1. Definitions Laboratory Animal Technologist

Any word or expression in this Schedule to which a meaning has been assigned in the Act shall have that meaning, and:

"the Act" means Veterinary and Para-Veterinary Professions Act, 1982 (Act No. 19 of 1982), and the regulations made thereunder;

“direct supervision” means that the laboratory animal technologist receives instruction from a person registered to practice a veterinary profession and carries out the instructions in that person’s presence, provided that the laboratory animal professional gives the laboratory animal technologist and the animal, his/her undivided attention;

“direction” means that a person who is registered to practice a veterinary profession gives instructions to the laboratory animal technologist, but is not necessarily present when their instructions are carried out; The veterinarian should be available over the phone or other form of communication;

“experimental animal” means all live, non-human vertebrates (including fertilised eggs, foetuses and embryos; i.e. fish, amphibians, reptiles, birds and mammals; including domestic animals, feral animals, purpose-bred animals, farm animals, agricultural animals and wildlife) and higher invertebrates such as the advanced Cephalopoda and Decapoda (e.g. octopus, squid, cuttlefish), which are bred or acquired for the purpose of using the animals, their tissues or progeny for scientific purposes;

“impairment” means such a level of physical or mental impairment, which includes substance abuse or addiction, that may affect the practice of the laboratory animal technician to such an extent that the welfare of the patients, the interest of a client and/or the image of the profession may be compromised;

“inquiry body” means an ad hoc committee of the Council acting under the powers delegated to it by the Council in terms of section 12 of the Act to preside at inquiries;

“investigation committee” means a committee appointed by Council in terms of Section 12 of the Veterinary Act to evaluate and screen complaints against professionals;

"profession" means the para-veterinary profession of laboratory animal technologist;

“research animal facility” means any facility or area where animals may be used, maintained or bred for scientific purposes, including for research, testing, teaching, validation, production or observation;
“scientific purposes” means using an experimental animal for any scientific reason, including for research, testing, teaching, validation, production or observation, including for any of the purposes contemplated in rule 2(1)(w);

“supervision” means that a person who is registered to practice a veterinary profession is available and in a position to assist the laboratory animal technologist, if required, but is not necessarily at the laboratory animal technologist’s side or in the same room when the person’s instructions are carried out;

“unprofessional conduct” means unprofessional, dishonourable or unworthy conduct on the part of a laboratory animal technologist including, *inter alia*, the following acts and omissions:

1. failure to comply with the Act, the regulations and/or Rules promulgated under the said Act, and/or the Code of Conduct and/or guidelines issued by Council from time to time;
2. failure to comply with any other relevant legislation;
3. performing professional services outside the scope of his/her education, training, experience and/or competence, regard being had to both the extent and limits of his/her professional expertise;
4. failing to adequately supervise his/her staff;
5. failure to provide an itemised account when requested to, within the period set out in Rule 7(3);
6. treating a client in a disrespectful and/or discourteous manner, unless justifiable reasons exist;
7. incompetence, gross negligence or any form of negligence in the practising of the laboratory animal technology profession;
8. fraud or dishonesty in making any kind of application to Council or in charging for a test that was not performed or services not rendered;
9. falsifying and/or back-dating any laboratory report in part or in full;
10. in any way directly or indirectly assisting, allowing or enabling an unqualified person and/or unregistered person to perform professional services which by law only a (veterinarian and/or a) para-veterinary professional is allowed to perform;
11. referring work, the performance of which is reserved by law to a veterinarian, specialist veterinarian or para-veterinary professional to a person not registered with Council;
12. non-payment after demand of any fee, levy or other charge payable to the Council;
13. failure to comply with an order, requirement, request, sentence or sanction of the Council and/or the Registrar or any official appointed by the Council or the Registrar to perform any function in furtherance of the Council’s objectives;
14. failure to submit to an inspection of an animal research facility required by Council where the laboratory animal technologist is the principal of said animal research facility;
15. operates an animal research facility which is not registered with Council or does not
comply with the minimum standards set out in the Rules;

(xvi) practising outside the scope of registration for a laboratory animal technologist;

(xvii) being convicted of being involved in any criminal or illegal activity, if it relates to the practising of the laboratory animal technology profession or is deemed to bring the profession into disrepute;

(xviii) to permit himself/herself to be exploited in a manner which may be detrimental to the animals, client, the public or the profession, or allow bias, conflict of interest or influence of others, to compromise professional judgment;

(xix) failure to advise Council of any change in the his/her physical residential or employment address, and other contact details, within thirty (30) days of such change being effected;

(xx) failing to cooperate, obstructing or delaying an investigation into unprofessional conduct by Council;

(xxii) contempt and/or disrespect of Council; and

(xxii) any other conduct which in the opinion of Council constitutes unprofessional conduct.

"vivarium" means an enclosure, structure or area, such as a laboratory, where live animals are bred or maintained under semi-natural conditions, as for research, teaching, testing or observation.

SERVICES PERTAINING SPECIALLY TO THE PARA-VETERINARY PROFESSION OF LABORATORY ANIMAL TECHNOLOGIST

2. General Services

(1) For the purposes of the Act, the following services shall be deemed to be services, which pertain to the para-veterinary profession of laboratory animal technologist:

(a) Care and husbandry of experimental animals, including providing the necessary accommodation for housing, in accordance with National Standards; including the latest issue of the South African National Standards (SANS) 10386; for that particular species, including the provision of appropriate environmental enrichment;

(b) Monitoring, servicing and maintenance of the animal room environmental conditions, including barrier units;

(c) Maintenance and monitoring of the animal cage / accommodation environment;

(d) Use and management of specialised, technically advanced animal housing and caging systems such as individually ventilated cages (IVCs) and micro-isolator units;

(e) Control of sanitation and hygiene in the vivarium;

(i) Supervision of sterilisation and disinfection of the vivarium, vivarium equipment and items including use of specialised equipment such as autoclaves, and other sterilising methods and procedures.

(ii) Supervision of the use and management of specialised cleaning and sterilisation equipment such as cage changing stations and cage washing machines;
(f) Supervision of the provision and monitoring of food and water of experimental animals, including the preparation of feed for special diets;

(g) Daily general health and wellbeing monitoring of experimental animals;

(h) Conduct clinical examinations and observations of experimental animals and recording of observations;

(i) Supervision of the issue, transportation and receipt of experimental animals;

(j) Management and control of animal breeding programmes, including of genetically modified strains, and the production of specified pathogen-free (SPF), gnotobiotic and barrier-bred animals;

(k) Biohazard containment in the vivarium, including endogenous and exogenous biocontainment;

(l) Knowledge, understanding and practical application of health and safety principles, including personal protective equipment requirements;

(m) Knowledge and understanding of laboratory animal facility design principles;

(n) Use and management of specialised experimental equipment, including calibration and servicing of such equipment;

(o) Handling and restraint of experimental animals, and basic animal care, including the clipping of nails, beaks and teeth in relevant species;

(p) Be able to apply various animal marking identification using various methods humanely, acceptable and appropriate to the species;

(q) Conduct behavioural experiments, including the use of mazes, swimming, and other cognitive testing;

(r) Enteral and parenteral administration of medicines, experimental and other substances, including by oral gavage, rectal, vaginal, oro-nasal and percutaneous administration, inhalation and injection (including subcutaneous, intramuscular, intravenous, intraperitoneal, and intradermal routes);

(s) Intravenous and arterial catheter placement, infusion of fluids and blood and pressure readings;

(t) Urinary catheterisation (of animals of both sexes, including but not limited to sheep, pigs, primates and dogs), endo-tracheal intubation, the passing of stomach tubes, other internal tubes or catheters;

(u) Administration of scheduled substances, including for anaesthesia, chemical immobilisation, sedation, tranquillisation, analgesia and euthanasia; maintenance of applicable scheduled substance records;

(v) The administration of pre-medication and the induction and maintenance of general anaesthesia, but excluding epidural anaesthesia or nerve blocks;

(w) Euthanasia of animals, including by physical (e.g. pithing, decapitation, cervical dislocation) and other methods, appropriate to the particular species and life-stage and in accordance with SANS 10386; and confirming death;

(x) Collection and processing of specimens, including blood, body fluids, saliva, ascites, urine by free flow and faeces; and the collection of tissues including smears, vaginal smears,
impression smears, skin scrapings, post mortal samples and swabs for diagnostic and experimental purposes, but excluding the collection of internal organs by biopsy;

(y) The examination of specimens in order to record and report findings to a veterinarian, including haematology, serum chemistry, urine analysis, faeces analysis, skin scrapings, cytology examination, and post mortem examinations;

(z) Preparation of animals for aseptic procedures and surgery;

(aa) Monitoring of animals before, during and after anaesthesia or surgery;

(bb) Performing of minor surgical procedures, such as lancing of abscesses (including in dogs, pigs or primates after fighting), suturing of superficial wounds (including following premature stitch removal by animals after surgery), superficial surgical procedures not involving bone, skeletal muscle or body cavities (e.g. subcutaneous implants), and skin biopsy via biopsy punch;

(cc) Within his/her scope of training, experience and competence assisting a person registered or authorised to practice a veterinary profession with surgical procedures;

(dd) Use of the tranquiliser dart gun and blow pipe within the vivarium facility;

(ee) Capture of wildlife for scientific purposes by manual methods (i.e. excluding chemical tranquilisation, sedation, immobilisation or anaesthesia), e.g. by nets, trapping in cages, enclosures, snares, other traps, etc.;

(ff) The marking, identification or attachment of tracking devices to wildlife;

(gg) Training and examination of trainee laboratory animal technologists;

(hh) Teaching and training of research personnel and staff in required aspects of laboratory animal technology;

(ii) General supervision and management of the vivarium;

(jj) Knowledge, understanding and practical application of regulatory requirements and quality management systems regarding the use of animals for scientific purposes;

(kk) Demonstrate a basic working knowledge and understanding of research methodology;

(ll) Conduct scientific activities with experimental animals for any of the following purposes:

(i) The advancement of knowledge;

(ii) To test a hypothesis;

(iii) To supply a product or produce a biological substance;

(iv) To provide organs, tissues, cells, gametes, biological substances including blood, blood products or serum, fertilised eggs, embryos or foetuses;

(v) To act as a host;

(vi) To impart or demonstrate existing knowledge;

(vii) To learn or teach surgical and other procedures, techniques or methods, invasive and non-invasive, including behavioural experiments, that fall within their Scope of Practice as defined in this Schedule;

(viii) To test or collect data on any substance or product, including to comply with statutory requirements; and

(ix) To conduct observational studies, or to make audio and/or visual recordings of any of the above;
(2) A laboratory animal technologist may also assist a person registered to practice a veterinary profession with any other service that such a person may perform, if such assistance is rendered under the direct supervision, supervision or direction of the veterinary professional, as applicable. The veterinary professional takes full responsibility for the procedure or action performed in terms of this rule.

(3) Notwithstanding the provisions of rules 2.1 and 2.2, a laboratory animal technologist shall perform the services referred to in these rules only during the course of his or her employment—
(a) By a person registered to practice a veterinary profession; or
(b) By a person employing a person registered to practice a veterinary profession; or
(c) By a veterinary consultancy registered with the South African Veterinary Council.

(4) The services referred to in rule 2 shall be performed on experimental animals only.

(5) Rule 2 must not be construed in a manner so as to prohibit any other person registered to practise a Veterinary or Para-veterinary profession from performing procedures that pertain to their profession.

(6) In a case of emergency, a laboratory animal technologist may also render other services which fall within his or her scope of training and experience and which are essential to save lives or relieve suffering in animals, on condition that a report thereon is made to the veterinary professional referred to in rule 2.3 as soon as possible, and that the further treatment of such animal is entrusted to that veterinary professional or to another person registered to practice a veterinary profession.

(7) Surgical procedures that fall outside the Scope of Practice need to be approved through extension of registration or authorisation.

3. CONDUCT OF PERSONS PRACTISING LABORATORY ANIMAL TECHNOLOGY PROFESSION

General principles

(1) The fundamental responsibility of a laboratory animal technologist is to provide optimal and exemplary standards of humane care and use of experimental animals at all times.

(2) A laboratory animal technologist must base his/her personal and professional conduct thereon that he/she is a member of a learned and honourable profession and is required to act at all times in such a manner as will maintain and promote the prestige, honour, dignity and interests of the profession and of the persons by whom it is practised.

(3) All persons practising the laboratory animal technology profession are working towards the same common good cause, whether they are in private practice or in the service of an employer, and they must co-operate with each other and with the authorities concerned to promote that cause.

(4) As a professional a laboratory animal technologist is required to comply with the following fundamental principles:
   (a) **Integrity**: To be honest and ethical.
   (b) **Professional Competence**:
      (i) To maintain the professional knowledge and skill required to ensure that competent professional services are rendered based on current developments in techniques and act diligently and in accordance with applicable technical and professional standards.
benchmarked against what is expected of the reasonable laboratory animal technologist considering the circumstances and geographic and demographic realities at hand;

(iii) To comply with continuing professional development (CPD), which enables a laboratory animal technologist to develop and maintain the capabilities to perform competently within the professional environment; and

(iii) To keep record of CPD credits obtained to ensure CPD requirements are met to ensure that registration with Council is maintained.

(c) **Confidentiality:** To respect the confidentiality of information acquired as a result of professional services and the relationships emanating therefrom, and, therefore, not disclose any such information to third parties except his or her employer without proper and specific authority, unless there is a legal or professional right or duty to disclose, nor use the information for the personal advantage of the laboratory animal technologist or third parties.

(d) **Professional conduct includes but is not limited to:**

(i) A laboratory animal technologist may only practice at a research animal facility registered with Council, and in accordance with rule 32 of the rules pertaining to the veterinary professions.

(ii) To be informed of and comply with all the legal directives and standards of animal ethics (SANS 10386) which are relevant to the practice of his/her profession and which include the Act, its regulations and Rules, the current Ethical Code as well as all other relevant legislation and shall, as far as within his or her power, assist in the application of these laws and standards, including all relevant institutional animal ethics committee policies and requirements.

(iii) To avoid any action that the laboratory animal technologist knows or ought to have known that may discredit the profession;

(iv) To be morally obliged to serve the public to the best of his/her ability by maintaining, at all times, the highest standards of humane care and use of experimental animals and professional conduct, in the light of acceptable scientific knowledge and procedures;

(v) Execute the instructions of a person registered to practice a veterinary profession discerningly and faithfully;

(vi) Refuse to take part in any unethical behaviour, procedure or activity;

(vii) He or she shall not seek any personal advantage at the expense of any colleague in the profession;

(viii) At all times, keep detailed and accurate records of all information and procedures performed, which shall be kept on file for at least five years or longer, as required by the relevant quality system;

(ix) To refrain from expressing criticism through which the reputation, status or practise of a colleague in the profession, other para-veterinary profession or veterinary profession is or could be undermined or injured, or through which a reflection is or could be cast on the integrity, skill, methods or conduct of such a colleague;
(x) Any registered person at a registered facility must inform the Council within thirty (30) days of any changes to the identity or address of the principal; if the principal should pass away, Council should immediately be informed.

(xi) A laboratory animal technologist must inform Council within thirty (30) days of entering into employment or partnership at another registered facility.

(xii) A copy of any record kept by an animal research facility must be submitted to Council within seventy-two (72) hours of being requested to do so by Council.

(xiii) Execute the instructions of the responsible veterinarian discerningly and faithfully.

4. **Acceptance and payment of commission**

(1) Subject to Rule 4(2) a laboratory animal technologist may not:

   (a) Accept any commission from any person as a consideration for referrals of any clients by such laboratory animal technologist to such person;

   (b) Share with any person, fees charged for a service unless:

      (i) Such sharing is commensurate with the extent of such other person's participation in the rendering of the service concerned;

      (ii) He/she is a para-veterinary or veterinary professional associated with the laboratory animal technologist as a partner, shareholder and employee; and/or

   (c) Charge or accept any fee for the same test or laboratory procedure from both the referring veterinarian and the owner of the animal of which a specimen was tested.

(2) The provisions of Rule 4(1) shall not be so construed as to prohibit a laboratory animal technologist-

   (a) From introducing a loyalty scheme for a particular laboratory, provided that the loyalty scheme, including discount, does not include the payment of money;

   (b) From paying to a debt collection agency any commission in respect of debts which are collected by such agency on his/her behalf; or

   (c) From accepting any royalty or similar compensation in respect of an article or product to which he/she holds the patent rights.

5. **Covering**

(1) A laboratory animal technologist may not enter into a partnership or allow any shareholding or interest in his/her practice with another person, unless that person is registered with Council as a veterinary professional or para-veterinary professional.

(2) A laboratory animal technologist may:

   (a) Offer an appointment in his/her practice to another veterinary professional or para-veterinary professional who are registered in terms of the Act to practice the profession concerned;

   (b) Employ another person in a professional capacity at his/her laboratory; or

   (c) Share his/her laboratory or premises with another person involved in practising a veterinary or para-veterinary profession.
Any appointment, employment or sharing anticipated in Rule 5(2) is subject to the condition that:

(a) Specimen integrity, animal wellbeing and confidentiality of client records are not compromised; and

(b) Sufficient bio-security measures, according to relevant health and safety legislation and including isolation facilities, are in place to ensure that the wellbeing of humans and animals are not at risk.

6. Fees

(1) Fees for services rendered may be advertised in the reception area of the laboratory.

(2) A list of fees for services rendered may be made available to clients of the laboratory upon request either as a separate document or part of a sample submission guideline.

(3) Any laboratory animal technologist claiming payment from a person in respect of any service rendered by him/her must furnish such person with an itemised account as soon as possible but not later than thirty (30) days after the final test report was issued to such a person.

7. Intrusion

(1) If a laboratory animal technologist has obtained any confidential information regarding the nature and extent of the business or laboratory of a veterinary professional or of a colleague in the profession, such laboratory animal technologist may not use such information to promote his/her own business or laboratory.

(2) If a laboratory animal technologist renders professional services to an employer, he/she may not use his/her association with or the intellectual property of such employer in any manner whatsoever to promote his/her own business or laboratory at the expense of that employer in the profession.

(3) Contravention of Rules 7(1) & 7(2) for own gain is a serious offence which may lead to deregistration.

8. Advertising

(1) A laboratory animal technologist may advertise his/her animal research services, facilities, products and prices or permit another person to do so without limitation on the size, format, artistic or literary style: Provided that the advertisement complies with the provisions of these Rules and may in no way compromise or impair any of the following, namely:

(a) The client’s freedom to utilise an animal research facility of his/her choice; and

(b) The good reputation of the laboratory animal technology profession.

(2) All advertising by a laboratory animal technologist of his/her animal research facilities’ services must be in good taste with regard to content, prominence and medium and may not be offensive to any cultural, religious or linguistic community or be contrary to the spirit of the Code of Conduct of the Advertising Standards Authority of South Africa and the Code of Conduct of Practise issued
by the Council. There must be awareness of public opinion and of any possible implications that may prove detrimental to the profession of laboratory animal technology.

(3) Advertisements may not -

(a) Be misleading in any respect;
(b) Compare the quality of services, products, the standards of facilities and/or the knowledge or expertise of a laboratory animal technologist with that of another laboratory animal technologist, animal research facility or the laboratory animal technology profession generally, nor may it claim to be superior in any respect; or
(c) Criticise the quality of services or products provided by another laboratory animal technologist or animal research facility.

9. **GENERAL**

The Council may, on written application, and at its own discretion, grant exemption from the provision of specific Rules.

**PROCEDURE AT INQUIRIES INTO PROFESSIONAL CONDUCT**

10. **Lodging of complaints**

(1) A complaint must be in writing in the form of a sworn affidavit, signed in the presence of a commissioner of oaths or police officer and be addressed to the Registrar.

(2) No complaint which is submitted more than twelve (12) months after the date on which the complaint arose, will be considered.

(3) A person who submits a complaint more than twelve (12) months after the date on which the complaint arose may apply for condonation of the late submission of the complaint to the Investigation Committee.

(4) The application for condonation must be substantiated.

(5) The decision of the Investigation Committee regarding the condonation application is final.

(6) No complaint will be considered, unless the account of the veterinary technologist against whom the complaint is filed, is fully paid.

(7) No complaint regarding the fees charged by a veterinary technologist will be considered.

(8) The Registrar may, in his/her discretion, request that the complaint be mediated, if both parties to the complaint agree to such mediation.

(9) If the mediation is successful, the complaint file will be closed.

(10) If the mediation is not successful, the complaint must be investigated and considered by the Investigation Committee.

(11) Information provided by the respondent during a mediation, must be kept confidential.

11. **Preliminary investigation**

(1) On receipt of a complaint, the Registrar must advise the respondent of the complaint and forward a copy thereof to the respondent.
The Registrar must inform the respondent that he/she may furnish a typewritten explanation, in the form of a sworn and signed affidavit, before a date, not earlier than thirty (30) days from the date of the request, or as otherwise agreed on request of the respondent upon substantiation, to the Council.

The respondent must be warned that such an explanation may be used in evidence against him/her.

The respondent must be informed of his/her right to refuse to answer any allegations, which might incriminate him/her;

The respondent must be informed that he/she is entitled to seek legal representation prior to filing such an affidavit.

On receipt by the Registrar of an answering affidavit, it must be submitted to the complainant, who has the right to file a replying affidavit within ten (10) working days of receipt of the answering affidavit.

A copy of the replying affidavit must be submitted to the respondent.

On receipt by the Registrar of a replying affidavit, a bundle of all the documentation submitted must be collated for consideration by the Investigation Committee.

If no answering affidavit is received, the Registrar must report this to the Investigation Committee, who may then consider the complaint on the evidence available to it.

The Registrar or the investigation committee may at any stage cause further investigation to be made or request any additional documentation or evidence to be submitted.

If further information is sought from the respondent, he/she must be advised of –

(a) his/her right to refuse to answer any questions and furnish any information which might incriminate him/her; and

(b) that he/she is entitled to legal representation during such consultation or discussion.

If the Investigation Committee resolves that a complaint, even if substantiated, does not constitute unprofessional, improper or disgraceful conducts it must take such action as it may think fit and report such action to the Council.

If the complainant is not satisfied with the outcome of the Investigation Committee's preliminary finding, the evidence at hand must be referred to Council for a decision whether or not an inquiry into professional conduct should be held. The Council’s decision is final.

Excluding criminal acts and gross misconduct, investigations should centre around the main complaint.

If the main complaint is not substantiated, and peripheral misconduct is evident, guidance should be provided as to how to deal with it (correct the behaviour), subject to sub-rule (14).

If it appears to the Investigation Committee that an inquiry should be held into the conduct of a respondent, it must direct the Registrar to arrange for the holding of an inquiry into professional conduct.

If it appears to the Investigation Committee that a complaint can be mediated, it may request the Registrar to arrange for a mediation.

Should the mediation be unsuccessful, the matter must be referred to the Investigation Committee for its further consideration.

Information provided by the respondent during a mediation, must be kept confidential.
12. **Inquiry into professional conduct**

(1) On receipt of a directive to hold an inquiry the Registrar must summons the respondent by means of a notice addressed to the respondent stating where and when the inquiry into the professional conduct will be held and enclosing a charge as approved by the Investigation Committee.

(2) The notice must be served on the respondent or mailed to him/her at his/her registered address by prepaid registered post, delivery by the sheriff of the Court or if agreed in writing, served by e-mail, provided that receipt of the summons is telephonically confirmed.

(3) If witnesses are summoned at the instance of the respondent the Registrar may require the respondent to deposit a sum of money sufficient to cover the costs thereby entailed, and the Registrar may pay such costs from the amount deposited.

(4) Should the respondent be found not guilty, the full deposit in rule (3) above must be refunded to the respondent.

(5) The administration must prepare a bundle of documents and a list of witnesses to be utilised at the inquiry which must be submitted to the respondent or his/her legal representative ten (10) working days prior to the date of the inquiry.

(6) The bundle of documents will be submitted to the Inquiry Body at least three (3) working days prior to the date of the inquiry to facilitate the process at the inquiry.

(7) The respondent and/or his/her legal representative must submit any additional documents to be utilised at the inquiry and a list of witnesses to be called to the administration within three (3) working days of receipt of the bundle of documents, failing which no further documentation may be admitted into evidence or further witnesses called, unless approved on application by the Inquiry Body. Adequate reasons for failing to submit the documents in the discovery process or advising of the witness to be called must be provided to the Inquiry Body.

(8) Should a respondent object to the submission of the bundle of documents to the Inquiry Body, the respondent must object in writing and must give reasons for the objection.

(9) Should the Registrar deem it necessary due to the complexity of a complaint, a pre-inquiry meeting must be held between the pro forma complainant and the legal representative of the respondent or the respondent in person to agree on common cause facts and facts in contention, as well as which points *in limine* are to be argued.

13. **Procedure at Inquiry into professional conduct**

(1) In an inquiry into professional conduct held in terms of Section 31 of the Act the procedure must be as follows -

   (a) The respondent or, if he/she is not present, his/her legal representative must be asked by the chairperson of the inquiry body to plead guilty or not guilty to the charge and that plea must be so recorded;
(b) If the respondent, or his/her legal representative, refuses or fails to plea directly to the charge, this must be recorded and a plea of not guilty must be entered, and a plea so entered must have the same result as if it had in fact been so pleaded;

(c) The pro forma complainant must be given the opportunity of stating his/her case and of leading evidence in support thereof;

(d) The respondent must thereafter be given the opportunity of stating his/her case and of leading evidence in support thereof;

(e) The inquiry body may, in its discretion, allow further evidence to be led or a witness to be recalled by either the pro forma complainant or the respondent or by both after their cases have been closed;

(f) After the parties have closed their cases, the inquiry body may in its discretion call further witnesses or recall a witness to be questioned by the members of the inquiry body and thereafter by the pro forma complainant and then by the respondent or his/her legal representative;

(g) After all evidence were presented, the pro forma complainant must be allowed to address the inquiry body on the evidence and the legal position;

(h) Thereafter the respondent must likewise be allowed to address the inquiry body, where after the pro forma complainant must be allowed to address the inquiry body in reply;

(i) After the evidence of a witness has been given, the opposing party is entitled to cross-examine the witness, where after the chairperson of the inquiry body may put questions to the witness and allow other members of the inquiry body to put questions to the witness;

(j) Before re-examination, further cross-examination must be allowed arising from questions put by the chairperson and other members;

(k) The person who led the evidence must thereafter be entitled to re-examine the witness, but must confine his/her re-examination to matters on which the witness was cross examined or on which the chairperson or other members put questions to the witness;

(l) If the respondent and his/her legal representative are not present at the inquiry into professional conduct, it must proceed in the respondents’ absence and a plea of not guilty must be entered, unless the respondent has in writing pleaded guilty to the charge against him/her, in which event it must be entered as his/her plea;

(m) All oral evidence must be taken on oath or affirmation by the chairperson of the inquiry body;

(n) The witnesses concerned may be questioned by the respondent and members of the inquiry body. The members of the enquiry body are not restricted to questions for purposes of clarification only.

(o) Evidence on affidavit may be admissible: Provided that the opposing party may object to such evidence if he/she is not given the opportunity of cross-examining the witness.

(2) Upon the conclusion of a case the inquiry body must deliberate thereon in camera.

(3) If the respondent is found not guilty of the charge against him/her, he/she must be advised accordingly.

(4) The inquiry body may make a finding of not guilty even if the respondent has pleaded guilty.
Section 14. **Accessibility to Inquiry into professional conduct**

1. The proceedings at an inquiry into professional conduct is open to the public, provided that:
   a) Any decision of the inquiry body in respect of any point arising in connection with or in the course of an inquiry must be arrived at in camera;
   b) Any evidence adduced during an inquiry into professional conduct may, on good cause shown, in the discretion of the inquiry body, be heard in camera;
   c) The inquiry body may, on good cause shown, in its discretion, order that no person may at any time in any way publish any information, which would probably reveal the identity of any particular person other than the respondent, and
   d) The inquiry body may order any person who creates a disturbance or obstructs the process at the inquiry, to leave immediately.

Section 15. **Reporting of impairment or of unprofessional conduct**

1. A student or laboratory animal technologist must;
   a) Report impairment or suspected impairment in another student, veterinary professional or para-veterinary professional to the Council if he/she is convinced that any student or veterinary professional is impaired; and/or
   b) Report his/her own impairment or suspected impairment to the Council if he/she is aware of his/her own impairment or has been publicly informed, or has been seriously advised by a colleague to act appropriately to obtain help in view of an alleged or established impairment;
   if such a level of physical or mental impairment has been identified that the welfare of the patients, the interests of the clients and/or the image of the profession will be compromised.

2. A student or veterinary or para-veterinary professional is obliged to report any unprofessional, illegal or unethical conduct by another student, veterinary professional or para-veterinary
professional, particularly where it involves the employment of unregistered professionals or where an animal’s welfare may be compromised.

16. Repeal and transitional arrangements

The Rules relating to the practising of the para-veterinary profession of laboratory animal technologist published on 3 October 1997, as amended from time to time, are hereby repealed.