Draft rules- Veterinary Nurses: 27 May 2016

1. Definitions Veterinary nurses

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;

"collaboration" means that a veterinary nurse may open a veterinary nursing facility and from that facility render the services set out in rule 2(2), subject to the following conditions:

i) That the veterinary nurse enters into a written agreement with one or more veterinary professionals separately that that veterinary professional will refer patients to the veterinary nurse on an ad hoc basis;

ii) A copy of the agreement/s must be submitted to Council together with the application to register a veterinary nursing facility;

iii) A copy of any collaboration agreements entered into subsequent to the registration of the veterinary nursing facility must be submitted to Council by the veterinary nurse within two (2) weeks of it being signed;

iv) Should a collaboration agreement be terminated for any reason, Council must be informed of the termination by the veterinary nurse within two (2) weeks of its occurrence;

v) The agreement must contain details of:
   • how often and in what format the veterinary nurse would report back to the veterinary professional regarding the patient’s progress;
   • how instructions regarding the patient’s care and/or treatment will be given to the veterinary nurse by the veterinary professional; and
   • how emergencies which may occur during the treatment will be dealt with;

vi) The agreement must further contain an undertaking that no fee (money or in kind) is payable in respect of any referral in terms of the agreement; and

vii) A veterinary professional must, prior to any treatment commencing at the veterinary nursing facility, certify that the patient does not have an underlying condition which would contra-indicate the treatment recommended or required;

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

“direct supervision” means that the veterinary nurse receives instructions from a person registered to practice a veterinary profession and carries out the instructions in that person’s presence provided that the person gives the veterinary nurse and the patient, his/her undivided attention;
“impairment” means such a level of physical or mental impairment, which includes substance abuse or addiction, that may affect the practice of the veterinary nurse 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 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;

“professional identification device” means any form of identification approved by the council, including epaulettes, worn by a veterinary nurse which identifies the veterinary nurse as such;

“sample” refers to a subset, for example collecting whole blood specimens from 10 animals from a group of 100 would constitute a sample;

“specimen” refers to a single subject (for example a single blood collection tube containing whole blood);

“red flags” means warning signs that suggest that referral back to veterinarian may be warranted. It is a term describing the ability to identify dangerous or potentially dangerous findings in the history or examination. Veterinary nurses should be aware of these warning signs and know where to send the patients next. Some of the warning signs can be, but are not limited to:

(i) Unexplained bodyweight loss;
(ii) Loss of appetite or inappetence;
(iii) Lethargy;
(iv) Signs of illness such as vomiting and increased temperature;
(v) Previous history of tumours;
(vi) Acute, severe pain and swelling;
(vii) Dysfunction of bladder and bowel;
(viii) Respiratory distress - tachypnoea, respiratory effort, cyanosis;
(ix) Cardiovascular distress - tachycardia, hypotension, pale mucous membrane [MM], slow or rapid capillary refill time (CRT);
(x) Patient not responding to therapy as expected;
(xi) Non-weight bearing lameness;
(xii) Unexplained pain or discomfort during therapy;
(xiii) Undiagnosed neurological signs;
(xiv) Infected wounds; and
(xv) Suspected zoonoses.
“supervision” means that a person who is registered to practice a veterinary profession is available and in a position to assist the veterinary nurse if required but is not necessarily at the veterinary nurse’s side or in the same room when the directions are carried out;

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

(xvi) 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;

(xvii) a contravention of the provisions of the Act and/or the regulations promulgated under it;

(xviii) failure to comply with any other relevant legislation;

(xix) performing professional services outside the scope of his/her education, training and/or experience, regard being had to both the extent and limits of his/her professional expertise;

(xx) performing professional services in the absence of veterinary referral, which constitutes very serious unprofessional conduct, which if found guilty, may lead to removal from the register;

(xxi) failing to adequately supervise his/her staff;

(xxii) failure to provide an itemised account when requested to, within the period set out in Rule 7(3), should the services be rendered from a registered nursing facility;

(xxiv) treating a client in a disrespectful and/or discourteous manner, unless justifiable reasons exist;

(xxv) incompetence, gross negligence or any form of negligence in the practising of the para-veterinary profession of veterinary nursing;

(xxvi) 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;

(xxvii) in any way directly or indirectly assisting, allowing or enabling an unqualified person and/or unregistered person to perform professional work which by law only a (veterinarian and/or a) para-veterinary professional is allowed to perform;

(xxviii) 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;

(xxix) non-payment after demand of any fee, levy or other charge payable to the Council;

(XXX) 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;

(XXXI) failure to submit to an inspection of a veterinary nursing facility required by Council where the veterinary nurse is the principal of said veterinary nursing facility;

(XXXII) operates for gain a veterinary nursing facility which is not registered or does not comply with the minimum standards set out in the Rules;

(XXXIII) practising outside the scope of registration for a veterinary nurse;

(XXXIV) 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;

(XXXV) being convicted of being involved in any criminal or illegal activity, if it relates to the practising of the para-veterinary nursing profession or is deemed to bring the profession into disrepute;

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

(xxxvii) any other conduct which in the opinion of Council constitutes unprofessional conduct; and

(xxxviii) falsify any report in part or in full.

“veterinary nursing facility” means a facility registered with Council from where a veterinary nurse may render services in accordance with rule 2(1) for own account and which complies with the minimum standards.

2. SERVICES PERTAINING SPECIALLY TO THE PROFESSION OF VETERINARY NURSES

General Services

(1) For the purposes of the Act the following services shall be deemed to be services, which pertain specially to the Para-Veterinary profession of Veterinary Nurse that can be performed outside the scope of a veterinary practice; and must be performed from a veterinary nurse’s registered facility for the purpose of own account, but on referral from or in consultation with the patient’s veterinarian, or from a registered veterinary facility under the supervision of a veterinarian:

(a) Basic animal care including but not limited to, the clipping of nails and beaks in birds, the clipping of nails in dogs and cats, husbandry, feeding and hygiene;
(b) Urinary catheterisation of male and female companion animals, if no sedation is required;
(c) Collection of blood specimens for monitoring purposes, if no sedation is required;
(d) The administration of injections and medicines per os, subcutaneously, intramuscularly, intravenously, intraperitoneally, intranasal, ocular and aural to patients, as provided and prescribed by the referring veterinary professional;
(e) Vaccinations, limited to the signing of a vaccination record;
(f) Maintenance of all equipment used, including compliance with all health and safety requirements;
(g) Supervision of animals giving birth and caring for newly born animals, including basic dystocia;
(h) Semen collection;
(i) Follow up wound care, the lancing of abscesses, placing of dressing and bandages, including modified Robert Jones bandages;
(j) The taking of specimens and samples for the diagnosis by a veterinarian of Brucellosis in animals and the testing of animals for tuberculosis by means of the intradermal tuberculin test, including interpretation of the test, provided that the Veterinary Nurse has passed an accredited course;
(k) The administration of enemas, if no sedation is required;
(l) Animal behaviour; and
(m) Physical rehabilitation.

(2) For the purposes of the Act the following services shall be deemed to be services, which pertain specially to the Para-Veterinary profession of Veterinary Nurse that may only be rendered under the supervision of and in collaboration with a veterinarian, at a registered veterinary facility:

(a) Professional dental scaling and polishing, simple extractions under direct supervision of a veterinarian;
(b) The administration of pre-medication and the induction, maintenance and monitoring of anaesthesia, including local anaesthesia, under supervision of a veterinarian, but excluding nerve blocks and epidurals in all species, including the administration of schedule 5 and 6 medicines in wildlife. An anaesthetic monitoring form must be kept for each patient;
(c) The collection and processing of specimens within a veterinary nurse’s scope of practise, including skin scraping, the collection of urine by means of cystocytoscopy and catheterisation of male and female companion animals and production animals, the collection of blood and vaginal smears, impression smears and sheath washing in bulls, including skin punch biopsies and superficial fine needle aspirates;
(d) The examination, recording and reporting findings to a veterinarian of specimens and samples, including haematology and blood chemistry, urine examination, stool examination, skin and scraping examinations, rumen fluid examination and examinations in which the Woods lamp is used;
(e) The taking and developing of radiographs with permanent identification which includes the identity of the animal and owner, practise identity, date and indication of left and right, assistance with diagnostic imaging, maintenance of diagnostic imaging apparatus and record keeping (Imaging logbook shall be kept listing the identity of the animal and owner, numerical number, exposure figures and anatomical position) of diagnostic imaging; The use of self-adhesive labels for the identification of radiographs is not permissible; Other diagnostic imaging modalities like CT, MRI and nuclear scintigraphy under supervision;
(f) The passing of stomach - , naso-oesophageal –naso-gastric and oesophagostomy tubes;
(g) Intravenous catheter placement and the infusion of fluids and blood including the collection of blood for transfusion;
(h) Placement of central lines under direct supervision of a veterinarian;
(i) Intra-cardiac injection for euthanasia, provided that it may only be performed on a heavily sedated, anaesthetised or comatose patient as a last resort;
(j) Superficial stitching and placing of drains;
(k) Cat castrations under direct supervision of a veterinarian;
(l) Dispensing of medicines in accordance with relevant legislation, provided that any schedule 1 and higher medicine may only be dispensed in accordance with the instruction of a veterinarian;
(m) Maintenance of equipment including but not limited to anaesthetic machine, imaging equipment, sterilisation equipment and any other specialised equipment, including all health and safety aspects/requirements;

(n) Assisting a person registered to practice a veterinary profession with surgical procedures; and a veterinary nurse may also assist a person practising a veterinary profession with any other service, which such person may perform if such assistance is rendered under supervision, direct continuous supervision and by direction of that person.

(3) A Veterinary Nurse shall perform the services referred to in rule 2(2) only during the course of his or her employment by—

(a) a person registered to practise a veterinary profession; or
(b) a person employing a person registered to practise a Veterinary profession.

(4) In a case of emergency, a veterinary nurse 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 person referred to in rule 2.3 as soon as possible and the further treatment of such animal is entrusted to him or her or another person registered to practise a veterinary profession.

3. EXCEPTION IN RESPECT OF RULE 2

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.

4. CONDUCT OF PERSONS PRACTISING VETERINARY NURSING PROFESSION

General principles

(1) A veterinary nurse 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.

(2) All persons practising the veterinary nursing 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.

(3) The fundamental responsibilities of veterinary nurses are to save lives, to relieve suffering and to promote health.

(4) A veterinary nurse must at all times maintain the highest standard of nursing care and professional conduct.

(5) As a professional a veterinary nurse 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 a client receives competent professional services based on current developments in veterinary nursing techniques and act diligently and in accordance with applicable technical and professional standards benchmarked against what is expected of the reasonable veterinary nurse considering the circumstances and geographic and demographic realities at hand;

   (ii) To comply with continuing professional development (CPD), which enables a veterinary nurse to develop and maintain the capabilities to perform competently within the professional environment; and/or

   (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 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 veterinary nurse or third parties, other than those implied by rule 3(3).

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

   (i) To be informed and comply with all the legal directives 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;

   (ii) Tetanus and Rabies vaccines must be recorded and kept up to date for any veterinary professional working in practice or with animals.

   (iii) To avoid any action that the veterinary nurse 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 and in the light of acceptable scientific knowledge and procedures;

   (v) To refrain from expressing criticism through which the reputation, status or practise of a colleague in the profession is or could be undermined;

   (vi) Not to permit himself/herself to be exploited in a manner which may be detrimental to the client, the public or the profession;

   (vii) The place at or from which a person practises the para-veterinary nursing profession must be registered with Council and must comply with the applicable general minimum standards for that facility;
(viii) The principal of 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.
(ix) A veterinary nurse must inform Council within thirty (30) days of entering into
employment or partnership at another registered facility.
(x) Apply for an extension of registration should procedures be performed outside
the scope of practise of a veterinary nurse, ie. epidurals and nerve blocks.

5. **Acceptance and payment of commission for services rendered in accordance with rule 2(1)**

(1) Subject to Rule 5(2) a veterinary nurse may not –

   (a) Accept any commission from any person as a consideration for referrals of any clients by
       such veterinary nurse 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; or
       (ii) He/she is a partner, shareholder or employee; and/or
       (iii) Charge or accept any fee for the same service from both the referring veterinarian
           and the owner of the animal.

(2) The provisions of Rule 4(1) shall not be so construed as to prohibit a veterinary nurse -

   (a) From introducing a loyalty scheme for a particular facility, 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.

6. **Covering**

(1) A veterinary nurse 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.
A veterinary nurse 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 facility; or

(c) Share his/her facility 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) Ethical work principles 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.

Fees for services rendered in accordance with rule 2(1)

(1) A veterinary nurse must inform the client in charge of an animal in respect of which a service is to be rendered of the approximate fee which he/she intends to charge for such service:

(2) Fees for standard procedures may be advertised in the reception area, in which event an estimate of fees need not be given to the client.

(3) Any veterinary nurse 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 30 days after the service was rendered.

Intrusion

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

(2) If a veterinary nurse 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 facility at the expense of that employer in the profession.

(3) Contravention of Rules 7(1) & 9(2) for own gain is a serious offence which may lead to deregistration.
9. **Advertising for services rendered in accordance with rule 2(1)**

(1) A veterinary nurse may advertise his/her 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 consult a facility of his/her choice; and
   (b) The good reputation of the veterinary nursing para-profession.

(2) All advertising by a veterinary nurse of his/her para-veterinary 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.

(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 veterinary nurse with that of another veterinary nurse or the veterinary nursing para-profession generally, nor may it claim to be superior in any respect; or
   (c) Criticise the quality of services or products provided by another veterinary nurse or person registered with the Council.

10. **Identification of veterinary nursing facilities**

(1) A veterinary nursing facility must be identified by means of an identification board,

(2) An identification board referred to in Rule 9(1) must contain at least the following –

   (a) Identify the facility as a veterinary nursing facility;
   (b) Hours of operation;
   (c) A telephone number of the veterinary nursing facility;

(3) A veterinary nursing facility may be identified by means of a direction board, which must comply with the provincial or municipal regulations governing direction boards.
11. MINIMUM STANDARDS FOR VETERINARY NURSING FACILITIES

(1) A veterinary nursing facility at or from which a veterinary nurse practices must -

(a) Be a permanent structure (This is not intended to exclude buildings, which are factory produced and site assembled, e.g. a prefabricated building as the word “permanent” relates to the materials used and not to the building itself);
(b) Have a good source of general lightning;
(c) Have adequate ventilation;
(d) Have a fire extinguishing apparatus, which meets the requirements of local authorities;
(e) Be so constructed as to minimize the escape of an animal and to ensure the effective and safe and comfortable confinement of animals at all times;
(f) Have equipment to determine the weight of patients adequately; and
(g) Be registered with Council.

(2) Subject to any requirements of a local or other authority, an animal facility must consist of:

(a) A reception and office area;
(b) Waiting room for clients with access to toilet facilities; and
(c) One or more consulting rooms.

(3) The internal walls and floor surfaces, shelves and tables of a veterinary nursing facility be of such a nature that they can be properly cleansed and disinfected so that hygienic conditions can be maintained.

(4) The drainage and washing water of a veterinary nursing facility must run into an adequate sewer and comply with the requirements of local authorities.

(5) The veterinary nursing facility must have a direct public entrance.

(6) Provision must be made at a veterinary nursing facility for a hygienic, insect and rodent free environment within the facility as well as where therapeutic and nutritional products are stored.

(7) Adequate facilities must be available for the preparation for food and washing and cleaning of all equipment.

(8) Have access to relevant reference material.

(9) A veterinary nursing facility must have the necessary facilities and/or equipment in order to ensure that a basic physical examination can be performed.

(10) If a dispensary service is rendered, it may only consist of medicines scheduled as a schedule 0 in terms of the Medicines and Related Substances Act, Act 101 of 1965 and stock remedies registered under the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, Act 36 of 1947; Medicines and stock remedies must be stored in accordance with relevant legislation.

(11) Suitable sterilising equipment, or access thereto, for the effective sterilization of relevant equipment.

(12) If patients are kept overnight the following must be adhered to:

a) A separate cage of adequate size for each patient;

b) Be of such a material so as to prevent self-injury of the patient;

c) Have proper means to identify each patient; and
d) Be adequately ventilated and, if necessary, heated or cooled.

(13) Animals hospitalised overnight must be adequately monitored having due regard to the animal’s condition. If such monitoring is not available the client should be informed accordingly.

(14) An area in which patients can be exercised indoors or outdoors must be designed and constructed in a manner that will minimise escape and facilitate the maintenance of hygiene.

12. MINIMUM STANDARDS FOR MOBILE ANIMAL SERVICES

Mobile animal services for veterinary nurses practicing from a registered physical veterinary nursing facility

(1) If mobile nursing services are rendered, it must:

   (a) Function as an integral part of the registered physical veterinary nursing facility to visit clients;

   (b) Be operated by a registered veterinary nurse; and

   (c) Comply with the requirements of adequate record keeping.

(2) A service delivery vehicle must comply with the following structural and procedural requirements where applicable, the vehicle:

   (a) Have a cold storage system that can maintain approximately 5°C for the transport and storing of all biological products;

   (b) Have equipment for the disposal or collection of all waste including carcasses, if required;

   (c) Carry an appropriate range of medicines, equipment and protective clothing, according to the type of service and species serviced, in a manner that is consistent with professional standards, while ensuring occupational safety and bio-security; and

   (d) Have access to a means of communication to contact the base facility, if required.

13. VETERINARY NURSING BEHAVIOURAL FACILITIES

A veterinary nurse who wishes to do consulting on animal behavior must comply with the following;

(1) The veterinary nurse must be competent in animal behavior;

(2) The animal nursing behavioural facility must comply with minimum standards as in Rule 11.

(3) The consulting room must:

   (a) enable a lengthy consultation, with comfortable seating for the client and behaviorist
(b) be free from excessive noise or interruptions that could disturb the behavioural consultation; and
(c) allow confidentiality to be maintained.

(4) A signboard below the identification board of the veterinary nursing behavioural facility indicating that only animal nursing behavioural services are being rendered from the premises and the extent of these services.

(5) If a behavioural house call is made, it is subject to the requirements of rule 12.

14. MINIMUM STANDARDS FOR SHOPS ATTACHED TO A VETERINARY NURSING FACILITY

General requirements

(1) A veterinary nursing shop must –
   (a) Have internal walls and floors surfaces that are neat and constructed of impervious materials to ensure that hygienic conditions can be maintained;
   (b) Have sufficient storage space to ensure hygienic, insect and rodent free storage of all items stocked in the retail shop; and
   (c) Have provision for the display of merchandise in or on neat and attractive display cabinets, shelving, counters and tables that have impervious surfaces that can be properly cleaned and disinfected.
   (d) Only a veterinary nurse may have financial interest in and own a veterinary nursing shop.
   (e) Staff employed at a retail shop that are not registered with Council, may only give advice regarding the products on sale if they received training relevant to the products sold.
   (f) Records of such training must be kept. Any consultation or service requests of a veterinary clinical nature should be referred to a registered veterinary facility.

(2) Stock remedies registered without any conditions for sale or use in terms of the Stock Remedies Act, or any relevant Act it may be substituted with may be sold;

(3) No medicine registered as schedule 1 or any higher schedule in terms of the Medicines Act may be sold from a retail shop; and

(4) No live animals may be kept for sale or sold at a retail shop.

15. Records at veterinary nursing facility

(1) The veterinary nurse must maintain records, for each animal or group of animals which are legible, accurate and permit prompt retrieval of information.

(2) Records must contain the following information for individual animals as applicable–
   (a) The date or period of the examination or consultation;
   (b) Name of the veterinarian who treated the patient and the referral letter;
   (c) Client’s identification;
(d) Patient name, other forms of identification, as well as the specie, breed, gender and age;
(e) Clinical information for the purposes of continuous care and assessment;
(f) Vaccination record;
(g) Special procedures;
(h) Problem attended to and/or diagnosis made by the attending veterinarian;
(i) Treatment and scripts issued by the veterinarian; and
(j) Discharge instructions.

(3) All records referred to in Rule 11(2) must be retained by the principal of the veterinary nursing facility for a period of five years from the patient’s last visit.

(4) Records referred to in Rule 11(4) relating to a complaint, charge or allegation lodged with Council in terms of section 31(1) of the Act must be presented to Council within seventy two (72) hours of being requested to submit such records, or as otherwise arranged with Council.

(5) Proper security arrangements must be made to protect records from loss, fire, alterations, additions, supplements or unauthorised use; electronic records must be backed up on a daily basis and electronic backups should be stored off-site.

(6) Any alterations, additions and/or supplements to any records must be entered as a supplement to said record and must be dated and clearly defined as such.

(7) (a) The principal of a veterinary nursing facility will be responsible for confirming the identity of the attending veterinary para-professional to Council, where a complaint is lodged against his/her veterinary nursing facility.
(b) The principal of a veterinary nursing facility will be responsible for providing the records referred to in Rule 6(5), should a complaint be lodged against the professional no longer in the employ of the principal of the facility, subsequent to the date on which the complaint originated.
(c) The principal of a facility fail to comply with the provisions of Rule 15(7)(a) he/she will be held accountable for any unprofessional conduct arising from such a complaint.

16. Dress code

(1) A veterinary nurse shall adhere to a dress code that upholds the image of the veterinary nursing profession.
(2) A veterinary nurse shall wear a professional identification device at all times whilst rendering a service that pertains to the profession of a veterinary nurse.

PROCEDURE AT INQUIRIES INTO PROFESSIONAL CONDUCT

17. Lodging of complaints

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.
18. 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.

(2) 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 later than one (1) calendar month from the date of the request, or as otherwise agreed on request of the respondent upon substantiation, to the Council.

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

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

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

(6) On receipt by the Registrar of an explanation, it must be submitted to an investigation committee, and if no explanation is received, the Registrar must report this to the investigation committee.

(7) The Registrar or the investigation committee may at any stage cause further investigation to be made.

(8) 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.

(9) If an 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.

(10) 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.

(11) If it appears to an 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.

19. 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 formulated 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.
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.

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

20. **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, at 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 at 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 was 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) 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.

(5) If the inquiry body has, regarding any charge, determined that sufficient facts have been proved to its satisfaction to support the charge, it must decide whether the charge so supported constitutes unprofessional, improper or disgraceful conduct and it must announce its finding.

(6) If the respondent is found guilty the pro forma complainant must furnish details to the inquiry body of previous convictions of the respondent under the Act, if any and may address the inquiry body and lead evidence regarding a suitable penalty to be imposed.

(7) The witnesses concerned may be questioned by the respondent and members of the inquiry body.

(8) The respondent may thereafter address the inquiry body and adduce evidence in mitigation of the penalty to be imposed and the witnesses concerned may be questioned by the pro forma complainant and members of the inquiry body.

(9) Thereupon the inquiry body must deliberate in camera upon the penalty to be imposed, and the chairperson must then inform the respondent of the inquiry body's decision regarding the penalty.

21. **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 may 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; and

(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.

22. **GENERAL**

The Council may, on written application, and at its own discretion, grant exemption from the provision of specific Rules.
23.  **Reporting of impairment or of unprofessional conduct**

(1)  A student or para-veterinary professional must;

(a)  Report impairment or suspected impairment in another student or veterinary professional or para-veterinary professional to the Council if he/she is convinced that such person is impaired;

(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;

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

24.  **Repeal and transitional arrangements**

The Rules relating to the practising of the para-veterinary profession of veterinary nurse published on 17 May 1991, as amended from time to time, are hereby repealed.