

# VETERINARY SURGEONS ACT

*The Minister of Justice is entrusted with the application of this Act. Order in Council 667-2010 dated 11 August 2010, (2010) 142 G.O. 2 (French), 3668.*

## DIVISION I

### INTERPRETATIVE PROVISIONS

1. In this Act and in the regulations made thereunder, unless the context indicates a different meaning, the following terms mean:

(a) “Order”: the Ordre des médecins vétérinaires du Québec constituted by this Act;

(b) “board of directors”: the board of directors of the Order;

(c) “veterinarian”: “veterinary surgeon” or “member of the Order”: any person entered on the roll;

(d) *(paragraph repealed)*;

(e) *(paragraph repealed)*;

(f) “roll”: the list of the members in good standing of the Order prepared in accordance with the Professional Code (chapter C-26) and this Act.

R. S. 1964, c. 259, s. 1; 1973, c. 57, s. 1; 1974, c. 65, s. 41; 1977, c. 5, s. 229; 1984, c. 27, s. 75; 1994, c. 40, s. 355; 2008, c. 11, s. 212.

## DIVISION II

### THE ORDRE DES MÉDECINS VÉTÉRINAIRES DU QUÉBEC

2. All the persons qualified to practise veterinary medicine in Québec constitute a professional order called the “Ordre professionnel des médecins vétérinaires du Québec” or the “Ordre des médecins vétérinaires du Québec”.

R. S. 1964, c. 259, s. 2; 1973, c. 57, s. 2; 1977, c. 5, s. 229; 1994, c. 40, s. 357.

3. Subject to the provisions of this Act, the Order and its members shall be governed by the Professional Code.

R. S. 1964, c. 259, s. 3; 1973, c. 57, s. 3.

4. *(Repealed)*.

R. S. 1964, c. 259, s. 4; 1973, c. 57, s. 4; 1994, c. 40, s. 358.

**DIVISION III**  
BOARD OF DIRECTORS

5. The Order shall be governed by a board of directors constituted in accordance with the Professional Code (chapter C-26).

R. S. 1964, c. 259, s. 5; 1973, c. 57, s. 5; 2008, c. 11, s. 212.

6. *(Repealed)*.

R. S. 1964, c. 259, s. 6; 1973, c. 57, s. 5; 1994, c. 40, s. 359.

6.1. In addition to the duties imposed under sections 87 to 93 of the Professional Code (chapter C-26), the board of directors shall, by regulation,

(1) establish norms applicable to the form and content of verbal and written prescriptions made by veterinary surgeons;

(2) establish norms applicable to the labelling and packaging of veterinary medications sold by veterinary surgeons;

(3) determine among the acts listed in section 7 those which may be performed, under certain prescribed conditions, by classes of persons other than veterinary surgeons.

Sections 95.2 and 95.3 of the Professional Code apply to the regulation adopted pursuant to subparagraph 1 of the first paragraph.

1984, c. 27, s. 76; 1989, c. 26, s. 1; 1994, c. 40, s. 360; 2000, c. 13, s. 66; 2008, c. 11, s. 212.

**DIVISION IV**  
PRACTICE OF VETERINARY MEDICINE

7. Every act the object of which is to give veterinary advice, to make a pathological examination of an animal, to make a veterinary diagnosis, to prescribe medications for animals, to practise a surgical operation on an animal, to treat a medical or surgical veterinary disorder by using a mechanical, physical, chemical, biological or radiotherapy process, or to approve or condemn *ex officio* the meat of domestic animals for consumption, constitutes the practice of veterinary medicine.

R. S. 1964, c. 259, s. 22; 1973, c. 57, s. 7.

8. A veterinary surgeon may in the practice of his profession give advice to prevent animal disease and promote means to ensure animal health.

1973, c. 57, s. 7.

9. The Office des professions du Québec shall prepare periodically, by regulation, after consultation with the Institut national d'excellence en santé et en services sociaux, the Ordre des médecins vétérinaires du Québec and the Ordre des pharmaciens du Québec, a list of the medications which shall be sold only on prescription of a veterinary surgeon.

Notwithstanding the first paragraph, a manufacturer of medications may sell to a medication wholesaler, and the manufacturer or wholesaler of medications may sell medications, without the prescription of a veterinary surgeon, to any person entitled to sell or furnish medications under an Act applicable in Québec.

R. S. 1964, c. 259, s. 23; 1970, c. 57, s. 10; 1973, c. 57, s. 8; 1974, c. 65, s. 109; 1977, c. 5, s. 14, s. 229; 1984, c. 27, s. 77; 1989, c. 26, s. 2; 2002, c. 27, s. 41; 2010, c. 15, s. 71.

10. *(Repealed)*.

R. S. 1964, c. 259, s. 24; 1970, c. 57, s. 11; 1973, c. 57, s. 9; 1994, c. 40, s. 362.

11. *(Repealed)*.

R. S. 1964, c. 259, s. 25; 1973, c. 57, s. 10; 1989, c. 26, s. 3; 1994, c. 40, s. 362.

12. *(Repealed)*.

R. S. 1964, c. 259, s. 29; 1973, c. 57, s. 14; 1994, c. 40, s. 362.

13. *(Repealed)*.

R. S. 1964, c. 259, s. 30; 1973, c. 57, s. 15; 1994, c. 40, s. 362.

14. *(Repealed)*.

R. S. 1964, c. 259, s. 31; 1994, c. 40, s. 362.

15. *(Repealed)*.

R. S. 1964, c. 259, s. 32; 1973, c. 57, s. 16; 1994, c. 40, s. 362.

16. *(Repealed)*.

R. S. 1964, c. 259, s. 33; 1994, c. 40, s. 362.

17. *(Repealed)*.

R. S. 1964, c. 259, s. 34; 1973, c. 57, s. 17; 1994, c. 40, s. 362.

18. *(Repealed)*.

R. S. 1964, c. 259, s. 35; 1973, c. 57, s. 18; 1994, c. 40, s. 362.

19. *(Repealed)*.

R. S. 1964, c. 259, s. 36; 1994, c. 40, s. 362.

20. *(Repealed)*.

R. S. 1964, c. 259, s. 37; 1973, c. 57, s. 19; 1994, c. 40, s. 362.

21. *(Repealed)*.

R. S. 1964, c. 259, s. 38; 1973, c. 57, s. 20; 1989, c. 26, s. 4; 1994, c. 40, s. 364.

22. *(Repealed)*.

R. S. 1964, c. 259, s. 39; 1973, c. 57, s. 21; 1994, c. 40, s. 365.

23. Every veterinary surgeon may use the medications, substances and apparatus he may require in the practice of his profession and administer medications to animals and sell medications used to treat animals.

R. S. 1964, c. 259, s. 40; 1973, c. 57, s. 22.

24. It is forbidden to practise veterinary medicine

(a) under a pseudonym;

(b) under the name of a person not entered on the roll.

R. S. 1964, c. 259, s. 41; 1973, c. 57, s. 23.

25. Every veterinary surgeon who holds a public office or other position in his capacity as veterinary surgeon shall also be bound to be registered and shall be subject to all the other obligations of the members of the Order.

R. S. 1964, c. 259, s. 42; 1973, c. 57, s. 24.

26. On pain of being struck from the roll, the members of the Order shall pay an annual contribution, the amount and date of payment of which shall be fixed by the board of directors; such contribution shall be payable in advance at the treasurer's office. Every

suit for the recovery thereof shall be brought in the district in which the head office of the Order is situated.

R. S. 1964, c. 259, s. 43; 1973, c. 57, s. 25; 2008, c. 11, s. 212.

27. (1) Every veterinary surgeon ceasing to practise his profession may relieve himself from the payment of contributions during the time he does not practise, by previously paying the arrears due by him and by giving written notice to the secretary of his intention no longer to practise his profession.

It shall be the duty of the secretary to strike the name of such veterinary surgeon from the roll at the time specified in the notice.

If he practises his profession after the time specified in such notice, he shall be subject to the penalties of this Act.

(2) Such veterinary surgeon may resume the practice of his profession by giving notice of his intention to do so to the secretary of the Order.

On payment of his contribution for the current year, the secretary shall forward his application to the president of the Order and re-enter his name on the roll, if the board of directors does not object.

A decision by the board of directors to object to re-entry on the roll shall be served on the applicant in accordance with the Code of Civil Procedure (chapter C-25); the decision may be appealed from to the Professions Tribunal in accordance with the provisions of Division VIII of Chapter IV of the Professional Code (chapter C-26).

R. S. 1964, c. 259, s. 44; 1973, c. 57, s. 26; 2000, c. 13, s. 67; 2008, c. 11, s. 212.

28. (1) Sums due to the Order shall be recoverable, by the treasurer in the name of the Order, both from the veterinary surgeon who owes the same and from his heirs and representatives.

(2) In every suit for the recovery of such sums, it shall be sufficient to give the defendant's surname with the initials of his Christian names as entered on the roll.

(3) The statement of the account so claimed, bearing the seal of the Order and purporting to be signed by the treasurer, shall be received before all courts as sufficient evidence of its contents.

(4) Copies of and extracts from the roll and regulations of the board of directors, certified to be true and signed by the secretary, shall be authentic.

R. S. 1964, c. 259, s. 45; 1973, c. 57, s. 27; 2008, c. 11, s. 212.

29. The roll may be examined at any time by any veterinary surgeon or by his duly authorized representative.

The secretary of the Order, upon payment of a fee determined by the board of directors, shall furnish to every veterinary surgeon applying therefor in writing, a copy of the roll, showing the given names or initials, surname and residence or domicile of every veterinary surgeon of Québec.

R. S. 1964, c. 259, s. 46; 1973, c. 57, s. 28; 1974, c. 65, s. 42; 1994, c. 40, s. 366; 2008, c. 11, s. 193, s. 212.

30. No certificate given by a person in his capacity as a veterinary surgeon shall be valid unless such person is entered on the roll.

R. S. 1964, c. 259, s. 47; 1973, c. 57, s. 29.

31. No veterinary surgeon shall be compelled to declare what has been revealed to him in his professional capacity.

R. S. 1964, c. 259, s. 48.

## **DIVISION V**

### **ILLEGAL PRACTICE OF VETERINARY MEDICINE**

32. Subject to the rights and privileges expressly granted by law to other professionals, no person may perform an act described in section 7 unless he is a veterinary surgeon.

The first paragraph does not apply to acts performed

(1) by a person belonging to a class of persons contemplated in a regulation adopted pursuant to subparagraph 3 of the first paragraph of section 6.1, provided he performs them under the conditions prescribed in the regulation;

(2) by a person in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code (chapter C-26);

(3) in the course of studying veterinary medicine;

(4) in the course of scientific research.

R. S. 1964, c. 259, s. 62; 1973, c. 57, s. 31; 1994, c. 40, s. 367.

32.1. Every person who contravenes section 32 is liable, for each offence, to the penalties prescribed in section 188 of the Professional Code (chapter C-26).

1994, c. 40, s. 367.

33. *(Repealed)*.

R. S. 1964, c. 259, s. 63; 1973, c. 57, s. 32; 1992, c. 61, s. 399.

## **DIVISION VI**

### **MISCELLANEOUS PROVISIONS**

34. Whenever proof of registration is required under this Act, a printed or other copy of the roll, certified by the secretary of the Order, shall be sufficient proof that all the persons therein mentioned are registered as veterinary surgeons.

Any certificate signed by any person in his capacity of secretary in conformity with this Act shall be sufficient evidence that such person is the secretary, without any proof of his signature being necessary, or of his being in fact such secretary.

R. S. 1964, c. 259, s. 65; 1973, c. 57, s. 34.

35. *(This section ceased to have effect on 17 April 1987)*.

1982, c. 21, s. 1; U. K., 1982, c. 11, Sch. B, Part I, s. 33.

## **REPEAL SCHEDULE**

In accordance with section 17 of the Act respecting the consolidation of the statutes (chapter R-3), chapter 259 of the Revised Statutes, 1964, in force on 31 December 1977, is repealed effective from the coming into force of chapter M-8 of the Revised Statutes.