgeon shall have the right to be represented by counsel or solicitor in any formal enquiry instituted against him.

(6) Where witnesses are examined by the Board, the veterinary surgeon shall be given an opportunity of attending and of putting questions to the witnesses on his own behalf.

(7) The veterinary surgeon shall be permitted to give evidence, call witnesses and make submission orally or in writing on his own behalf.

(8) If at the conclusion of the hearing the Board is of the opinion that the veterinary surgeon is not guilty of misconduct

in a professional respect, he shall be immediately notified of its findings, but if the veterinary surgeon is found guilty of any such charge, the Board shall proceed under section 9 of this Act.

9.-(1) If in any proceedings as are referred to in sections 7 and 8 of this Act, a veterinary surgeon is found to be guilty of misconduct in a professional respect the Board may, after consultation with the Minister,

Disciplinary proceedings.

- (a) censure him;
- (b) suspend his registration for any period not exceeding one year;
- (c) direct the Registrar to remove his name from the Register.

(2) Where the name of any person is removed from the Register, the Board may in writing require such person to return to the Registrar his certificate of registration and such person shall comply with the requirements. Failure to do so shall constitute an offence under this Act.

(3) Where any veterinary surgeon has been suspended by the Board for any period, it shall be an offence to practice veterinary surgery during the period of suspension.

10.-(1) The Board may remove from the Register of Veterinary Surgeons the name of any person,

Power of the Board to remove names from the Register.

- (a) who is found guilty of professional misconduct as provided in section 9 (1) (c) of this Act;
- (b) whose name has been ordered to be so removed by the Supreme Court;

- (c) who has had his qualification for registration as a veterinary surgeon withdrawn or cancelled by the university, college or other body by which it was awarded;
- (d) who has requested the Board in writing so to do; or
- (e) who is deceased.

(2) Where the name of a veterinary surgeon who is also a veterinary specialist is removed from the Register of Veterinary Surgeons pursuant to subsection (1) of this section, the Board shall also remove the name from the Register of Veterinary Specialists.

(3) A suspension of the registration of a veterinary surgeon pursuant to this Act shall,

- (a) while the suspension continues in force, have the same effect as a removal of the name of the suspended person from the Register of Veterinary Surgeons under this Act; and
- (b) where he is also a veterinary specialist and while the suspension continues in force, have the same effect as a removal of the name of the suspended person from the Register of Veterinary Specialists under this Act.

Appeals against refusal to register, or removal of name, etc.

11. Any person who is aggrieved by the refusal of the Board to grant him registration (including temporary registration), or by the removal of his name from the Register, or by the decision of the Board to censure him or suspend his registration, may, within three months after the date on which notice is given to him by the Board of such refusal, removal, censure or suspension, appeal against the Board's decision to a judge of the Supreme Court who shall give such directions in

the matter as he may think proper, including a direction as to the costs of the appeal.

12. Without limiting the meaning of the term “misconduct in a professional respect”, a veterinary surgeon shall be guilty of such misconduct where he,

Misconduct in a professional respect.

- (a) is habitually drunk or is addicted to any deleterious drug;
- (b) in connection with the practice of his profession, makes use of any title or description contained in the description of qualifications in respect of which registration has been granted to him or other prescribed title or description;
- (c) conducts any veterinary premises or other place for the practice of veterinary surgery where he himself is not in full-time attendance thereat, unless a veterinary surgeon employed by him is in full-time attendance thereat for the purpose of practice and supervision during the hours at which such premises are open for the practice of veterinary surgery, and the name of such veterinary surgeon employed by him is conspicuously posted up or indicated on the premises by means of a name plate or other device in letters of equal dimensions to those of his name;
- (d) signs or gives in his professional capacity a certificate, notice, report or like document that is false or misleading in a material respect;
- (e) contravenes or fails to comply with, or counsels, procures, aids or abets another

person to contravene or fail to comply with, or does or omits to do any act for the purpose of enabling another person to contravene or fail to comply with, any Act or law with respect to dangerous drugs whether or not the contravention or failure to comply is the subject of court proceedings;

- (f) contravenes or fails to comply with any provisions of this Act or any regulations made thereunder;
- (g) practices fraud or deception in the practice of his profession;
- (h) is negligent or incompetent in the practice of his profession;
- (i) is convicted of an offence involving cruelty to an animal; or is engaged in any inhumane or cruel treatment of animals;
- (j) fails to keep the premises on which he practices his profession, and all equipment contained therein, in a clean and sanitary condition;
- (k) assaults, resists, obstructs or hinders or threatens or intimidates a member of the Board or any officer of the Board, in the exercise of that officer's powers under this Act;
- (l) impersonates another veterinary surgeon;
- (m) employs or retains in connection with his professional practice, an animal health assistant or partner who is not registered under this Act; or permits a person who is not

registered under this Act to treat animals or to perform operations upon animals in respect of matters requiring professional discretion or skill, or by his presence or advice, assistance or cooperation enables any such person, whether acting as an assistant, partner or otherwise, to treat any animal for any ailment or to perform any operation upon an animal in respect of any matter requiring professional discretion or skill, or who holds out a person who is not registered under this Act as a person qualified to practice veterinary surgery in Belize;

- (n) directly or indirectly holds himself out to the public as a specialist or as being specially qualified in any particular branch of veterinary surgery and who has not taken a special course in such branch and received a certificate of specialty therein which is recognised by the Board;
- (o) is grossly negligent in the performance of his professional duties;

or

- (p) does or fails to do any act or thing, the doing of which or the failure to do which the Board considers to be unprofessional or discreditable.

PART III

Registration, etc., of Veterinary Surgeons and Veterinary Assistants and Specialists

Registers
required to be
kept.

13.-(1) The Registrar shall make and keep in forms respectively prescribed, the following registers,

- (a) “Register of Veterinary Surgeons of Belize”;
- (b) “Register of Veterinary Specialists of Belize”;
- (c) “Register of Animal Health Assistants of Belize”.

(2) The Registrar shall enter in the Register of Veterinary Surgeons of Belize the following,

- (a) the full names and addresses of all persons registered as veterinary surgeons under this Act;
- (b) a description of the qualifications in respect of which such registration is granted and the date on which the qualification was conferred;
- (c) in the case of a veterinary surgeon who is also registered as a veterinary specialist, a reference to such registration; and
- (d) such other particulars as may be prescribed.

(3) The Registrar shall enter in the Register of Veterinary Specialists of Belize the following,

- (a) the full names and addresses of all veterinary surgeons registered as veterinary specialists under this Act;
- (b) a description of the qualifications in respect of which such registration is granted and the date on which the qualification was conferred;
- (c) a reference to the registration of the veterinary specialist concerned as a veterinary surgeon; and
- (d) such other particulars as may be prescribed.

(4) The Registrar shall enter in the Register of Animal Health Assistants of Belize the following,

- (a) the full names and addresses of all persons registered as animal health assistants under this Act;
- (b) a description of the qualification in respect of which such registration is granted and the date on which the qualification was conferred;
- (c) a reference to the veterinary surgeon with whom the animal health assistant is employed;
- (d) such other particulars as may be prescribed.

(5) Where a Register referred to in subsection (1) of this section is kept by making entries in a bound or loose-leaf book, that Register shall be deemed to be a book of a public nature as to be admissible in evidence on its mere production from the proper custody, and the Registrar shall be the person having the proper custody thereof.

(6) A certificate by the Registrar that any person is registered as a veterinary surgeon, or a veterinary specialist or animal health assistant and possesses the qualifications therein named shall be *prima facie* evidence that the person named in such certificate is so registered and possesses the qualifications so mentioned; and a certificate by the Registrar that the person named therein is not registered as a veterinary surgeon or, as the case may be, a veterinary specialist or animal health assistant, or does not possess certain qualifications shall be *prima facie* evidence that the person named therein is not so registered or does not possess the qualifications mentioned, as the case may be.

(7) The Registrar shall, in the month of January in each year transmit a copy of the Register of Veterinary Surgeons, the Register of Veterinary Specialists and the Register of Animal Health Assistants, each certified by him to be correct up to December of the year next preceding, to the Minister who shall thereupon cause the same to be published in the *Gazette* as “The Roll of Veterinary Surgeons of Belize for the year (insert number of year)” or, as the case may be, “The Roll of Veterinary Specialists of Belize for the year (insert number of year)” or “The Roll of Animal Health Assistants of Belize for the year (insert number of year)”.

(8) A copy of the *Gazette* containing the Roll of Veterinary Surgeons of Belize, or as the case maybe, the Roll of Veterinary Specialists of Belize, or the Roll of Animal Health Assistants of Belize for any year shall be *prima facie* evidence in all proceedings that the persons named in such Rolls are registered and possess the qualifications therein mentioned; and the absence of the name of any person from such Roll shall be *prima facie* evidence that such person is not registered; and the fact that the Roll does not show that registration has been granted in respect of any particular qualification shall be *prima facie* evidence that the person concerned does not possess that qualification.

14.-(1) Every veterinary surgeon and animal health assistant shall pay to the Registrar the prescribed annual registration fee and every veterinary surgeon who is also a veterinary specialist shall pay to the Registrar such additional annual registration fee as is prescribed.

Registration fee and removal/restoration of name from Register.

(2) Such annual registration fee (including in the case of a veterinary specialist, the additional annual registration fee prescribed) shall be paid to the Registrar by the veterinary surgeon or animal health assistant concerned before 31 January in each year.

(3) Where a veterinary surgeon or a veterinary specialist or an animal health assistant does not pay the prescribed annual registration fee before the time prescribed under this section, the Board may remove his name from the respective Register.

(4) Where the name of any person is removed from a Register under this section, the Board may restore his name to that Register on receiving all arrears and upon payment of such restoration fees as are prescribed.

15.-(1) Any person who possesses the necessary qualifications and who is for desirous of being registered as a veterinary surgeon or veterinary specialist for the purpose of practicing as such in Belize, shall submit an application for registration to the Board in the prescribed form accompanied by the prescribed veterinary.

Application and qualifications for registration of veterinary surgeons/veterinary specialist.

(2) No person shall be registered as a veterinary surgeon or a veterinary specialist unless he satisfies the Board that he is of good fame and character and that,

(a) he is the lawful holder of a degree in veterinary surgery from a University or college for the time being recognised by the Board or the Council for Human and Social Development as furnishing a sufficient guarantee of possession or requisite

22 of 2004.

knowledge, skill and training in veterinary surgery;

22 of 2004.

(b) he has any other suitable qualifications in veterinary surgery considered by the Board or Council for Human and Social Development to be of at least an equivalent standard to that specified in paragraph (a); or

22 of 2004.

(c) he has passed the examination referred to in section 16 of this Act.

22 of 2004.

(3) Subsection (2) of this section shall apply equally without discrimination to citizens of Belize and nationals of CARICOM Member States.

Board of
examiners and
examination
fees.

16.-(1) The Board may from time to time, appoint a Board of Examiners consisting of three experienced persons of whom at least one shall belong to the government veterinary service.

(2) Where the Board is in doubt as to the standard of qualification or skill of an applicant for registration, it shall refer the application, together with all relevant documentary evidence of the courses of study undertaken by the applicant; the institution at which such courses were undertaken; and any examinations passed by the applicant, to the Board of Examiners for determination.

(3) On examining an applicant referred under subsection (2) of this section, the Board of Examiners may,

- (a) recommend to the Board that the name of the applicant be entered on the Register;
- (b) conduct an examination in respect of the applicant; or
- (c) recommend to the Board that the application be refused.

(4) A prescribed fee shall be paid by the applicant to the Registrar in respect of an examination conducted pursuant to subsection 3(b) of this section.

17.-(1) Upon the commencement of this Act, every person who has been practicing as a veterinary surgeon or veterinary specialist or animal health assistant and who is qualified to practice as such and who is desirous of continuing to practice as such, shall submit an application for registration to the Board in the prescribed form accompanied by the prescribed fee and such an application shall be considered in accordance with the provisions of this Act.

Registration of persons practicing upon commencement of Act.

(2) With effect from 31st December 2004, every national of a CARICOM Member State who satisfies the requirements of section 15(2) of this Act and who is desirous of practicing as a veterinary surgeon or veterinary specialist shall submit an application for registration to the Board in the prescribed form accompanied by a prescribed fee and such an application shall be considered in accordance with the provisions of this Act.

22 of 2004.

18.-(1) Where the Board is satisfied in relation to any application under section 15 and section 17 (2) of this Act for registration that,

Registration of veterinary surgeons.

- (a) the applicant possesses the necessary qualifications under section 15 of this Act; and
- (b) the applicant is of good character and is a fit and proper person to practice veterinary surgery; and
- (c) the applicant satisfies all other requirements for registration,

the Board shall authorize the Registrar to register the applicant as a veterinary surgeon and the Registrar shall notify the applicant in writing accordingly and upon payment by him of

the prescribed fee, furnish him with a certificate of registration in the prescribed form.

(2) Every veterinary surgeon or veterinary specialist registered under this Act shall be entitled to practice veterinary surgery in Belize and to demand and recover reasonable charge for services rendered by him as a veterinary surgeon and also for any drugs, medicines or appliances supplied by him,

Provided that a veterinary surgeon or veterinary specialist employed by Government shall not levy any such charges on the public unless he is specifically allowed by the terms of his employment contract to engage in private practice.

Temporary
registration of
veterinary
Surgeons.

19.-(1) Any person who desires to practice veterinary surgery in Belize for a limited period of time and who satisfies the requirements for registration specified in section 15 of this Act, may apply to the Board to be temporarily registered as a veterinary surgeon.

(2) An application under this section shall be accompanied by a work permit (where applicable); a letter stating the nature of the assignment which the applicant intends to undertake; and the period of time for which the registration is required.

22 of 2004.

(2.01) The requirement of a work permit in subsection (2) of this section, shall not apply in respect of a national of a CARICOM Member State.

(3) An application under this section shall be accompanied by the prescribed registration fee.

(4) The Board may, after considering the application, direct the Registrar to enter the name of the applicant in the Register of Veterinary Surgeons and to cause a note to be made near to the entry in the Register,

(a) that the registration is temporary;

(b) of the period of the registration;

(c) of the conditions of service.

20.-(1) Where any person registered under this Act is found upon enquiry by the Board,

Censure,
suspension and
striking off.

(a) to be suffering from any physical or mental condition, or from any habit, which renders him unfit to practice as a veterinary surgeon, veterinary specialist or, as the case may be, to perform satisfactorily his functions as an animal health assistant;

(b) to have procured his registration under this Act as a result of any misleading, false or fraudulent representations;

(c) to have been convicted of a criminal offence;
or

(d) to be guilty of dishonesty, negligence, or incompetence in the performance of his functions as a veterinary surgeon, veterinary specialist, or as the case may be, an animal health assistant, or of conduct that is, in the opinion of the Board, unprofessional or disgraceful or discreditable to the profession, the Board may, if it thinks fit,

(i) in the case of the matters specified in paragraph (c) or (d) of this subsection, censure him; or

(ii) in the case of the matters specified in paragraphs (a), (b), (c), and (d) of this subsection, suspend his registration for a period not exceeding two years, or direct the Registrar in writing to

remove his name from the Register, as the case may be.

(2) The Board may at any time, if it thinks just, and, upon reasonable cause, direct the Registrar to restore to the Register any name removed therefrom under subsection (1) of this section.

(3) The Board shall, as soon as practicable after ,

- (a) the registration of any person has been suspended;
- (b) the name of any person has been removed from the Register;
- (c) the name of any person which was so removed is restored to the Register,

cause a notice of the appropriate fact to be published in the *Gazette*.

(4) Where the name of a person has been removed from the Register, the Board may in writing require that person to return to the Registrar his certificate of enrolment, and that person shall comply with that requirement.

Applications and qualifications for registration of animal health assistants.

21.-(1) Any person who possesses the necessary qualifications and who is desirous of being registered as an animal health assistant for the purpose of practicing as such in Belize, shall submit an application to the Board in the prescribed form accompanied by the prescribed fee.

(2) No person shall be registered as an animal health assistant unless he,

- (a) holds a certificate of proficiency from an approved training institution;

- (b) holds a certificate of proficiency in respect of a programme of training approved by the Board; or the Council for Human and Social Development; or 22 of 2004.
- (c) passes the examination referred to in subsection 3 (b) of this section.

(3) Where the Board is in doubt as to the standard of qualification or skill of an applicant for registration, it shall refer the application, together with all relevant documentary evidence of the training of the applicant, to the Board of Examiners referred to in section 16 of this Act, for determination.

(4) On examining the application, the Board of Examiners may,

- (a) recommend that the applicant be registered;
- (b) conduct an examination in respect of the applicant; or
- (c) recommend that the application be refused.

(5) A prescribed fee shall be paid by the applicant to the Registrar in respect of an examination conducted pursuant to subsection 3 (b) of this section.

(6) Any person who applies for registration in accordance with this section and who,

- (a) furnishes such satisfactory references as to character as the Board may require; and
- (b) pays the prescribed registration fee,

may be registered as an animal health assistant and shall, while he is so registered, be entitled to use the title “registered animal health assistant”.

Temporary registration.

22.-(1) Any person who desires to work in Belize for a limited period as an animal health assistant and who satisfies the requirements for registration specified in section 21 of this Act, may apply to the Board in the prescribed form to be temporarily registered as an animal health assistant.

(2) An application under subsection (1) of this section shall be accompanied by a work permit (where applicable), and a letter stating the name of the registered veterinary surgeon under whose supervision the applicant proposes to work and the period of time for which the registration is required.

22 of 2004.

(2a) The requirement of a work permit in subsection (2) of this section shall not apply to a national of a CARICOM Member State.

(3) The Board may, after considering the application, direct the Registrar to enter the name of the applicant in the Register of Animal Health Assistants, and cause a note to be made next to the entry in the Register,

- (a) that the registration is temporary;
- (b) of the period of registration; and
- (c) of the name of the registered veterinary surgeon under whose supervision the animal health assistant proposes to work.

Functions of the registered animal health assistant.

23.-(1) A registered animal health assistant may perform any or all of the following functions,

- (a) the preparation and sterilization of equipment;

- (b) the preparation of simple solutions;
- (c) the collection of blood samples, milk samples, fecal samples, and parasitic specimens;
- (d) the collection of postmortem samples and the preparation thereof for examination in a laboratory;
- (e) the handling of vaccines and the maintenance of biological products;
- (f) the vaccination of animals;
- (g) the restraint of all types of animals;
- (h) the giving of assistance to and the marking and identification of animals;
- (i) the preparation of records;
- (j) the performance of minor surgical procedures as, for example, the treatment of wounds, the lancing of abscesses, and castrations on the following animals,
 - (i) cattle up to eight months of age;
 - (ii) swine up to five months of age;
 - (iii) goats; and
 - (iv) sheep;
- (k) the performance of laboratory techniques such as the marking and examination of blood and fecal smears;

- (l) the giving of advice to farmers and the explanation of programmes and methods of control;
- (m) the performance of any veterinary duty, other than diagnosis, prescription or surgery, which may be requested by the registered veterinary surgeon under whose supervision he works; and
- (n) any other functions which an animal health assistant may reasonably be expected to perform for the better administration of this Act.

(2) An animal health assistant shall at all times perform his functions under the supervision of a registered veterinary surgeon.

(3) Any animal health assistant who contravenes subsection (2) of this section is deemed to be guilty of misconduct in a professional respect.

PART IV

Miscellaneous

Prohibition on practice without registration.

24.-(1) No person shall engage in the practice of veterinary surgery or hold himself out as engaging in the practice of veterinary surgery unless that person is registered under this Act.

(2) Subsection (1) of this section does not apply to prevent,

- (a) a person from rendering first aid or temporary assistance in an emergency without fee;

- (b) a person from treating an animal if the person is the owner of the animal, is a member of the household of the owner of the animal or is employed for general agricultural or domestic work by the owner of the animal;
- (c) a person from taking blood samples;
- (d) a person who is a regular student in a Board approved university, college or institution of veterinary medicine and surgery performing any duties assigned to him by his instructors, or working under the direct supervision of a registered veterinary surgeon during a school vacation period;
- (e) a person giving advice with respect to or performing acts which the Board by rule has prescribed as accepted live stock management practices;
- (f) a veterinary surgeon regularly licensed or registered in another country consulting with a registered veterinary surgeon in Belize;
- (g) any merchant or manufacturer selling at his regular place of business, medicines, feeds, appliances, or other products used in the prevention or treatment of animal disease, provided that merchant or manufacturer has a valid permit to sell such veterinary medicines and biologicals;
- (h) the owner of an animal and the owner's full time regular employee caring for and treating the animal belonging to such owner, except where the ownership of the animal was transferred for purposes of circumventing this Act;

- (i) a veterinary surgeon lecturing or giving instructions or demonstrations in connection with a continuing education course or seminar;
- (j) any person selling or applying any pesticide, insecticide or herbicide provided that proper procedures are utilised when selling or applying such pesticide, insecticide or herbicide;
- (k) any person who has approval from the Board for performing artificial insemination or embryo transfer with respect to animals;
- (l) any animal health assistant employed by a registered veterinary surgeon performing duties other than diagnosis, prescription or surgery under the direction and supervision of such veterinary surgeon who shall be responsible for his performance.

(3) For the purposes of this Act, proof of the performance of one act in the practice of veterinary medicine on one occasion is sufficient to establish engaging in the practice of veterinary surgery.

Board may sue.

25. The Board may in its own name, by its Registrar or any person thereunto authorized in writing under the hand of the Chairperson of the Board, institute, carry on, prosecute, and defend any action, complaint, information, or proceeding whatsoever. Every court of law shall take judicial notice of the signature of the Chairperson of the Board to any such authorization.

Veterinary surgeons to produce records.

26.-(1) The Board may, by notice in writing given to him, direct a veterinary surgeon to produce to it, within the time specified in the notice, such records as relate to his practice of veterinary surgery as are specified in the notice.

(2) A veterinary surgeon who fails to comply with a direction of the Board under subsection (1) of this section, commits an offence and is liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding twelve months, or to both such fine and imprisonment.

27.-(1) A prescribed person may at any reasonable time enter upon any land and into any premises on land upon or in which he suspects, on reasonable grounds, that an act, procedure, matter or thing that forms part of veterinary surgery, is being or has been done or performed, in order to ascertain whether an offence against this Act is being or has been committed or whether any veterinary surgeon is guilty of misconduct in a professional respect.

Power of entry.

(2) Before a prescribed person enters a part of any premises which part is used exclusively as a dwelling-house he shall, save where he has the permission of the occupier of that part to his entry, obtain from a magistrate or justice of the peace, a warrant to enter such premises.

(3) A magistrate or justice of the peace who is satisfied upon the complaint of a prescribed person that there is reasonable cause to suspect that an act, procedure, matter or thing that forms part of veterinary surgery is being or has been done or performed in any premises, may issue a warrant directed to the complaint to enter the premises at such hours of the day or night as the warrant specifies or, if the warrant so specifies, at any time.

(4) A warrant shall be for the period of one month from the date of its issue and shall be sufficient authority for the prescribed person to whom it is directed to enter the premises specified in the warrant at the times specified therein.

(5) A prescribed person who enters upon any land or any premises pursuant to this section or to a warrant issued pursuant to this section may,

- (a) search the land or premises and examine anything found thereon or therein;
- (b) interview any person found thereon or therein;
- (c) collect and take away samples and specimens of anything found thereon or therein;
- (d) photograph the land or premises or any part thereof and anything found thereon or therein;
- (e) seize and take away records which, in his opinion formed on reasonable grounds, may contain evidence in respect of an offence against this Act or of misconduct in a professional respect.

(6) In this section, premises that are used as a dwelling-house do not include the curtilage of those premises.

(7) Any person who assaults, resists, obstructs or hinders, threatens, or intimidates a prescribed person in the exercise of his powers under this section commits an offence and shall be liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding twelve months, or to both such fine and imprisonment.

(8) In this section, “prescribed person” means a member of the Board or any other person authorised by the Board.

Offences and penalties.

28.-(1) Any person who,

- (a) procures or attempts to procure registration for himself or for any other person by knowingly,

- (i) making, or causing to be made, any misleading, false or fraudulent representation or declaration, either orally or, in writing or otherwise; or
 - (ii) producing, or causing to be produced, any false or fraudulent document or certificate;
- (b) wilfully makes, or causes to be made, any falsification in any matter relating to any of the Registers;
- (c) advertises or holds himself out as a person authorised or qualified to practice veterinary surgery,

commits an offence and is liable on summary conviction to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding eighteen months, or to both such fine and imprisonment.

(2) Any person who, not being registered as a veterinary surgeon under this Act,

- (a) takes or uses any title, addition or description implying or calculated to lead persons to believe that he is registered as a veterinary surgeon, or that he is recognized by law as a person authorized or qualified to practice veterinary surgery; or
- (b) assumes or uses any affix indicative of any occupational designation relating to the practice of veterinary surgery; or
- (c) advertises or holds himself out as a person authorised or qualified to practice veterinary surgery,

commits an offence and is liable on summary conviction to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding eighteen months, or to both such fine and imprisonment.

(3) Any person who, during a period when his registration as a veterinary surgeon under this Act is suspended, or who, not being registered as a veterinary surgeon under this Act,

- (a) practices veterinary surgery in any of its branches;
- (b) for reward, diagnoses or offers to diagnose or attempts to diagnose any animal disease, ailment, deformity, defect or injury, or examines or advises upon any physical condition of any animal;
- (c) prescribes or administers any drug, or any other substance or remedy; applies any apparatus, or performs any operation or manipulation for the cure, treatment or prevention of any animal disease, ailment, deformity, defect or injury; or
- (d) acts as the assistant or associate of any person who performs any of the acts specified in this subsection, commits an offence and is liable on summary conviction to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding eighteen months, or to both such fine and imprisonment.

Recovery of penalties.

29. All penalties and fees imposed by or pursuant to this Act may be recovered in a summary way by complaint.

General penalty.

30. Every person guilty of any breach or contravention of any of the provisions of this Act for which no other penalty is

provided is liable on summary conviction, to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding twelve months, or to both such fine and imprisonment.

31. Any proceedings under this Act may be instituted within twelve months after the offence is committed, or within twelve months after the discovery of the offence, whichever is the later period.

Time limit for proceedings.

32.-(1) The Minister may, after consultation with the Board, make regulations generally for giving effect to the purposes and provisions of this Act and in particular, but without prejudice to the generality of the foregoing, may make regulations,

Regulations.

- (a) prescribing any other requirements or criteria which shall be prerequisites for registration under this Act;
- (b) prescribing the form of, and any additional particulars to be included in any of the Registers, the manner in which additional qualifications obtained in veterinary surgery or related subjects by a registered veterinary surgeon or registered animal health assistant may be added to those particulars entered in the Register in relation to him, and the procedure to be followed to ensure that the particulars in the Register are kept up to date;
- (c) prescribing the different forms for application for registration and for certificates of registration;
- (d) prescribing fees for registration, examinations and any other matters under this Act;

- (e) requiring the making of returns of information by members of the Board in respect of names, addresses, telephone numbers, professional associates, partners, employees and professional activities;
- (f) requiring and providing for the inspection of veterinary facilities and of the records kept by members of the Board in connection with the practice of veterinary surgery;
- (g) prescribing any other matters or information which are required to be kept in any of the Registers;
- (h) prescribing any other matter or thing which may be, or is required by this Act to be prescribed.

(2) Regulations under this section may contain different provisions for veterinary surgeons, veterinary specialists and for animal health assistants.

(3) Regulations made under this section may provide that any person who contravenes any specified provision of the regulations shall be liable on summary conviction to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding eighteen months, or to both such fine and imprisonment.

SCHEDULE

VETERINARY SURGEONS ACT

Composition Tenure etc., of the Board.

(Section 3(2))

1. The Board shall consist of, Constitution of the Board.
 - (a) the Principal Veterinary Officer or his nominee (being a member of the Government Veterinary Service); and
 - (b) four other veterinary surgeons, one appointed by the Minister and the remaining three to be selected by veterinary surgeons from among themselves.

2. The Minister shall appoint one of the members of the Board to be the Chairperson thereof. Chairperson of Board.

3. The members of the Board shall appoint one from among their number to be the Vice-Chairperson of the Board. Vice-Chairperson of Board.

4. The appointment of a member of the Board shall, subject to the provisions of this Schedule, be for a period not exceeding three years and such member shall be eligible for re-appointment. Tenure of office.

- 5.-(1) Any member of the Board, other than the Chairperson, may at any time resign his office by instrument in writing addressed to the Minister and transmitted through the Chairperson. Resignation.

(2) The Chairperson may at any time resign his office by instrument in writing addressed to the Minister.

(3) Every such resignation as aforesaid shall take effect from the date of receipt by the Minister of the instrument of resignation.

Revocation of appointment.

6. The Minister may, for good cause shown, at any time revoke any appointment made under this Schedule.

Filing of vacancies.

7. If any vacancy occurs in the membership of the Board, such vacancy shall be filled by the appointment of another member who shall, subject to the provisions of this Schedule, hold office for the remainder of the period for which the previous member was appointed.

Gazetting of a membership.

8. The names of all members of the Board as first constituted, and every change in the membership thereof shall be published in the *Gazette*.

Funds of the Board.

9. The funds of the Board shall include such moneys as may from time to time be placed at its disposition for the purposes of this Act by the National Assembly; money derived from registration fees and such other moneys as may be lawfully paid to the Board.

Accounts and audit.

10. The Board shall keep proper accounts of its receipts, payments, assets and liabilities and such accounts shall be audited annually by the Auditor-General.

Annual reports and estimates.

11.-(1) The Board shall in each year prepare and submit to the Minister on or before the thirtieth day of June, a report of its proceedings during the twelve months ending on the thirty-first day of March in that year, including a statement of its accounts audited in accordance with paragraph 10 of this Schedule.

(2) The Board shall on or before the thirty-first day of October in each year, submit to the Minister for approval, its estimates of revenue and expenditure in respect of the period commencing on the first day of April next following and ending on the thirty-first day of March of the subsequent year.

12.-(1) The Seal of the Board shall be kept in the custody of the Chairperson or the Registrar and shall be affixed to instruments pursuant to a resolution of the Board in the presence of the Chairperson, or any other member of the Branch and the Registrar.

Seal and execution of documents.

(2) The Seal of the Board shall be authenticated by the signatures of the Chairperson, or any other member authorised to act in that behalf, and the Registrar.

(3) All documents, other than those required by law to be under seal, made by, and all decisions of the Board may be signified under the hand of the Chairperson, or any other member authorised in that behalf, and the Registrar.

13.-(1) The Board shall meet at such times as may be expedient for the transaction of its business, and such meetings shall be held in such places on such days and at such times as the Chairperson may determine.

Procedure and meetings.

(2) The Chairperson may at any time call a special meeting of the Board and shall call a special meeting within fourteen days of the receipt of a written requisition for that purpose addressed to him by any two members of the Board.

(3) The Chairperson shall preside at all meetings of the Board at which he is present, and, in the case of the Chairperson's absence from the meeting, the Vice-Chairperson shall preside, and in the case of the Vice-Chairperson's absence or inability to preside, the members present and constituting a quorum shall elect one of their number to preside at the meeting.

(4) A quorum of the Board shall be three members.

(5) The decisions of the Board shall be by a majority of votes, and in addition to an original vote, the Chairperson or Vice-Chairperson or acting Chairperson presiding at the

meeting shall have a casting vote in any case in which the voting is equal.

(6) Minutes of each meeting of the Board shall be kept in the proper form.

(7) The validity of the proceedings of the Board shall not be affected by any vacancy amongst the members thereof or by any defect in the appointment of any member thereof.

Protection of
members.

14. No member of the Board shall be personally liable for any act or default of the Board done or omitted to be done in good faith in the course of the operations of the Board.