

This Act is current to November 1, 2017

See the [Tables of Legislative Changes](#) for this Act's legislative history, including any changes not in force.

VETERINARIANS ACT

[SBC 2010] CHAPTER 15

Assented to June 3, 2010

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Part 1 — Introductory Provisions

Definitions

1 In this Act:

"animal" means a fish, a reptile, an amphibian, a bird or a mammal other than a human, whether living or not;

"bylaw" means a bylaw of the college made under this Act;

"certified technician" means an individual who is certified as a certified technician in accordance with the bylaws;

"college" means the College of Veterinarians of British Columbia continued under section 2 [*association continued as college*];

"council" means the council of the college established under section 4 [*council*];

"discipline hearing" means a hearing of the discipline committee under section 59 [*discipline hearings*];

"former Act" means the [Veterinarians Act](#), R.S.B.C. 1996, c. 476;

"former register" means the register kept under section 12 of the former Act, as it existed immediately before the coming into force of this Act;

"inspector" means an inspector appointed under section 49 [*inspections*];

"online registry" means the registry established under section 41 [*online registry*];

"register", when used as a noun, means the register referred to in section 39 (2) [*register*];

"registrant"

(a) means an individual who is registered under this Act, and

(b) in the following provisions, includes a former registrant:

(i) Part 4 [*Inspections, Complaints, Investigations and Discipline*];

(ii) section 72 [*responsibility of registrants not affected by incorporation*];

(iii) section 77 [*deemed receipt of records*];

"registrar" means the person appointed as registrar for the college under section 31 (1) [*registrar and deputy registrar*];

"registration hearing" means a hearing of the registration committee under section 34 [*registration hearings*];

"veterinary medicine" means the art and science of veterinary medicine, dentistry and surgery, and includes, whether or not for consideration,

(a) the diagnosis and treatment of animals for the prevention, alleviation or correction of disease, injury, pain, defect, disorder, or other similar condition,

(b) the provision of a service prescribed by regulation of the Lieutenant Governor in Council, and

- (c) the provision of advice in respect of a matter referred to in paragraph (a) or (b).

Part 2 — College of Veterinarians of British Columbia

Division 1 — College and Council

Association continued as college

- 2 (1) The British Columbia Veterinary Medical Association is continued as a corporation under the name College of Veterinarians of British Columbia.
- (2) The college consists of
 - (a) members of the council, and
 - (b) registrants.
- (3) For the purposes of exercising its powers and performing its duties under this Act, the college has all the powers and capacity of a natural person.
- (4) Subject to subsection (5), the *Business Corporations Act* does not apply to the college.
- (5) The Lieutenant Governor in Council may by order direct that specified provisions of the *Business Corporations Act* apply to the college.

Duty and objects

- 3 (1) In carrying out its objects, the college must
 - (a) protect the public interest, and
 - (b) exercise its powers and discharge its responsibilities under this Act in the public interest.
- (2) The objects of the college are as follows:
 - (a) to establish the requirements for registration of an individual as a registrant;
 - (b) to establish, monitor and enforce standards for the practice of veterinary medicine;
 - (c) to establish and maintain a continuing competence program to promote high standards for the practice of veterinary medicine;
 - (d) to supervise the practice of veterinary medicine;
 - (e) to receive and investigate complaints against registrants and former registrants and to deal with issues of discipline, professional misconduct, conduct unbecoming a registrant, incompetence and incapacity;
 - (f) to establish and employ registration, investigation and discipline practices that are transparent, objective, impartial and fair;

(g) to govern registrants according to this Act, the regulations and the bylaws;

(h) to administer the affairs of the college and perform other duties through the exercise of powers conferred under this Act.

Council

- 4 (1) The council must govern, control and administer the affairs of the college in accordance with this Act, the regulations and the bylaws.
- (2) The council must consist of at least 3 individuals and may consist of up to 10 individuals, as follows:
- (a) not fewer than 3 and not more than 5 registrants must be elected by registrants in accordance with the bylaws;
 - (b) if the bylaws provide for the election of a certified technician, one certified technician may be elected by certified technicians in accordance with the bylaws;
 - (c) up to 4 individuals may be appointed by order of the minister.
- (3) Individuals appointed under subsection (2) (c) must not be registrants, former registrants or individuals qualified to be registrants.
- (4) A member of the council
- (a) elected under subsection (2) (a) or (b) serves for the term specified in the bylaws, and
 - (b) appointed under subsection (2) (c) serves for the term specified in the order of the minister.
- (5) Subject to the council's direction, a member of the council who resigns or whose term of office expires may, even if a successor is elected or appointed, continue to serve as a member of a committee established under this Act to complete work of the committee that began before the resignation or expiry.
- (6) Despite subsection (2), a council properly established under that subsection continues to govern if for any reason the number of individuals elected under subsection (2) (a) falls below the minimum requirements of that subsection.

Division 2 — Bylaws Regarding General Matters and Registrants

Bylaws to establish registration, investigation and discipline committees

- 5 The council must by bylaw establish a registration committee, an investigation committee and a discipline committee.

Bylaws regarding council elections

- 6 The council must by bylaw do the following:
- (a) subject to section 4 (2) (a) [*council*], establish the number of council members to be elected;

- (b) specify if members of a class of registrants are eligible to be elected to the council or to vote in an election of registrants to the council;
- (c) provide for council elections to be conducted by mail ballot or electronic means;
- (d) subject to paragraph (c), establish the time, manner and procedure for council elections;
- (e) establish the terms of office of elected council members;
- (f) provide for the remuneration and expenses of council members;
- (g) establish the grounds and procedure for removing elected council members before their terms of office have expired.

Bylaws regarding registrant approval of bylaws

7 The council must by bylaw do the following in relation to the approval of bylaws by registrants under section 26 [*bylaws to be approved by registrants*]:

- (a) specify if members of a class of registrants are eligible to vote on the approval of bylaws;
- (b) provide for registrants to vote on bylaws by mail ballot or electronic means;
- (c) subject to paragraph (b), establish the time, manner and procedure for voting on bylaws.

General bylaw-making powers

- 8** (1) In addition to the bylaws that must be made under sections 5 to 7, the council may make other bylaws, consistent with this Act, that the council considers necessary or advisable.
- (2) Without limiting subsection (1), the council may make bylaws, consistent with this Act, respecting any of the matters described in sections 9 to 25.
- (3) The council may by bylaw amend or repeal a bylaw.
- (4) Provisions in a bylaw may be different for different classes of persons.

Bylaws regarding council meetings

9 The council may by bylaw do any of the following:

- (a) regulate the time, place, calling and conduct of meetings of the council;
- (b) establish the quorum for meetings and for resolutions of the council.

Bylaws regarding committees

10 (1) In addition to making bylaws to establish committees under section 5 [*bylaws to establish registration, investigation and discipline committees*], the council may

make bylaws to establish other committees the council considers necessary or advisable.

(2) The council may by bylaw provide for any of the following in relation to a committee established under this Act:

- (a) the composition of the committee;
- (b) the establishment and composition of panels of the committee;
- (c) the appointment of individuals who are not registrants to the committee and panels of the committee;
- (d) the appointment and removal of committee and panel members;
- (e) the duties and powers of the committee and panels of the committee;
- (f) the delegation to the committee of a duty or power of the council, other than the power to make bylaws;
- (g) the delegation to panels of the committee of a duty or power of the committee;
- (h) the procedures to be followed by the committee and panels of the committee, including quorum;
- (i) the publication of decisions and other records of the committee and of panels of the committee;
- (j) the remuneration and expenses of committee and panel members.

Bylaws regarding registrar, deputy registrar and officers

11 The council may by bylaw provide for the appointment and removal, powers and duties and remuneration and expenses of the registrar, deputy registrar and other officers of the college.

Bylaws regarding registration

12 (1) The council may by bylaw do any of the following in relation to the registration of individuals as registrants:

- (a) establish requirements for registration or reinstatement of registration, including requirements respecting
 - (i) standards of academic or technical achievement,
 - (ii) competencies or other qualifications, and
 - (iii) the provision of evidence of good character;
- (b) confer discretion on the registration committee, in satisfying itself that an individual meets the requirements for registration, to consider whether the individual's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement and competencies or other qualifications established under paragraph (a), and to grant registration on that basis;

- (c) require applicants for registration or reinstatement of registration to take examinations, provide for the examinations that may be required, used or relied on, and set procedures respecting the conduct of examinations;
- (d) authorize the registration committee to establish additional examination procedures consistent with the bylaws;
- (e) establish requirements for the issue, display, renewal and expiration of registration certificates;
- (f) establish requirements for practice and procedure for registration hearings;
- (g) establish requirements for renewal, suspension and cancellation of the registration of a registrant, including providing for the suspension or cancellation of the registration of a registrant for late payment or non-payment of
 - (i) fees or assessments, or
 - (ii) fines levied under section 61 (2) (e) [*action by discipline committee*];
- (h) establish the obligations that applicants for reinstatement of registration must meet.

(2) The council may make bylaws, consistent with the [Labour Mobility Act](#), to do any of the matters contemplated by that Act, including establishing requirements for practice and procedure for determining applications for registration by individuals to whom that Act applies.

Bylaws regarding classes of registrants and registrants as specialists

13 The council may by bylaw do any of the following:

- (a) establish classes of registrants, including honorary and lifetime registrants;
- (b) provide that different classes of registrants may be registered for a limited period of time;
- (c) provide that different classes of registrants may be permitted to practise only in limited ways;
- (d) provide for the recognition of registrants as specialists in a field of the practice of veterinary medicine and specify the manner by which registrants may hold themselves out as specialists.

Bylaws regarding register, online registry and college website

14 The council may by bylaw do any of the following:

- (a) provide for additional information to be included in the register and online registry;

- (b) provide for additional information to be included in the public notice required under section 68 [*public notification*];
- (c) establish a process for the removal of records from the online registry and college website.

Bylaws regarding fees and assessments

15 The council may by bylaw do any of the following:

- (a) establish fees payable to the college by
 - (i) registrants,
 - (ii) applicants for registration, or
 - (iii) former registrants for reinstatement of registration;
- (b) provide for special fees and assessments to be paid by registrants and applicants for registration;
- (c) set the date by which fees, special fees or assessments must be paid.

Bylaws regarding registrant meetings

16 The council may by bylaw do any of the following in relation to general meetings of registrants:

- (a) regulate the time, place, calling and conduct of meetings;
- (b) establish the quorum for meetings.

Bylaws regarding practice of veterinary medicine

17 The council may by bylaw do any of the following:

- (a) establish standards for the practice of veterinary medicine by registrants;
- (b) establish standards of professional ethics and professional conduct for registrants;
- (c) establish limits or conditions for the practice of veterinary medicine by registrants;
- (d) establish requirements for continuing education and continuing competence for registrants;
- (e) establish aspects of the practice of veterinary medicine that
 - (i) a registrant may authorize an employee who is not a certified technician to provide or perform under the supervision of a registrant,
 - (ii) a registrant must not authorize an employee who is not a certified technician to provide or perform, or
 - (iii) may be performed only by registrants;

- (f) regulate, prohibit and impose requirements respecting advertising or types of advertising by registrants;
- (g) establish requirements concerning the creation, retention, disclosure, storage and destruction of client, administrative and accounting records for registrants;
- (h) establish requirements for maintenance of professional liability insurance coverage by registrants;
- (i) establish requirements for the training and supervision of persons employed by registrants to assist registrants in the practice of veterinary medicine;
- (j) establish requirements for the training, regulation and employment of individuals enrolled as students of veterinary medicine.

Bylaws regarding investigations and discipline hearings

18 The council may by bylaw establish any of the following:

- (a) the practices and procedures for discipline hearings;
- (b) the maximum fine that the discipline committee may impose under section 61 (2) (e) [*action by discipline committee*];
- (c) for the purposes of section 63 (3) [*cost awards by discipline committee*], the tariff of costs to indemnify respondents and the college, as the case may be, for the cost of legal representation for the purposes of
 - (i) investigations under sections 52 [*investigations*], and
 - (ii) discipline hearings;
- (d) for the purposes of section 63 (4), the tariff of costs to indemnify the college for the cost of the matters set out in section 63 (2) (a) and (b).

Bylaws regarding general administration

19 The council may by bylaw do any of the following:

- (a) establish requirements for the administration of benevolent, scholarship and other college funds;
- (b) provide for the general administration and operation of the college.

Division 3 – Bylaws Regarding Certified Technicians

Bylaws to establish services that certified technicians may provide

20 The council may by bylaw do any of the following:

- (a) establish aspects of the practice of veterinary medicine that a registrant
 - (i) may delegate to a certified technician to provide or perform, or

- (ii) may authorize a certified technician to provide or perform under the supervision of a registrant;
- (b) establish one or more classes of certified technicians;
- (c) specify limits or conditions for registrants in respect of
 - (i) delegating aspects of the practice of veterinary medicine to certified technicians, or
 - (ii) authorizing certified technicians to provide or perform aspects of the practice of veterinary medicine under the supervision of a registrant.

Bylaws regarding advisory committees for certified technicians

- 21** Without limiting section 10 [*bylaws regarding committees*], the council may by bylaw establish one or more advisory committees in relation to certified technicians.

Bylaws regarding certification

- 22** (1) The council may by bylaw do any of the following in relation to the certification of individuals as certified technicians:
- (a) authorize one of the following to determine applications for certification:
 - (i) a committee established by bylaw under section 10 [*bylaws regarding committees*];
 - (ii) an officer of the college appointed by bylaw under section 11 [*bylaws regarding registrar, deputy registrar and officers*];
 - (b) do any matter or thing that the council may do by bylaw in relation to registration under section 12 [*bylaws regarding registration*];
 - (c) authorize a committee or an officer described in paragraph (a) to do any of the following:
 - (i) subject to subparagraph (ii), impose limits or conditions on the certification of an individual as a certified technician;
 - (ii) in the case of an individual to whom the *Labour Mobility Act* applies, impose terms, conditions or requirements on the individual's certification in accordance with section 3 (4) (c) of that Act;
 - (iii) remove limits, conditions, terms or requirements imposed under subparagraph (i) or (ii);
 - (d) establish requirements for the creation and maintenance of a list of certified technicians and provide for public access to the list.
- (2) For the purposes of subsection (1) (b), a reference in section 12 to
- (a) an applicant or individual applying for registration is to be read as a reference to an applicant or individual applying for certification,

- (b) the registration of an individual as a registrant is to be read as a reference to the certification of an individual as a certified technician,
- (c) the registration committee is to be read as a reference to a committee or an officer described in subsection (1) (a) of this section,
- (d) a registration certificate is to be read as a reference to a certification certificate,
- (e) a registration hearing is to be read as a reference to a certification hearing, and
- (f) a registrant is to be read as a reference to a certified technician.

Bylaws regarding election of certified technician to council

23 The council may by bylaw do any of the following in relation to the election of a certified technician to the council:

- (a) establish the time, manner and procedure for the election of a certified technician to the council under section 4 (2) (b) [*council*];
- (b) specify if members of a class of certified technicians are eligible
 - (i) to be elected to the council, or
 - (ii) to vote in an election of a certified technician to the council.

Bylaws regarding practice by certified technicians

24 The council may by bylaw do any of the following:

- (a) establish standards, limits or conditions for the practice of aspects of veterinary medicine by certified technicians;
- (b) establish standards of professional ethics and professional conduct for certified technicians;
- (c) establish requirements for continuing education and continuing competence for certified technicians;
- (d) regulate, prohibit and impose requirements respecting advertising or types of advertising by certified technicians;
- (e) establish requirements concerning the creation, retention, disclosure, storage and destruction of client, administrative and accounting records for certified technicians;
- (f) establish requirements for maintenance of professional liability insurance coverage by certified technicians.

Bylaws regarding fees payable by certified technicians

25 The council may by bylaw do any of the following:

- (a) establish fees payable to the college by certified technicians;

- (b) provide for special fees and assessments to be paid by certified technicians and applicants for certification;
- (c) set the date by which fees, special fees or assessments must be paid by certified technicians.

Division 4 – Bylaw Approval

Bylaws to be approved by registrants

26 (1) In this section, "**bylaw**" does not include any of the following:

- (a) a bylaw made to establish a committee under section 10 (1) [*bylaws regarding committees*];
- (b) a bylaw made under section 19 [*bylaws regarding general administration*];
- (c) a bylaw made to establish an advisory committee under section 21 [*bylaws regarding advisory committees for certified technicians*];
- (d) the making, amendment or repeal of a bylaw by order of
 - (i) the minister under section 28 [*minister may make or change bylaws*], or
 - (ii) the Lieutenant Governor in Council under section 29 [*Lieutenant Governor in Council may make or change bylaws under section 20*].

(2) A bylaw must be approved, in accordance with the bylaws made under section 7 [*bylaws regarding registrant approval of bylaws*], by a simple majority of registrants who vote and are eligible to vote on the bylaw.

(3) Subject to subsection (4), a bylaw does not come into force until the bylaw is approved by registrants under subsection (2).

(4) A bylaw made under section 20 [*bylaws to establish services that certified technicians may provide*] does not come into force until the bylaw is approved by the Lieutenant Governor in Council, after approval by registrants under subsection (2).

(5) The council must notify the minister in writing of a bylaw approved by registrants under subsection (2).

When bylaws under sections 10, 19 and 21 are effective

27 (1) The following bylaws come into force on the date the bylaw is passed by council, unless a later date is specified in the bylaw:

- (a) a bylaw made to establish a committee under section 10 (1) [*bylaws regarding committees*];
- (b) a bylaw made under section 19 [*bylaws regarding general administration*];
- (c) a bylaw made to establish an advisory committee under section 21 [*bylaws regarding advisory committees for certified technicians*].

(2) The council must notify the minister in writing of a bylaw made under section 10 (1), 19 or 21.

Minister may make or change bylaws

28 (1) Subject to subsection (2), if the minister considers it to be in the public interest, the minister may by order make a new bylaw or amend or repeal an existing bylaw.

(2) The minister must not make, amend or repeal a bylaw respecting a matter described in the following provisions:

(a) section 17 (a) or (b) [*bylaws regarding practice of veterinary medicine*];

(b) section 20 [*bylaws to establish services that certified technicians may provide*].

(3) A new bylaw or an amendment or repeal of an existing bylaw made by order of the minister under subsection (1)

(a) comes into force on the date the order is made, unless a later date is specified in the order, and

(b) prevails to the extent of any conflict or inconsistency with a bylaw made by the council.

(4) Written notice of the making, amendment or repeal of a bylaw by order of the minister under subsection (1) must be given by the minister to the college at least 90 days before the order comes into force, unless a shorter notice period is specified in the written notice.

Lieutenant Governor in Council may make or change bylaws under section 20

29 (1) If the Lieutenant Governor in Council considers it to be in the public interest, the Lieutenant Governor in Council may by order do any of the following in respect of a matter described in section 20 [*bylaws to establish services that certified technicians may provide*]:

(a) make a new bylaw;

(b) amend or repeal an existing bylaw.

(2) A new bylaw or an amendment or repeal of an existing bylaw made by order of the Lieutenant Governor in Council under subsection (1)

(a) comes into force on the date the order is made, unless a later date is specified in the order, and

(b) prevails to the extent of any conflict or inconsistency with a bylaw made by the council.

(3) Written notice of the making, amendment or repeal of a bylaw by order of the Lieutenant Governor in Council under subsection (1) must be given by the minister to the college at least 90 days before the order comes into force, unless a shorter notice period is specified in the minister's written notice.

Record, publication and notice of bylaws

30 (1) The council must

- (a) maintain a complete and accurate record of all the bylaws that are in effect for the college,
- (b) provide a copy of those bylaws to each registrant,
- (c) make those bylaws available for inspection by any person, free of charge, at the office of the college at all reasonable times during regular business hours, and
- (d) post those bylaws on the college website.

(2) The council must provide to each certified technician a copy of all bylaws that are in effect for the college respecting the matters described in sections 20 [*bylaws to establish services that certified technicians may provide*] to 25 [*bylaws regarding fees payable by certified technicians*].

Part 3 – Registration, Certification and Prohibitions

Division 1 – Registration and Register

Registrar and deputy registrar

- 31** (1) The council must appoint a registrar and may appoint a deputy registrar for the college.
- (2) If the council appoints a deputy registrar, the deputy registrar may exercise the powers of the registrar
- (a) if the registrar is absent, ill or otherwise unavailable, or
 - (b) at any time, as directed by the registrar or the council.

Registration applications determined by registrar

- 32** (1) The registrar must register, and issue a certificate of registration to, every individual who,
- (a) in accordance with the bylaws,
 - (i) applies to the college for registration or reinstatement of registration,
 - (ii) satisfies the registrar that the individual meets the requirements for registration, and
 - (iii) pays the required fees or assessments, if any, or
 - (b) is an individual whom the registrar is obliged under the [Labour Mobility Act](#) to register.
- (2) The registrar may require an applicant under subsection (1) (a) to provide any information or records the registrar considers necessary for the purposes of taking an action under this section.

(3) In respect of an applicant under subsection (1) (b), the registrar may, for the purposes of satisfying the registrar that the applicant is entitled under the *Labour Mobility Act* to be registered, take any action contemplated by that Act, including requiring the applicant to provide any information or records the registrar considers necessary for those purposes.

(4) If the registrar is not satisfied that an applicant meets the requirements for registration under subsection (1), the registrar must refer the application to the registration committee.

Registration applications determined by registration committee

33 (1) This section and sections 34 [*registration hearings*] and 35 [*action by registration committee*] do not apply to an applicant whom the registration committee is obliged under the *Labour Mobility Act* to register.

(2) The registration committee may require an applicant to

- (a) take an examination, and
- (b) provide any additional information or records the registration committee considers necessary for the purposes of taking an action under this section.

(3) After considering an application for registration and the results of any examination or information or records provided under subsection (2), the registration committee must

- (a) direct the registrar to register the applicant, or
- (b) hold a registration hearing.

Registration hearings

34 (1) For the purposes of determining whether to register an applicant, the registration committee may hold written, electronic or oral registration hearings or any combination of these.

(2) In a registration hearing, the registration committee may inquire into one or more of the following:

- (a) whether the applicant's entitlement to practise veterinary medicine has been suspended or cancelled at any time in British Columbia or in another jurisdiction;
- (b) whether an investigation, a review or another proceeding is underway in any jurisdiction that the registration committee believes could result in the applicant's entitlement to practise veterinary medicine in that jurisdiction being suspended or cancelled;
- (c) whether the applicant's entitlement to practise veterinary medicine has been voluntarily surrendered at any time in British Columbia or in another jurisdiction in circumstances that the registration committee believes may have prevented the commencement or completion of an

investigation, a review or another proceeding that could have resulted in the applicant's entitlement to practise being suspended or cancelled;

(d) whether the applicant has been convicted of an offence that the registration committee believes may give rise to concerns about the applicant's competence or fitness to practise veterinary medicine;

(e) whether the applicant is competent or fit to practise veterinary medicine;

(f) any other matter the registration committee considers relevant.

(3) In a registration hearing, the registration committee may require a person to do one or more of the following:

(a) produce records the person owns or controls;

(b) provide oral or written evidence;

(c) give oral or written evidence under oath.

(4) Any member of the registration committee may administer an oath required under subsection (3) (c).

(5) A person who fails to comply with a requirement under subsection (3) is liable, on application to the Supreme Court by a person authorized by the registration committee, to be committed for contempt as if he or she were in breach of an order of the Supreme Court.

(6) In a registration hearing, the applicant and the college

(a) are parties and may be represented by legal counsel, and

(b) have the right to cross examine witnesses and to call evidence in reply.

(7) The registration committee may seek legal or other advice and, if advice is received, the nature of that advice must be communicated to the parties and the parties must be given an opportunity to respond.

Action by registration committee

35 (1) On completion of a registration hearing, the registration committee must direct the registrar to do one of the following:

(a) register the applicant;

(b) refuse to register the applicant;

(c) register the applicant subject to one or more limits or conditions, including that the applicant

(i) complete additional training, education or examinations to the satisfaction of the registration committee,

(ii) be registered for only a limited period, as specified by the registration committee,

(iii) be registered for a class of registration specified by the registration committee that is different from the class applied for,

or

(iv) practise veterinary medicine subject to limits or conditions, as specified by the registration committee.

(2) Written reasons for a decision made under subsection (1) (b) or (c) must be delivered by the registration committee to the applicant by personal service or registered mail.

(3) If the registration committee determines that a limit or condition imposed under subsection (1) (c) is no longer necessary, the registration committee must direct the registrar to remove the limit or condition.

(4) The registrar must comply with a direction given under subsection (1) or (3).

Registration applications if *Labour Mobility Act* applies

36 (1) For the purposes of determining whether an applicant is entitled under the *Labour Mobility Act* to be registered, the registration committee may take any action consistent with that Act, including

(a) requiring the applicant to provide any information or records the registration committee considers necessary for those purposes, and

(b) providing the applicant with an opportunity to be heard.

(2) If the registration committee is satisfied that an applicant is an individual whom the registration committee is obliged under the *Labour Mobility Act* to register, the registration committee

(a) must direct the registrar to register the applicant, and

(b) may direct the registrar to register the applicant subject to one or more terms, conditions or requirements that may be imposed under section 3 (4) (c) of the *Labour Mobility Act*.

(3) If the registration committee is not satisfied that an applicant is entitled under the *Labour Mobility Act* to be registered, the registration committee must direct the registrar to refuse to register the applicant under this section.

(4) Written reasons for a decision made under subsection (2) (b) or (3) must be delivered by the registration committee to the applicant by personal service or registered mail.

(5) If the registration committee determines that a term, condition or requirement imposed under subsection (2) (b) is no longer necessary, the registration committee must direct the registrar to remove the term, condition or requirement.

(6) The registrar must comply with a direction given under subsection (2), (3) or (5).

Appeal of registration committee decision to Supreme Court

37 (1) Subject to subsection (3) of this section, if one of the following decisions is made by the registration committee, the applicant in respect of whom the decision is made may appeal that decision to the Supreme Court:

- (a) a decision directing the registrar to refuse registration under section 35 (1) (b) [*action by registration committee*];
- (b) a decision directing the registrar to register the applicant subject to one or more limits or conditions under section 35 (1) (c);
- (c) a decision directing the registrar to register the applicant subject to one or more terms, conditions or requirements referred to in section 36 (2) (b) [*registration applications if [Labour Mobility Act](#) applies*];
- (d) a decision directing the registrar to refuse registration under section 36 (3).

(2) Subject to subsection (3) of this section, section 64 (2) to (11)[*appeal of discipline committee decision to Supreme Court*] applies to an appeal under subsection (1) of this section as if

- (a) the registration committee's decision were an order of the discipline committee,
- (b) the registration committee were the discipline committee, and
- (c) the applicant were a respondent.

(3) If any or all of the bases on which an applicant wishes to challenge the decision are based on an allegation that the decision is not in accordance with the [Labour Mobility Act](#) or the Agreement as defined in that Act, the applicant must refer the decision to the Supreme Court for review, and for that purpose, section 4 of the [Labour Mobility Act](#) applies.

Registrants' entitlement to practise

- 38** A registrant, other than a registrant whose registration is suspended, may practise veterinary medicine and, if practising, must do so in accordance with
- (a) this Act, the regulations and the bylaws,
 - (b) all limits or conditions, if any, imposed under this Act on the registrant's practice of veterinary medicine, and
 - (c) all terms, conditions or requirements, if any, imposed under section 3 (4) (c) of the [Labour Mobility Act](#) on the registrant's practice of veterinary medicine.

Register

- 39** (1) The registrar must retain the former register.
- (2) The registrar must establish and maintain a new register setting out the following information for each individual who is a registrant or former registrant, as applicable:
- (a) the individual's name;
 - (b) whether the individual is a registrant or former registrant;

- (c) if the individual is a registrant, the registrant's business name, business address and business telephone number;
- (d) the class of registration, including areas of specialization and related credentials, in which the individual is or was registered;
- (e) all limits or conditions, if any, imposed under this Act on the individual's practice of veterinary medicine;
- (f) all terms, conditions or requirements, if any, imposed under section 3 (4) (c) of the *Labour Mobility Act* on the individual's practice of veterinary medicine;
- (g) a record of all disciplinary actions, if any, taken in respect of the individual, and the reasons for the actions taken, including a record of the following:
 - (i) an order made by the discipline committee under section 61 [*action by discipline committee*];
 - (ii) an action taken by the investigation committee or discipline committee under section 65 (2) [*extraordinary action to protect public interest*];
 - (iii) an undertaking or a consent given by the individual in respect of a request under section 66 (1) [*reprimand or remedial action by consent*];
 - (iv) a consent order made under section 67 [*consent orders*];
- (h) a notation of all cancellations or suspensions, if any, of the individual's registration;
- (i) all additional information prescribed by regulation of the minister or required under the bylaws.

(3) The registrar must cancel the registration of a registrant if

- (a) the registrant requests or gives written consent to the cancellation, or
- (b) the registrar receives notice of the registrant's death.

Inspection of register

40 (1) Subject to subsection (2), the college must ensure that the register and former register are open to inspection by any person, free of charge, at all reasonable times during regular business hours.

(2) The registrar may refuse a person access to the register or former register if the registrar reasonably believes that

- (a) access by the person could threaten the safety of another person, or
- (b) the person is seeking access for commercial purposes.

(3) If access is refused under subsection (2), the registrar may disclose to the person information from the register or former register that the registrar considers appropriate in the circumstances.

Online registry

41 (1) The council must establish and the registrar must maintain an online registry for the purposes of providing the public with the information set out in subsection (2) for each individual who is a

- (a) registrant, or
- (b) former registrant whose registration has been cancelled for less than one year.

(2) The online registry must include the following information for each individual described in subsection (1):

- (a) the individual's name;
- (b) whether the individual is a registrant or former registrant;
- (c) the class of registration, including areas of specialization and related credentials, in which the individual is or was registered;
- (d) if the individual is a registrant,
 - (i) with the registrant's consent, the registrant's business name, business address and business telephone number,
 - (ii) all limits or conditions, if any, imposed under this Act on the registrant's practice of veterinary medicine, and
 - (iii) all terms, conditions or requirements, if any, imposed under section 3 (4) (c) of the *Labour Mobility Act* on the registrant's practice of veterinary medicine;
- (e) subject to subsections (3) and (4), a record of all disciplinary actions, if any, taken in respect of the individual, and the reasons for the actions taken, including a record referred to in section 39 (2) (g) [*register*];
- (f) a notation of all cancellations or suspensions, if any, of the individual's registration;
- (g) all additional information prescribed by regulation of the minister or required under the bylaws.

(3) The council may direct the registrar to withhold or remove from the online registry some or all of the information referred to in subsection (2) (e) if the council considers that the information, if included in the online registry,

- (a) would be an unreasonable invasion of the personal privacy of a person affected by the matter, other than the individual described in subsection (1), or
- (b) the information relates to a condition described in section 52 (2) (i) [*investigations*] and the council considers that the privacy interests of the individual described in subsection (1) outweigh the public interest in disclosure of the information.

(4) After information referred to in subsection (2) (e) has been on the online registry for more than 5 years,

- (a) the individual to whom the information relates may apply to the council to have the information removed from the online registry, and
- (b) if the council considers it in the public interest to do so, the council may grant the application and direct the registrar to remove the information from the online registry.

Certificate as evidence

- 42** A certificate signed by the registrar is proof, in the absence of evidence to the contrary, of the matters stated in the certificate that relate to the records of the college.

Division 2 – Certification

Certification hearings

- 43** (1) Subject to subsection (3), an officer or a committee authorized by bylaw to determine an application for certification may hold written, electronic or oral certification hearings, or any combination of these, for the purposes of determining whether to certify an applicant as a certified technician.
- (2) Section 34 (2) to (7) applies to a certification hearing under subsection (1) as if
- (a) the certification hearing were a registration hearing,
 - (b) the officer or committee described in subsection (1) of this section were the registration committee,
 - (c) the applicant or individual applying for certification were an applicant or individual applying for registration,
 - (d) references in section 34 (2) to entitlement, competence or fitness to practise veterinary medicine were references to entitlement, competence or fitness to practise the aspects of veterinary medicine that certified technicians are authorized to provide or perform in accordance with this Act, the regulations and the bylaws, and
 - (e) the officer or a member of the committee described in subsection (1) of this section were a member of the registration committee.
- (3) For the purposes of determining whether to certify an applicant to whom the *Labour Mobility Act* applies,
- (a) subsections (1) and (2) of this section do not apply, and
 - (b) section 36 (1) applies as if
 - (i) the applicant or individual applying for certification were an applicant or individual applying for registration,
 - (ii) certification were registration, and
 - (iii) the officer or committee authorized by bylaw to determine the application were the registration committee.

Appeal of certification decision to Supreme Court

44 (1) If an individual applies for certification in accordance with bylaws made under section 22 [*bylaws regarding certification*] and one of the following decisions is made in respect of the application, the officer or committee that made the decision must deliver written reasons for the decision to the applicant by personal service or registered mail:

- (a) a decision to refuse certification;
- (b) a decision to grant certification subject to one or more limits or conditions that may be imposed under this Act;
- (c) a decision to grant certification subject to one or more terms, conditions or requirements that may be imposed under section 3 (4) (c) of the *Labour Mobility Act*.

(2) Subject to subsection (4), an applicant referred to in subsection (1) may appeal the decision to the Supreme Court.

(3) Subject to subsection (4), section 64 (2) to (11) [*appeal of discipline committee decision to Supreme Court*] applies to an appeal under subsection (2) of this section as if

- (a) the decision made by the officer or committee were an order of the discipline committee,
- (b) the officer or committee that made the decision were the discipline committee, and
- (c) the applicant were a respondent.

(4) If any or all of the bases on which the applicant wishes to challenge the decision are based on an allegation that the decision is not in accordance with the *Labour Mobility Act* or the Agreement as defined in that Act, the applicant must refer the decision to the Supreme Court for review, and for that purpose, section 4 of the *Labour Mobility Act* applies.

Certified technicians' entitlement to practise

45 A certified technician, other than a certified technician whose certification is suspended, may practise the aspects of veterinary medicine that the certified technician is authorized to provide or perform under this Act and, if practising, must do so in accordance with

- (a) this Act, the regulations and the bylaws,
- (b) all limits or conditions, if any, imposed under this Act on the certified technician, and
- (c) all terms, conditions or requirements, if any, imposed under the *Labour Mobility Act* on the certified technician.

Division 3 – Prohibitions

Prohibitions regarding practice of veterinary medicine

46 (1) In this section, "**registrant**" and "**employee**" do not include a registrant whose registration is suspended.

(2) A person who is not a registrant must not do any of the following:

(a) perform, offer to perform, or imply that the person is entitled to perform, in British Columbia, any act described in the definition of "veterinary medicine" in section 1;

(b) recover a fee or remuneration in any court in respect of the performance, in British Columbia, of any act described in the definition of "veterinary medicine" in section 1.

(3) Subsection (2) does not apply to any of the following:

(a) the furnishing of first aid or temporary assistance to an animal in an emergency;

(b) the treatment of an animal by

(i) an owner who has regular care and control of the animal,

(ii) a member of the owner's household, or

(iii) an employee regularly employed full time by the owner in agricultural or domestic work;

(c) caponizing and taking poultry blood samples;

(d) the treatment of an animal by

(i) an employee of a registrant under the supervision of the registrant, or

(ii) an enrolled student of veterinary medicine employed by a registrant and authorized by that registrant to administer the treatment;

(e) the practice of veterinary medicine by a person not ordinarily resident in British Columbia but entitled to practise veterinary medicine in another jurisdiction, while that person is employed or engaged by a registrant to advise or assist the registrant as a consultant concerning veterinary medicine;

(f) a person engaging in scientific research which reasonably requires experimentation involving animals;

(g) a certified technician practising the aspects of veterinary medicine that the certified technician is authorized to provide or perform in accordance with this Act, the regulations and the bylaws;

(h) a person practising a profession, a discipline or another occupation in accordance with another Act;

(i) a person engaging in an activity prescribed by regulation of the Lieutenant Governor in Council in accordance with the limits or conditions, if any, specified in that regulation.

Prohibitions regarding registration and use of titles

47 (1) An individual must not do either of the following:

(a) apply for registration if that individual knows that he or she does not meet the requirements for registration as a registrant;

(b) continue to be registered as a registrant if the individual knows that, at the time the individual was registered, the individual did not meet the requirements for registration.

(2) A person who is not a registrant must not use

(a) the title "veterinarian", "veterinary surgeon" or "veterinary practitioner", or

(b) any title, name, description or abbreviation of a name or title, or an equivalent of a name or title in another language, in any manner that reasonably suggests that the person

(i) is a registrant, or

(ii) practises veterinary medicine.

(3) Despite subsection (2), a person's use of a title or name described in subsection (2) (a) or (b) (ii) is not a contravention of that subsection if the person

(a) is authorized by a body in another jurisdiction that regulates the practice of veterinary medicine to use the title or name to indicate membership in that body,

(b) indicates, in using the title or name, the name of the other jurisdiction and whether the person is authorized to practise veterinary medicine in that other jurisdiction, and

(c) uses the title or name only for the purpose of indicating whether the person is authorized to practise veterinary medicine in the other jurisdiction.

Prohibitions regarding certification and use of titles

48 (1) An individual must not do either of the following:

(a) apply for certification if that individual knows that he or she does not meet the requirements for certification as a certified technician;

(b) continue to be certified as a certified technician if the individual knows that, at the time the individual was certified, the individual did not meet the requirements for certification.

(2) A person who is not a certified technician must not represent, either orally or in writing, that the person is a certified technician.

Part 4 — Inspections, Complaints, Investigations and Discipline

Division 1 — Inspections

Inspections

- 49** (1) The council may appoint persons as inspectors for the college.
- (2) The registrar is an inspector.
- (3) Subject to subsection (4), for the purposes of ensuring compliance with this Act, the regulations and the bylaws, an inspector may do one or more of the following, during regular business hours:
- (a) inspect the premises, equipment and materials used by a registrant to practise veterinary medicine;
 - (b) inspect the records of a registrant relating to the registrant's practice of veterinary medicine;
 - (c) inspect or observe the practice of veterinary medicine performed by a registrant or under the supervision of a registrant;
 - (d) for the purposes of making copies to take away, use copying equipment located on the premises being inspected;
 - (e) take photographs or make audio or video records relating to the registrant's practice of veterinary medicine;
 - (f) for the purposes of examining data related to the registrant's practice of veterinary medicine, use a computer system located on the premises being inspected.
- (4) An inspector may exercise powers under subsection (3) in respect of premises used as a private residence only if
- (a) the inspector believes on reasonable grounds that the private residence is being used as business premises by a registrant, and
 - (b) the powers are exercised with the consent of the occupant.
- (5) If an inspector considers it appropriate to do so, having regard to the matters that the investigation committee may investigate under section 52
- (2) [*investigations*], an inspector may report the results of an inspection in writing to the investigation committee.

Division 2 – Complaints and Investigations

Complaints to be made to registrar

- 50** (1) A person may make a complaint against a registrant by delivering a written complaint to the registrar.
- (2) After receiving a complaint under subsection (1), the registrar must send a copy of the complaint to the investigation committee.

Dismissal of complaint by investigation committee without investigation

- 51** (1) The investigation committee may dismiss all or part of a complaint without an investigation if the investigation committee reasonably believes that any of the following apply:

- (a) the complaint is trivial, frivolous, vexatious or made in bad faith;
- (b) the complaint concerns a matter over which the college does not have jurisdiction;
- (c) the complaint gives rise to an abuse of process;
- (d) the complaint is filed for an improper purpose or motive;
- (e) there is no reasonable prospect the complaint will be substantiated;
- (f) the substance of the complaint has been appropriately dealt with in another proceeding.

(2) If all or part of a complaint is dismissed under subsection (1), the investigation committee must provide the council, the complainant and the registrant with a written report stating the nature of the complaint and the reasons for dismissal.

Investigations

52 (1) The investigation committee must investigate a complaint, other than a complaint dismissed under section 51 [*dismissal of complaint by investigation committee without investigation*].

(2) The investigation committee may, on its own initiative, investigate a registrant regarding any of the following matters:

- (a) a contravention of this Act, the regulations or the bylaws;
- (b) a failure to comply with a standard, limit or condition imposed under this Act;
- (c) a failure to comply with a term, condition or requirement imposed under section 3 (4) (c) of the [Labour Mobility Act](#);
- (d) a conviction for an indictable offence;
- (e) a conviction for an offence relating to the care or treatment of animals;
- (f) professional misconduct;
- (g) conduct unbecoming a registrant;
- (h) competence to practise veterinary medicine;
- (i) a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs that may impair a registrant's ability to practise veterinary medicine.

(3) A registrant must cooperate with an investigation, including providing information or records requested by the investigation committee.

(4) The investigation committee may direct an inspector to conduct an investigation.

(5) An inspector directed to conduct an investigation under subsection (4) may, for the purposes of the investigation, exercise any of the powers of an inspector set out in section 49 [*inspections*].

Search and seizure under court order

53 (1) The investigation committee may authorize an inspector, investigator or other person to apply to the Supreme Court for an order that authorizes a person named in the order to do one or more of the following:

- (a) enter the premises or land of a person named in the order at any reasonable time and conduct an investigation;
- (b) require a person to produce records, property, assets or things;
- (c) inspect records, property, assets or things;
- (d) on giving a receipt, seize and remove, for further inspection, records, property, assets or things produced or inspected under paragraph (b) or (c);
- (e) for the purposes of making copies to take away, use copying equipment located on the premises being inspected;
- (f) take photographs or make audio or video records relating to the investigation;
- (g) for the purposes of examining data related to the registrant's practice of veterinary medicine, use a computer system located on the premises being inspected.

(2) Unless the court otherwise directs, an application under subsection (1) may be made without notice to any person and may be heard in private.

(3) On application under subsection (1), the court may make an order under this section if satisfied on oath that there are reasonable grounds for believing that evidence may be found

- (a) that a person who is not a registrant has contravened this Act, the regulations or the bylaws, or
- (b) that a registrant
 - (i) has contravened this Act, the regulations or the bylaws,
 - (ii) has failed to comply with a standard, limit or condition imposed under this Act,
 - (iii) has failed to comply with a term, condition or requirement imposed under section 3 (4) (c) of the *Labour Mobility Act*,
 - (iv) has acted in a manner that constitutes professional misconduct or conduct unbecoming a registrant,
 - (v) is not competent to practise veterinary medicine, or
 - (vi) is suffering from a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs that impairs the individual's ability to practise veterinary medicine.

(4) In an order made under this section, the court

- (a) must identify the premises or land to be entered and must generally describe any record, property, asset or thing to be searched for and

inspected, produced or seized,

(b) may include any limits or conditions the court considers proper, including the time of entry, the disposition of records, property, assets or things seized and the access by any person to the records, property, assets or things seized, and

(c) may direct that section 54 [*detention of things seized*] does not apply to a record, property, asset or thing specified in the order if all limits and conditions included under paragraph (b) of this subsection are met.

(5) Despite a court order made under subsection (4) (c), section 54 applies if the person who owned or controlled the record, property, asset or thing at the time of the seizure makes a request to apply section 54 to the record, property, asset or thing seized.

(6) A request under subsection (5) must be in writing and delivered to the investigation committee by personal service or registered mail no later than 21 days after the seizure.

(7) A person may inspect, seize and remove a record, property, asset or thing not described in a court order made under this section if the person

(a) finds the record, property, asset or thing while conducting or attempting to conduct an entry or a search authorized by a court order made under this section, and

(b) believes on reasonable grounds that the record, property, asset or thing will provide evidence in respect of a matter described in subsection (3).

Detention of things seized

54 (1) A person who makes a seizure under section 53 [*search and seizure under court order*] must report the seizure as soon as practicable to a judge of the Supreme Court, who must be the same judge who issued the order, unless it is not practicable to report the seizure to that judge.

(2) On receiving a report under subsection (1), the judge must

(a) order the record, property, asset or thing that was seized returned to its owner or to another person entitled to it, unless satisfied that an order under paragraph (b) should be made, or

(b) order the record, property, asset or thing detained if satisfied that the detention is required for the purposes of this Act.

(3) Subject to a court order made under section 53 (4) (c) [*search and seizure under court order*], the person from whom any record, property, asset or thing is seized under this section, or the owner of the record, property, asset or thing, if the owner is not the person from whom the record, property, asset or thing was seized, is entitled to

(a) inspect that record, property, asset or thing at any reasonable time, and

(b) in the case of a record, obtain one copy of the record at the expense of the council.

(4) A record, property, asset or thing must not be detained under this section for a detention period longer than 3 months from the time of its seizure unless, before the expiration of the detention period,

(a) the person from whom it was seized agrees to its continued detention, or

(b) the Supreme Court, on application and on being satisfied that continued detention is justified, orders its continued detention for a specified period of time.

Copy of record evidence of content

55 A copy of a record is evidence of the nature and content of the original record if the copy purports to be certified by a person to be a true copy made by that person under

(a) section 49 (3) [*inspections*],

(b) section 52 (5) [*investigations*],

(c) a court order made under section 53 (3) [*search and seizure under court order*], or

(d) section 53 (7).

Prohibition against obstructing inspections and investigations

56 The following persons must not be obstructed in the lawful exercise of powers or the lawful performance of duties under this Act:

(a) an inspector;

(b) a person conducting an investigation under section 52 [*investigations*];

(c) a person conducting an inspection or investigation under a court order made under section 53 [*search and seizure under court order*].

Action by investigation committee

57 (1) After considering any information or records obtained during an inspection or investigation, including any information or records provided by the registrant, the investigation committee must do one of the following:

(a) subject to subsection (2), take no further action respecting a matter and, if the matter relates to a complaint, dismiss the complaint;

(b) direct the registrar to issue a citation under section 58 [*citation for discipline hearing*];

(c) request a reprimand or remedial action by consent under section 66 (1) [*reprimand or remedial action by consent*].

(2) The investigation committee may act under subsection (1) (a) only if the investigation committee considers that one or more of the following apply:

- (a) the matter concerns an issue over which the college does not have jurisdiction;
- (b) the substance of the matter has been appropriately dealt with in another proceeding;
- (c) the conduct or competence to which the matter relates is satisfactory;
- (d) if the matter relates to a complaint,
 - (i) the complaint is trivial, frivolous, vexatious or made in bad faith,
 - (ii) the complaint gives rise to an abuse of process, or
 - (iii) the complaint is filed for an improper purpose or motive.

(3) If the investigation committee investigates a registrant respecting a conviction for an indictable offence, the investigation committee may only act under subsection (1) (b) or (c) if the investigation committee considers that the nature of the offence or the circumstances under which it was committed give rise to concerns

- (a) about the registrant's competence or fitness to practise veterinary medicine, or
- (b) that the registrant has engaged in professional misconduct or conduct unbecoming a registrant.

(4) If, under subsection (1) (a), the investigation committee takes no further action, it must

- (a) provide the council and the registrant with a written report stating the nature of the matter and the reasons for taking no further action, and
- (b) if the matter relates to a complaint, provide the complainant with the written report described in paragraph (a).

Citation for discipline hearing

58 (1) If directed by the investigation committee, the registrar must issue a citation that

- (a) advises the registrant that the registrant is subject to an oral discipline hearing before the discipline committee,
- (b) names the registrant as the respondent,
- (c) describes the nature of the complaint or other matter that is to be the subject of the discipline hearing,
- (d) specifies the date, time and place of the discipline hearing, and
- (e) advises the respondent that the discipline committee is entitled to proceed with the discipline hearing in his or her absence.

(2) Not fewer than 30 days before the date of the discipline hearing, the registrar must deliver the citation to the respondent by personal service or registered mail.

(3) If the subject matter of a citation is a complaint, the registrar must notify the complainant in writing of the date, time and place of the discipline hearing not fewer than 14 days before the date of the hearing.

Division 3 – Discipline Committee

Discipline hearings

59 (1) Unless an order is made under section 67 (4) [*consent orders*], the discipline committee must hear and determine a complaint or other matter set for hearing by citation issued under section 58 [*citation for discipline hearing*].

(2) At a discipline hearing, the registrant, as respondent, and the college are parties and may appear with legal counsel.

(3) A member of the discipline committee holding a discipline hearing must not do either of the following:

(a) take part before the hearing in any investigation of the subject matter of the hearing;

(b) subject to subsection (9), communicate directly or indirectly about the subject matter of the hearing with any person or with any party or representative of a party, except on notice to all parties and with the opportunity for all parties to participate.

(4) If the respondent does not attend the discipline hearing as specified in the citation, the discipline committee may

(a) adjourn the hearing, or

(b) on proof of the respondent's receipt of the citation,

(i) proceed with the hearing in the respondent's absence, and

(ii) without further notice to the respondent, take any action that the discipline committee is authorized to take under this Act.

(5) The discipline committee may by order require a person to attend a discipline hearing to give evidence and to produce records the person owns or controls.

(6) A person who fails to attend to give evidence or to produce records as required by an order under subsection (5) is liable, on application to the Supreme Court by a person authorized by the discipline committee, to be committed for contempt as if he or she were in breach of an order of the Supreme Court.

(7) At a discipline hearing,

(a) the testimony of witnesses must be taken on oath,

(b) an oath may be administered by any member of the discipline committee, and

(c) the respondent and the college have the right to cross examine witnesses and to call evidence in reply.

(8) A complainant may be represented by legal counsel, at the complainant's cost, if that complainant is giving evidence at a discipline hearing.

(9) The discipline committee may seek legal or other advice, and if advice is received, the nature of the advice must be communicated to the parties and the parties must be given an opportunity to respond.

Discipline hearings public

60 (1) Subject to subsection (2), a discipline hearing must be public.

(2) The discipline committee may make an order excluding the public from all or part of a discipline hearing if the discipline committee considers that

- (a) there are reasons for confidentiality respecting financial, personal or other matters that may be disclosed at the hearing that outweigh the public interest in having an open hearing,
- (b) an open hearing may result in prejudice to a person involved in a criminal or civil proceeding, or
- (c) the safety of a person may be jeopardized.

Action by discipline committee

61 (1) On completion of a discipline hearing, the discipline committee may by order

- (a) dismiss the matter, or
- (b) make one or more of the following determinations:
 - (i) the respondent has not complied with this Act, a regulation or a bylaw;
 - (ii) the respondent has not complied with a standard, limit or condition imposed under this Act;
 - (iii) the respondent has not complied with a term, condition or requirement imposed under section 3 (4) (c) of the *Labour Mobility Act*;
 - (iv) the respondent has committed professional misconduct or conduct unbecoming a registrant;
 - (v) the respondent has incompetently practised veterinary medicine;
 - (vi) the respondent suffers from a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs that impairs the respondent's ability to practise veterinary medicine.

(2) If a determination is made under subsection (1) (b), the discipline committee may by order do one or more of the following:

- (a) reprimand the respondent;
- (b) impose limits or conditions on the practice of veterinary medicine by the respondent;

- (c) suspend the respondent's registration;
- (d) cancel the respondent's registration;
- (e) fine the respondent in an amount not exceeding the maximum fine established by bylaw under section 18 [*bylaws regarding investigations and discipline hearings*] and identify the date on or before which the fine must be paid to the college.

(3) If the discipline committee determines that a limit or condition imposed under subsection (2) (b) is no longer necessary, the discipline committee may by order direct the registrar to remove the limit or condition.

(4) If the respondent's registration is suspended or cancelled, the discipline committee may by order do one or more of the following:

- (a) impose conditions on the lifting of the suspension or on the respondent's eligibility to apply for reinstatement of registration;
- (b) direct that the suspension be lifted or the respondent become eligible to apply for reinstatement of registration on
 - (i) a date specified in the order, or
 - (ii) the date the discipline committee determines that the respondent has complied with the conditions imposed under paragraph (a);
- (c) impose limits or conditions on the respondent's practice of veterinary medicine that apply after the lifting of the suspension or the reinstatement of registration.

(5) In respect of a limit or condition imposed under subsection (4) (c), the discipline committee may by order direct the registrar to remove the limit or condition on

- (a) a date specified in the order, or
- (b) the date the discipline committee determines that the limit or condition is no longer necessary.

(6) An order of the discipline committee under this section must

- (a) be in writing,
- (b) include or be accompanied by
 - (i) written reasons for the order, and
 - (ii) notice of the respondent's right to appeal the order to the Supreme Court,
- (c) be delivered to the respondent and to the complainant, if any, by personal service or registered mail, and
- (d) be sent to the registrar.

Stay of discipline committee order pending appeal

62 (1) The discipline committee, on application by the respondent, may by order

- (a) stay an order made under section 61, pending the hearing of an appeal of that order, and
- (b) impose limits or conditions on the practice of veterinary medicine by the respondent during the stay.

(2) An application may be made under subsection (1) only if the respondent complies with section 64 (2).

Cost awards by discipline committee

63 (1) If the discipline committee dismisses a matter under section 61 (1) (a) [*action by discipline committee*], it may award costs to the respondent against the college, but only for legal representation for the purposes of

- (a) the investigation under section 52 [*investigations*], and
- (b) the discipline hearing.

(2) If the discipline committee acts under section 61 (1) (b), it may award costs to the college against the respondent for any of the following:

- (a) the cost of the investigation and the discipline hearing;
- (b) the remuneration of persons engaged, on behalf of the college, in the investigation and discipline hearing, including members of the investigation committee, persons who conducted the investigation and members of the discipline committee;
- (c) legal representation for the purposes of
 - (i) the investigation under section 52, and
 - (ii) the discipline hearing.

(3) An award of costs under subsection (1) or (2) (c) must

- (a) be based on the tariff of costs established under section 18 (c) [*bylaws regarding investigations and discipline hearings*], and
- (b) not exceed, in total, 50% of the actual costs to the respondent or the college, as applicable, for legal representation for the purposes of the investigation and discipline hearing.

(4) An award of costs under subsection (2) (a) or (b) must

- (a) be based on the tariff of costs established under section 18 (d), and
- (b) not exceed, in total, 50% of the actual costs to the college for the matters set out in subsection (2) (a) and (b).

(5) The amount of costs assessed against a respondent under subsection (2) may be recovered as a debt owing to the college and any amount collected is the property of the college.

Appeal of discipline committee decision to Supreme Court

64 (1) Subject to subsection (2), an order of the discipline committee under section 61 [*action by discipline committee*] may be appealed by the respondent to the

Supreme Court.

(2) An appeal of an order made by the discipline committee must be commenced within 30 days after the date the order is received by the respondent by personal service or registered mail.

(3) An appeal must be commenced by filing a petition in any registry of the Supreme Court.

(4) The Supreme Court Civil Rules respecting petition proceedings, except Rule 18-3, apply to the appeal.

(5) A petition commencing an appeal must, within 14 days of its filing in the court registry, be served on the college by serving it on the registrar.

(6) If the appeal relates to a complaint, the college must provide notice of the appeal to the complainant within 14 days of being served with the petition.

(7) Only the respondent and the college may be parties to the appeal.

(8) On request of a respondent, and on payment by the respondent of any disbursements and expenses in connection with the request, the registrar must provide the respondent with copies of all or part, as requested, of the record of the proceeding before the discipline committee.

(9) An appeal is a review on the record unless the court is satisfied that a new hearing or the admission of further evidence is necessary in the interests of justice.

(10) On hearing an appeal, the court may

(a) confirm, vary or reverse the order of the discipline committee,

(b) refer the matter back to the discipline committee, with or without directions, or

(c) make any other order the court considers appropriate in the circumstances.

(11) If leave to appeal is granted by the Court of Appeal, a decision of the Supreme Court under subsection (10) may be appealed to the Court of Appeal.

Division 4 — Extraordinary Action, Alternative Resolution and Public Notification

Extraordinary action to protect public interest

65 (1) This section applies to

(a) the investigation committee during an investigation of a registrant or pending commencement of a discipline hearing, and

(b) the discipline committee between the time a discipline hearing is commenced and the time the discipline committee makes an order under section 61 [*action by discipline committee*].

(2) If the investigation committee or the discipline committee considers it necessary in the public interest to take action, including action to protect animals or persons from immediate risks to health or safety, it may by written order, without providing a registrant an opportunity to make submissions,

- (a) impose limits or conditions on the practice of veterinary medicine by the registrant, or
- (b) suspend the registrant's registration.

(3) The committee that makes an order under subsection (2) must deliver the following to the registrant by personal service or registered mail:

- (a) the order;
- (b) written reasons for the order;
- (c) a notice informing the registrant of the registrant's right to appeal the order to the Supreme Court.

(4) An order under subsection (2) takes effect on the earlier of

- (a) the time at which the registrant receives the order by personal service, and
- (b) if the order is sent by registered mail, the date on which the registrant receives the order by registered mail.

(5) If the committee that made an order under subsection (2) (a) determines that a limit, condition or suspension under that order is no longer necessary in the public interest, that committee must

- (a) cancel the limit, condition or suspension, and
- (b) notify the registrant in writing of the cancellation.

(6) A registrant against whom an order under subsection (2) is made may appeal the order to the Supreme Court and for these purposes section 64 (2) to (11) [*appeal of discipline committee decision to Supreme Court*] applies as if

- (a) the registrant were a respondent, and
- (b) in the case of an appeal from an order of the investigation committee,
 - (i) the investigation committee's order were an order of the discipline committee, and
 - (ii) the investigation committee were the discipline committee.

Reprimand or remedial action by consent

66 (1) In relation to a matter investigated under section 52 [*investigations*], the investigation committee may request in writing that the registrant do one or more of the following:

- (a) undertake not to repeat the conduct to which the matter relates;

- (b) undertake to take educational courses specified by the investigation committee;
- (c) consent to a reprimand;
- (d) consent to pay to the college costs in an amount not greater than the amount that could be awarded if an award of costs were made by the discipline committee under section 63 [*cost awards by discipline committee*];
- (e) undertake, or consent to, any other action specified by the investigation committee.

(2) If a registrant gives a requested undertaking or consent that relates to the investigation of a complaint, the investigation committee must, within 30 days of the undertaking or consent being given, send to the complainant a written summary of the undertaking or consent.

(3) If a registrant refuses to give a requested undertaking or consent in relation to a matter investigated under section 52, or if a registrant gives a requested undertaking or consent but fails to comply with the undertaking or consent, the investigation committee may direct the registrar to issue a citation under section 58 [*citation for discipline hearing*] regarding the matter.

Consent orders

67 (1) The registrant may give a written proposal under subsection (2),

- (a) if a discipline hearing has not yet begun, to the investigation committee, or
- (b) if a discipline hearing has begun, to the discipline committee.

(2) A registrant's written proposal

- (a) must describe the nature of the matter that is or will be the subject of the discipline hearing,
- (b) must include the registrant's consent to the making of an order, as set out in the proposal, under one or more of the following provisions:
 - (i) section 61 (1) (b);
 - (ii) section 61 (2);
 - (iii) section 61 (4), and
- (c) may include the registrant's consent to indemnify the college for costs in an amount not greater than the amount that could be awarded if an award of costs were made by the discipline committee under section 63 [*cost awards by discipline committee*], including, if the proposal is given to the investigation committee fewer than 7 days before a discipline hearing is scheduled to commence, costs of preparing for the discipline hearing.

(3) Based on the investigation, the investigation committee or the discipline committee, as applicable, may in its discretion accept, reject or request changes to

a registrant's proposal.

(4) If a registrant's proposal is accepted under subsection (3), the committee that accepts the proposal must make an order consistent with that proposal.

(5) If an order is made under subsection (4),

(a) the order is deemed to be an order of the discipline committee made under section 61 [*action by discipline committee*], and

(b) the discipline hearing is cancelled.

(6) If an order made under subsection (4) includes costs, section 63 (5) applies as if an award of costs had been made by the discipline committee.

(7) If the investigation committee or the discipline committee rejects a registrant's proposal,

(a) a discipline hearing, if a hearing proceeds, must proceed as if the proposal had not been made, and

(b) the discipline committee must not consider the proposal in

(i) determining the matter,

(ii) making an order under section 61, or

(iii) awarding costs under section 63.

Public notification

68 (1) Subject to subsection (3), the investigation committee or discipline committee, as applicable, must direct the registrar to notify the public of the information set out in subsection (2) in respect of the following:

(a) an order made by the discipline committee under section 61 [*action by discipline committee*];

(b) an action taken by the investigation committee or discipline committee under section 65 (2) [*extraordinary action to protect public interest*];

(c) an undertaking or consent given in relation to a request by the investigation committee under section 66 (1) [*reprimand or remedial action by consent*];

(d) a consent order made by the investigation committee or discipline committee under section 67 [*consent orders*];

(e) any additional matter prescribed by regulation of the minister or required under the bylaws.

(2) The following information must be included in a public notice required under subsection (1):

(a) the name of the registrant in respect of whom the action was taken;

(b) a description of the action taken;

(c) the reasons for the action taken.

(3) The investigation committee or the discipline committee, as applicable, may direct the registrar to withhold all or part of the information otherwise required, by subsections (1) and (2), to be included in a public notice if the investigation committee or discipline committee considers that the public interest in public notice of the information is outweighed by the privacy interests of

(a) the complainant or another person, other than the registrant, affected by the matter, or

(b) in the case of information that relates to a condition described in section 61 (1) (b) (vi), the registrant.

(4) If information respecting a registrant is withheld under subsection (3) (b), the public notice must indicate that information has been withheld.

(5) A public notice required under this section must be made

(a) by posting the notice in a prominent place on the college website, and

(b) in accordance with any additional requirements prescribed by regulation of the minister.

Division 5 – Certified Technicians

Application of this Part to certified technicians

69 (1) In this Division, "**certified technician**" includes a former certified technician.

(2) This Part applies to a certified technician as if

(a) the certified technician were a registrant,

(b) references in this Part to practising veterinary medicine or the practice of veterinary medicine were references to those aspects of the practice of veterinary medicine that the certified technician is authorized to provide or perform in accordance with this Act, the regulations and the bylaws,

(c) in section 49 (3) (c) [*inspections*], the words "inspect or observe the practice of veterinary medicine performed by a registrant or under the supervision of a registrant" were replaced with "inspect or observe the aspects of the practice of veterinary medicine performed by a certified technician", and

(d) the certification of the certified technician were the registration of a registrant or respondent, as applicable.

Part 5 – General, Regulation-Making and Transitional Provisions

Division 1 – General Provisions

Exercise of powers by registrar and committees

70 In exercising any powers or performing any duties under this Act, the following must act in accordance with this Act, the regulations and the bylaws:

- (a) the registrar, a deputy registrar, an inspector and an officer of the college;
- (b) a committee or panel of a committee established under this Act.

Liability protection

71 (1) In this section, "**protected individual**" means any of the following:

- (a) the registrar;
- (b) a deputy registrar;
- (c) an inspector;
- (d) a member of the council;
- (e) a member of the registration, investigation or discipline committee;
- (f) an officer or a member of a committee authorized by bylaw to determine an application for certification as a certified technician.

(2) Subject to subsection (3), no legal proceeding for damages lies or may be commenced or maintained against a protected individual because of anything done or omitted

- (a) in the exercise or intended exercise of any power under this Act, or
- (b) in the performance or intended performance of any duty under this Act.

(3) Subsection (2) does not apply to a person referred to in that subsection in relation to anything done or omitted by that person in bad faith.

(4) Subsection (2) does not absolve the college from vicarious liability arising out of anything done or omitted by a person referred to in that subsection for which the college would be vicariously liable if this section were not in force.

Responsibility of registrants not affected by incorporation

72 (1) The liability of a registrant for professional negligence is not affected by the fact that the registrant practises veterinary medicine as an employee of a corporation.

(2) The relationship of a registrant to a corporation, whether as a shareholder, director, officer, agent, trustee, contractor or employee of the corporation, does not affect, modify or diminish the application to the registrant of this Act, the regulations and the bylaws.

(3) Nothing in this Act affects, modifies or limits any law that applies to the fiduciary, confidential or ethical obligations between a registrant and a person receiving veterinary medicine services from the registrant.

(4) The relationship between a corporation and a person receiving veterinary medicine services provided by a registrant through the corporation is subject to all applicable laws relating to the fiduciary, confidential and ethical relationships that exist between a registrant and the registrant's client.

Responsibility of certified technicians not affected by incorporation

- 73** Section 72 applies to a certified technician and a former certified technician as if
- (a) the certified technician were a registrant,
 - (b) the former certified technician were a former registrant, and
 - (c) references to veterinary medicine services or to practising veterinary medicine were references to the services or practises that the certified technician is authorized to provide or perform in accordance with this Act, the regulations and the bylaws.

Offences

- 74** (1) A person who contravenes either of the following commits an offence:
- (a) section 46 (2) [*prohibitions regarding practice of veterinary medicine*];
 - (b) section 47 (1) or (2) [*prohibitions regarding registration and use of titles*].
- (2) Section 5 of the *Offence Act* does not apply to this Act, the regulations or the bylaws.
- (3) A prosecution for an offence under this Act must not be commenced more than 2 years from the date of the alleged offence.

Injunction to restrain contravention

- 75** (1) The college may apply to the Supreme Court for an injunction to restrain a person from contravening any provision of this Act, the regulations or the bylaws.
- (2) The court may grant an injunction sought under subsection (1) if the court is satisfied that there is reason to believe that there has been or will be a contravention of this Act, the regulation or the bylaws.
- (3) The court may grant an interim injunction pending the outcome of an application commenced under subsection (1).

Confidential information

- 76** A person who obtains confidential information or records while exercising a power or performing a duty under this Act or the former Act must not disclose the information or records except
- (a) for the purposes of exercising a power or performing a duty under this Act,

- (b) as authorized by the council as being in the public interest,
- (c) in a proceeding under this Act,
- (d) as authorized under this Act, or
- (e) as required by law.

Deemed receipt of records

77 (1) If a notice or other record is required to be delivered to a person under this Act and is sent by registered mail, it is deemed to have been received by the person 7 days after the date on which it was mailed,

(a) in the case of a registrant, to the last address for that registrant recorded in the register, and

(b) in any other case, to the last address of that person known to the sender.

(2) If a notice or record is not delivered to a person in accordance with this Act, the regulations or the bylaws, a proceeding to which the notice or record relates is not invalidated if

(a) the contents of the notice or record were substantially known by the person within the time allowed for service, or

(b) the failure to deliver does not result in prejudice to the person, or any resulting prejudice can be satisfactorily addressed by an adjournment or by other means.

Division 2 — Regulation-Making Provisions

Regulations of Lieutenant Governor in Council

78 (1) The Lieutenant Governor in Council may make regulations as follows:

(a) prescribing services for the purposes of paragraph (b) of the definition of "veterinary medicine" in section 1 *[definitions]*;

(b) prescribing activities for the purposes of section 46 (3)

(i) *[prohibitions regarding practice of veterinary medicine]* and specifying limits or conditions respecting those activities;

(c) defining any word or expression used but not defined in this Act.

(2) Regulations under this section may provide differently for different classes of persons.

Regulations of minister

79 (1) The minister may make regulations referred to in section 41 of the *Interpretation Act*.

(2) Without limiting subsection (1), the minister may make regulations as follows:

- (a) requiring that the council or a committee established under this Act open its meetings to attendance by one or more of the following:
 - (i) registrants;
 - (ii) certified technicians;
 - (iii) members of the public;
- (b) in respect of a regulation under paragraph (a), prescribing the circumstances in which the council or a committee established under this Act may exclude registrants, certified technicians or members of the public from meetings of the council or the committee;
- (c) respecting how the registrar is to maintain, make open to the public and otherwise administer the register and former register;
- (d) prescribing additional information for the purposes of section 39 (2)
 - (i) *[register]*;
- (e) in respect of the online registry,
 - (i) respecting how the council is to establish, and how the registrar is to maintain, make open to the public and otherwise administer, the online registry, and
 - (ii) prescribing additional information for the purposes of section 41 (2) (g) *[online registry]*;
- (f) in respect of public notices required under section 68 *[public notification]*,
 - (i) prescribing additional matters for the purposes of section 68 (1) (e), and
 - (ii) prescribing additional requirements for the purposes of section 68 (5) (b).

(3) Regulations under this section may provide differently for different classes of persons.

Conflicts between regulations and bylaws

80 To the extent of any conflict or inconsistency between a regulation under section 78 or 79 and a bylaw, the regulation prevails.

Division 3 – Transitional Provisions

Definition

81 In this Division, "**former council**" means the council of the association under the former Act.

Transition – council

82 (1) Despite section 4 *[council]* of this Act,

(a) until 3 council members referred to in section 4 (2) (a) are first elected under this Act, the council consists of

(i) the members of the former council, and

(ii) the individuals, if any, appointed by order of the minister under the former Act or under section 4 (2) (c) of this Act, and

(b) the minister may by order specify the date on or before which the first election must be held to elect the council members referred to in section 4 (2) (a) of this Act.

(2) For greater certainty, if an individual is appointed by the minister before the first council election under this Act, that individual continues to be a council member after the election, subject to the terms of the individual's appointment.

Transition — registration status

83 (1) A person who, immediately before the repeal of the former Act, is a registered member of the association, is deemed to be a registrant under this Act, and the person's registration is subject to the same restrictions, terms, conditions and requirements as under the former Act until the person's registration is varied or cancelled under this Act.

(2) If the practice of a person described in subsection (1) is subject to a condition imposed under section 17 (3) (b) of the former Act, the person is, for the purposes of section 61 (3) [*action by discipline committee*] of this Act, deemed to be a registrant whose practice is subject to a condition imposed under section 61 (2) (b) of this Act.

(3) If, immediately before the repeal of the former Act, a person's practice is under suspension and the person's registration is deemed erased under section 18 of the former Act, the person is deemed to be a registrant under this Act, but until the suspension period ends, the person's registration is deemed to be suspended under this Act.

Transition — registration applications made but not determined under former Act

84 An application made under the former Act for registration or for renewal or reinstatement of registration that has not been determined must be determined under this Act.

Transition — complaint made but inquiry committee not appointed under former Act

85 (1) If, before the repeal of the former Act, a complaint or request for an inquiry was made, but the former council has not appointed an inquiry committee under section 15 of the former Act,

(a) the former council must not appoint an inquiry committee, but instead must forward the complaint or request to the registrar in writing, and

(b) the registrar must proceed with the complaint or request as if it were a written complaint received by the registrar under section 50

(1) [*complaints to be made to registrar*] of this Act.

(2) Subsection (1) does not apply if, before the repeal of the former Act, the former council decided under section 15 of the former Act that it would not cause an inquiry to be made.

Transition — inquiry committee appointed but hearing not started under former Act

86 If, before the repeal of the former Act, an inquiry committee was appointed under section 15 of the former Act, but the inquiry committee has not started to hear and decide on the facts surrounding the charge or complaint under section 17 (1) (a) of the former Act,

(a) the inquiry committee must not hear and decide on the facts, but instead must forward the charge or complaint to the investigation committee under this Act, and

(b) the investigation committee must proceed with the charge or complaint under Division 2 [*Complaints and Investigations*] of Part 4 of this Act as if the charge or complaint were a complaint received from the registrar under section 50 (2) of this Act.

Transition — inquiry hearing started but complaint not considered by former council

87 (1) If, before the repeal of the former Act, an inquiry committee appointed under section 15 of the former Act started to hear and decide on the facts surrounding a charge or complaint under section 17 (1) (a) of the former Act, but has not reported its findings to the former council under section 17 (1) (c) of the former Act, the inquiry committee must proceed with the charge or complaint in accordance with subsection (2) of this section.

(2) Subject to subsection (4), the inquiry committee referred in subsection (1) must

(a) continue the hearing, decide on the facts surrounding the charge or complaint and make findings under section 17 (1) (a) and (b) of the former Act, as if section 17 (1) (a) and (b) of the former Act were still in force, and

(b) after making findings under section 17 (1) (b) of the former Act, act under section 57 [*action by investigation committee*] of this Act, as if the inquiry committee were the investigation committee under section 57 of this Act.

(3) If, before the repeal of the former Act, an inquiry committee appointed under section 15 of the former Act reported its findings to the former council under section 17 (1) (c) of the former Act, but the former council has not started to consider the inquiry committee's report,

- (a) the former council must not consider the inquiry committee's report, but instead must return the report to the inquiry committee, and
- (b) subject to subsection (4) of this section, the inquiry committee must act under section 57 of this Act, as if the inquiry committee were the investigation committee under section 57 of this Act.

(4) Sections 65 to 67 of this Act apply under subsections (2) and (3) of this section, as if the inquiry committee were the investigation committee under sections 65 to 67 of this Act.

(5) If, under this section, the inquiry committee directs the registrar to issue a citation under section 58 of this Act,

- (a) the inquiry committee must make a written report of the findings referred to in subsection (2) or (3) of this section, as applicable,
- (b) the inquiry committee must send the written report to the registrar, and
- (c) the registrar must deliver the written report to the registrant, together with the citation.

(6) In a discipline proceeding for which a citation is issued under this section, the discipline committee is bound by the findings set out in an inquiry committee's written report.

Transition — complaint under consideration but not determined by former council

88 (1) If, before the repeal of the former Act, the former council started to consider findings reported by an inquiry committee under section 17 (1) (c) of the former Act, but the former council has not acted under section 17 (2) to (4) of the former Act, the former council must act under section 17 (2) to (4) of the former Act, as if those sections were still in force, except that under section 17 (3) (c) of the former Act, the former council must not direct that a registrant's name be erased from the register, but instead may cancel the registrant's registration.

(2) If, under subsection (1), the former council

- (a) restricts a registrant's practice, section 61 (3) [*action by discipline committee*] of this Act applies as if the restriction were a limit or condition imposed under section 61 (2) (b) of this Act, or
- (b) suspends a registrant from practice, section 18 of the former Act does not apply.

(3) If, under this section, the former council makes a determination or acts under section 17 (2) or (3) of the former Act, the determination or act is deemed to be an order of the discipline committee made under section 61 of this Act.

Transition — register and online registry

89 (1) The register and the online registry must be established no later than 6 months after the coming into force of this section.

(2) In respect of the register,

(a) the limits and conditions referred to in section 39 (2) (e) of this Act include all limits or conditions, if any, imposed on the individual before the coming into force of that section,

(b) the terms, conditions or requirements referred to in section 39 (2) (f) of this Act include all terms, conditions or requirements, if any, imposed on the individual before the coming into force of that section,

(c) the disciplinary actions referred to in section 39 (2) (g) of this Act include all disciplinary actions, if any, taken in respect of the individual before the coming into force of that section, and

(d) the cancellations or suspensions referred to in section 39 (2) (h) of this Act include all cancellations and suspensions, if any, made in respect of the individual before the coming into force of that section.

(3) In respect of the online registry,

(a) the disciplinary actions referred to in section 41 (2) (e) of this Act include all disciplinary actions, if any, taken not more than 5 years before the date of the coming into force of that section, and

(b) the cancellations or suspensions referred to in section 41 (2) (f) of this Act include all cancellations and suspensions, if any, made not more than 5 years before the date of the coming into force of that section.

Transition — references to British Columbia Veterinary Medical Association

90 A reference to the British Columbia Veterinary Medical Association in any record, including, without limitation, in any security agreement, commercial paper, lease, licence, permit or other contract, instrument, document or certificate, is deemed to be a reference to the College of Veterinarians of British Columbia.

Transition — regulations

91 (1) The minister may make regulations the minister considers necessary or advisable for the orderly transition from the former Act to this Act.

(2) The authority to make or amend a regulation under subsection (1), but not the authority to repeal a regulation made under subsection (1), ends 2 years after the coming into force of this section.

Part 6 — Repeal and Consequential Amendments

Repeal

92 The *Veterinarians Act*, R.S.B.C. 1996, c. 476, is repealed.

Consequential Amendments

[Note: See Table of Legislative Changes for the status of sections 93 to 102.]

Section(s)	Affected Act
93	<i>Animal Disease Control Act</i>
94	<i>Freedom of Information and Protection of Privacy Act</i>
95	<i>Gaming Control Act</i>
96	<i>Milk Industry Act</i>
97	<i>Pharmacy Operations and Drug Scheduling Act</i>
98	<i>Prevention of Cruelty to Animals Act</i>
99-102	<i>Veterinary Drugs Act</i>

Amendment to this Act

[Note: See Table of Legislative Changes for the status of section 103.]

Section(s)	Affected Act
103	<i>Veterinarians Act</i>

Commencement

104 The provisions of this Act referred to in column 1 of the following table come into force as set out in column 2 of the table:

Item	Column 1 Provisions of Act	Column 2 Commencement
1	Anything not elsewhere covered by this table	The date of Royal Assent
2	Sections 1 to 102	By regulation of the Lieutenant Governor in Council
3	Section 103	July 1, 2010