

REPUBLIC OF SOUTH AFRICA

**PORTFOLIO COMMITTEE AMENDMENTS
TO**

**VETERINARY AND PARA-
VETERINARY PROFESSIONS
AMENDMENT BILL**

[B 66—2001]

*(As agreed to by the Portfolio Committee on Agriculture and Land Affairs
(National Assembly))*

[B 66A—2001]

ISBN 0 621 31399 8

No. of copies printed 800

AMENDMENTS AGREED TO

VETERINARY AND PARA-VETERINARY PROFESSIONS AMENDMENT BILL [B 66—2001]

CLAUSE 1

1. On page 2, from line 14, to omit paragraph (c).

CLAUSE 2

Clause rejected.

NEW CLAUSE

1. That the following be a new Clause:

Amendment of section 5 of Act 19 of 1982, as amended by section 2 of Act 19 of 1998

2. Section 5 of the principal Act is hereby amended—

- (a) by the substitution for subsection (1) of the following subsection:

“(1) Whenever it becomes necessary to designate or elect the members of the council, the following procedure shall be followed:

- (a) Before the expiration of the period of office of the outgoing council, an election shall be held in the prescribed manner for—

- (i) the election of ten veterinarians or veterinary specialists by persons registered or deemed to be registered in terms of this Act to practice veterinary professions;
- (ii) the election of one representative of each para-veterinary profession by persons registered or deemed to be registered in terms of this Act to practice the para-veterinary profession concerned.

- (b) The Minister shall, after consultation with the outgoing council, appoint a selection panel, which must consist of—

- (i) three veterinarians or veterinary specialists;
- (ii) one para-veterinary professional;
- (iii) one non-veterinary professional.

- (c) The selection panel shall select—

- (i) two persons on account of their knowledge of law;
- (ii) eight veterinarians or veterinary specialists;
- (iii) two non-veterinarians.

- (d) The rector or principal of each university in the Republic that has a faculty of veterinary science, shall nominate at least three veterinarians or veterinary specialists who are fit and proper persons.”;

- (b) by the substitution for subsection (2) of the following subsection:

“(2) The council consists of—

- (a) one officer of the Department of Agriculture who is a veterinarian or veterinary specialist, designated by the Minister;
- (b) six veterinarians or veterinary specialists from the ten persons elected, as contemplated in subsection (1)(a)(i), of whom—
 - (i) the three persons with the most votes in that election qualify automatically to be members of the council;
 - (ii) three further persons shall be designated by the Minister;
- (c) one representative of each para-veterinary profession elected, as contemplated in subsection (1)(a)(ii);
- (d) one person from the persons referred to in subsection (1)(c)(i), designated by the Minister;
- (e) five persons designated by the Minister from the persons referred to in subsection (1)(c)(ii) and (iii), of whom at least one shall be a non-veterinarian;
- (f) one person from each of the universities in the Republic that has a faculty of veterinary science, designated by the Minister from the nominations referred to in subsection (1)(d); and
- (g) one representative designated by the South African Veterinary Association from its members.”;

- (c) by the insertion after subsection (2) of the following subsections:

“(2A) The period of office of all the members of the council shall run consecutively.

(2B) Within 30 days after the commencement of office of the members of the council, the Minister shall inform the parliamentary committees in writing of the designation or election of the members concerned.”;

- (d) by the substitution for subsection (3) of the following subsection:

“(3) Whenever any designation in terms of subsection **[(1)(b) or (c)]** (2)(f) or (g) becomes necessary, the registrar shall request the rector or principal concerned or the South African Veterinary Association, as the case may be, in writing to designate or nominate within a specified period the **[person]** persons required to be designated or nominated in terms of that subsection.”; and

- (e) by the substitution for subsection (4) of the following subsection:

“(4) If the registrar or principal concerned or the said Association fails to comply with such request within the said period, the Minister may designate any person holding the qualifications necessary for designation and whom he or she deems fit, to be a member of the council in the place of a person to be designated in terms of subsection **[(1)(b) or (c)]** (2)(f) or (g).”.

CLAUSE 3

1. On page 3, after line 47, to insert:

- (a) by the substitution for subsection (1) of the following subsection:

“(1) No person shall be designated as a member of the council in terms of section **[5(1)(b) or (c)]** ~~5(2)(f) or (g)~~ or elected as a member of the council by virtue of section **[5(1)(d)]** ~~5(2)(b)~~ if—

- (a) he or she is not a veterinarian or veterinary specialist;
- (b) he or she is not a South African citizen;
- (c) he or she is not permanently resident in the Republic;
- (d) he **[is a patient or a president’s patient]** or she suffers from mental illness as defined in section 1 of the Mental Health Act, 1973 (Act No. 18 of 1973);
- (e) his or her estate has been sequestrated or surrendered or he or she has entered into a composition with his or her creditors;
- (f) he or she has at any time been convicted of an offence in respect of which he or she was sentenced to imprisonment without the option of a fine and such sentence was not suspended; or
- (g) he or she does not satisfy the prescribed requirements with regard to the election of members of the council.”;

2. On page 3, in line 49, to omit **[council]** standing committee and to substitute “council”.

CLAUSE 4

Clause rejected.

NEW CLAUSE

1. That the following be a new Clause:

Amendment of section 8 of Act 19 of 1982, as amended by section 4 of Act 19 of 1989

4. Section 8 of the principal Act is hereby amended—

- (a) by the substitution for paragraph (c) of subsection (1) of the following paragraph:

“(c) he or she, in the case of a member designated **[in terms of section 5(1)(a)]**—

 - (i) in terms of section 5(2)(a) or (d), tenders his or her resignation in writing to the Minister; or
 - (ii) in terms of section 5(2)(a), ceases to be an officer;”;
- (b) by the substitution for paragraph (d) of subsection (1) of the following paragraph:

“(d) he or she, in the case of a member designated in terms of **[5(1)(b)]** ~~5(2)(f)~~—

 - (i) tenders his or her resignation in writing to the rector or principal of the university in question; or
 - (ii) ceases to be a **[professor or lecturer in veterinary science at the said university]** fit and proper person;”;
- (c) by the substitution for paragraph (e) of subsection (1) of the following paragraph:

“(e) he or she, in the case of a member designated in terms of section **[5(1)(c)]** ~~5(2)(g)~~—

- (i) tenders his or her resignation in writing to the president of the council; or
- (ii) ceases to be a member of the South African Veterinary Association;”;
- (d) by the substitution for paragraph (f) of subsection (1) of the following paragraph:
 - “(f) he or she, in the case of a member elected by virtue of section **[5(1)(d) or (e)]** 5(2)(b) or (c) tenders his or her resignation in writing to the president of the council; or”;
- (e) by the substitution for subsection (2) of the following subsection:
 - “(2) Any vacancy on the council arising from a circumstance referred to in subsection (1) or any vacancy caused by the death of a member, shall be filled within three months by designation or election, as the case may be, in consultation with the council, in the manner in which the member who vacates his or her office or dies, was required to be designated or elected, and any member so designated or elected shall hold office for the unexpired portion of the period for which the member who vacates his or her office or dies, was designated or elected.”; and
- (f) by the insertion of the following subsection after subsection (2):
 - “(3) Any vacancy on the council arising from the expiration of the period of office shall be filled, as required by section 5, within three months from such expiration.”.

CLAUSE 6

Clause rejected.

NEW CLAUSE

1. That the following be a new Clause:

Amendment of section 14 of Act 19 of 1982

6. Section 14 of the principal Act is hereby amended by the deletion of of subsections (4) and (6).

CLAUSE 8

1. On page 5, in line 12, to omit “contracted” and to substitute “incurred”.
2. On page 5, from line 12, to omit “, in which case the said directors and past directors shall be liable”.

NEW CLAUSE

1. That the following be a new Clause:

Amendment of section 29 of Act 53 of 1974

18. Section 29 of the Pharmacy Act, 1974 (Act No. 53 of 1974), is hereby amended by the substitution for paragraph (a) of subsection (3) of the following paragraph:

“(a)the keeping of medicines or the supply of medicines to his or her own patients or clients by any medical practitioner, dentist,

practitioner, veterinarian or nurse in accordance with the provisions of the **[Medicine]** Medicines and Related Substances Control Act, 1965.”.

LONG TITLE

1. On page 2, in the fifth line, after “Act” to insert:

; to amend the Pharmacy Act, 1974, so as to provide for the keeping and supply of medicines by veterinarians

Printed by Creda Communications

ISBN 0 621 31399 8