

UNEDITED

The Veterinary Association Act

being

Chapter 145 of *The Revised Statutes of Saskatchewan, 1920*
(assented to November 10, 1920).

FOR HISTORICAL REFERENCE ONLY

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER 145

An Act respecting the Veterinary Profession of Saskatchewan

SHORT TITLE

Short title

1 This Act may be cited as *The Veterinary Association Act*.

R.S.S. 1909, c.110, s.1; R.S.S. 1920, c.145, s.1.

INTERPRETATION

Interpretation

2 In this Act, unless the context otherwise requires, the expression:

“Veterinary”

1. “**Veterinary**” means a person licensed as such under this Act;

“Veterinary surgery”

2. “**Veterinary surgery**” means the surgical, dental or medical treatment of animals.

R.S.S. 1909, c.110, s.3(2) (redrawn); R.S.S. 1920, c.145, s.2.

THE ASSOCIATION

Incorporation

3(1) The Veterinary Association of Saskatchewan, hereinafter called “**the association,**” is continued as a body corporate with power to acquire, hold and dispose of real and personal property for its corporate purposes.

(2) The members of the association shall be styled “veterinary surgeons.”

R.S.S. 1909, c.110, ss.2 and 3; R.S.S. 1920, c.145, s.3.

THE COUNCIL

Council

4(1) There shall continue to be a council of the association (herein called “the council”) consisting of seven members to be elected as herein provided.

Qualification of members

(2) No person shall be elected a member of the council unless he is a member of the association actually residing in Saskatchewan and unless his fees are fully paid up.

Powers

(3) The council shall have the sole control and management of the real and personal property of the association.

R.S.S. 1909, c.110, s.7; R.S.S. 1920, c.145, s.4.

Voters' qualifications

5 The persons entitled to vote for a member of the council shall be such members of the association as actually reside in Saskatchewan and have paid their fees before the preparation of the list by the registrar pursuant to section 6.

R.S.S. 1909, c.110, s.8 (redrawn); R.S.S. 1920, c.145, s.5.

Voting papers

6 At least one month prior to the day fixed for an election the registrar shall mail to each member of the association entitled to vote a complete list of all persons who are qualified for election, together with a voting paper (form A).

R.S.S. 1909, c.110, s.10; R.S.S. 1920, c.145, s.6.

Improper insertion or omission of name

7(1) In case a member of the association entitled to vote complains to the registrar in writing of the improper omission or inclusion of any name from or in the list, the registrar shall forthwith examine into the complaint and rectify the error, if any, and shall inform the complainant of his decision by registered letter within three days after reaching such complaint.

(2) If the complainant is dissatisfied with the decision of the registrar, he may, not less than fifteen days before the election is held, lodge an appeal with a judge of the Court of King's Bench, who shall hear and determine the appeal in a summary way.

(3) The judge may direct such notice to be given to the parties of the time and place for hearing the appeal as he thinks fit; he may direct that the evidence shall be given *viva voce* under oath or by affidavit; and his decision shall be final and the list shall stand or be altered in accordance therewith.

R.S.S. 1909, c.110, s.11 (redrawn); R.S.S. 1920, c.145, s.7.

Corrected voters' list

8 The list shall be registered of persons entitled to vote at the next ensuing election, and no person shall be entitled to vote whose name not entered thereupon.

R.S.S. 1909, c.110, s.12; R.S.S. 1920, c.145, s.8.

Method of voting

9(1) Every member of the association desiring to vote shall write on his voting paper the names of the persons for whom he votes, shall subscribe his signature thereto and shall return the paper to the registrar in a sealed envelope marked "voting paper"; and only such voting papers as are received by the registrar up to and including the day of election shall be counted by him.

(2) No voting paper containing more or less than the full number of names of persons to be elected shall be counted.

R.S.S. 1900, c.110, s.13; R.S.S. 1920, c.145, s.9.

Scrutineers

10 For each election the council shall appoint two persons to act with the registrar as scrutineers.

R.S.S. 1909, c.110, s.14 (redrawn); R.S.S. 1920, c.145, s.10.

Voters present at count

11 Any person entitled to vote at any election shall be entitled to be present at the opening of the voting papers at such election.

R.S.S. 1909, c.110, s.15; R.S.S. 1920, c.145, s.11.

Counting of votes

12 At the hour of two o'clock in the afternoon next following the day of election the voting papers shall be opened by the registrar in the presence of the scrutineers who shall scrutinise and count the votes, and a record thereof shall be kept by the registrar in a proper book to be provided for that purpose.

R.S.S. 1909, c.110, s.16; R.S.S. 1920, c.145, s.12.

Election and term of office

13 The election of members of the council shall be held annually, and the members elected shall hold office for two years or until their successors are elected, four members being elected in one year and three in the following year to replace those whose terms have expired.

R.S.S. 1909, c.110, s.17 (redrawn); R.S.S. 1920, c.145, s.13.

Equality of votes

14 In case of an equality of votes between two or more members of the association which leaves the election of one or more of such members undecided, the registrar shall forthwith put into a box a number of papers equal to the number of members who have an equality of votes, such papers each having the name of one of the said members written thereon, one paper for each candidate; the papers shall be so folded that the names shall be inside and not visible without the papers being opened; the papers shall be mixed together in the box and the registrar shall draw by chance from the box in presence of such persons as are present one or more of such papers sufficient to make up the required number; and the persons whose names are upon such papers so drawn shall be declared elected.

R.S.S. 1909, c.110, s.18; R.S.S. 1920, c.145, s.14.

Regulation of election procedure

15 The council may make such regulations not contrary to the provisions of this Act as they deem expedient for the procedure in respect of such elections.

R.S.S. 1909, c.110, s.19; R.S.S. 1920, c.145, s.15.

Disposition of voting papers

16 The registrar shall retain the voting papers used at an election until all petitions in respect thereof have been decided.

R.S.S. 1909, c.110, s.20 (redrawn); R.S.S. 1920, c.145, s.16.

Disputed elections

17 In the event of a dispute as to the election of members of the council the same may be decided in a summary way by a judge of the Court of King's Bench upon petition presented within ten days from the duration of the result; the decision of the judge shall be final and the costs of the petition shall be in his discretion; the judge shall in and about such petitions have the like powers as in an ordinary cause in the Court of King's Bench.

R.S.S. 1909, c.110, s.21; R.S.S. 1920, c.145, s.17.

Vacancies

18 In case of a failure to elect the requisite number of members of the council, or in case of a vacancy caused by the death, resignation or permanent removal from Saskatchewan of a member during his term of office, or by any other cause, the registrar shall forthwith hold an election to fill the vacancy and the person elected shall hold office for the remainder of the term of the member whom he succeeds.

R.S.S. 1909, c.110, s.22 (redrawn); R.S.S. 1920, c.145, s.18.

OFFICERS**Executive committee**

19(1) The council shall elect annually from among its members a president, vice president and an executive committee of at least three; it shall also appoint a registrar who shall be a member of the association.

Remuneration of officers

(2) There shall be paid to the registrar and officers appointed by the council such salaries and remuneration for travelling expenses as may from time to time be fixed by bylaw or resolution of the council.

R.S.S. 1909, c.110, s.23; R.S.S. 1920, c.145, s.19.

Powers of executive committee

20 The executive committee may be called together by the registrar at any time between meetings of the council to take cognisance of and action upon all such matters as may be delegated to it by the council or as may require immediate interference or attention, and any action taken by the committee shall be reported to the next ensuing meeting of the council, and shall be valid until so reported, when the council may deal with the same as it deems expedient; but the committee shall have no power to alter, repeal or suspend any bylaw of the council.

R.S.S. 1909, c.110, s.24; R.S.S. 1920, c.145, s.24.

Meetings of council

21 The council may make rules and regulations as to the times and places of the meetings of the council and the mode of calling the same, which rules and regulations shall remain in force until altered by the council. In the absence of any such rule or regulation it shall be lawful for the president or, in the event of his absence or death, for the vice president to call the same at such time and place as to him seems fit.

R.S.S. 1909, c.110, s.25; R.S.S. 1920, c.145, s.21.

Acting president

22(1) In the event of the absence of the president from any meeting the vice president or in the absence of the latter some other member of the council to be chosen from the members present shall act as president.

Quorum

(2) Four members of the council shall form a quorum.

Casting vote

(3) All votes of the council shall be decided by a majority of those present and in the event of an equality of votes the president for the time being shall have a casting vote in addition to the vote to which he is entitled as a member of the council.

R.S.S. 1909, c.110, s.26; R.S.S. 1920, c.145, s.22.

Remuneration of council

23 There shall be paid to members of the council such fees for attendance and such reasonable travelling expenses as may from time to time be fixed by bylaw or resolution passed by the council.

R.S.S. 1909, c.110, s.27; R.S.S. 1920, c.145, s.23.

REGISTRATION

Register

24 The council shall cause to be kept by the registrar a register (form B) in which he shall enter the names and the addresses of all present members of the association and, from time to time, of all persons who, having complied with the provisions of this Act and with the rules, regulations and bylaw under thereunder, are entitled to receive a license; and those persons only whose names are inscribed in such register shall receive the annual license as hereinafter provided. Such register shall be open to inspection at all times.

R.S.S. 1900 c.110, s.28; R.S.S. 1920, c.145, s.24.

Who may be registered

25 The following persons upon compliance with the provisions of section 26 shall be entitled to be registered and receive a license as herein provided:

- (a) persons who on the third day of May, 1909, were entitled by law to practise veterinary surgery in Saskatchewan:
- (b) persons possessing diplomas or certificates entitling them to practise as veterinary surgeons in any part of His Majesty's dominions granted prior to the twenty-third of January, 1909, by any body or association empowered by law to grant such diplomas or certificates and recognised by the University of Saskatchewan;

- (c) graduates of any veterinary school or college having a regular curriculum of not less than three session of six months each and recognised by the University of Saskatchewan;
- (d) licentiates under *The Veterinary Association Acts* of the other provinces of Canada provided those provinces grant like privileges to licentiates under this Act;
- (e) veterinary inspectors appointed under the provisions of *The Animal Contagious Diseases Act*;
- (f) members of the teaching staff of the University of Saskatchewan or of any agricultural college which may hereafter be established by the Government of Saskatchewan possessing diplomas or certificates of admission as veterinary surgeons granted by any body or association empowered by law to grant such diplomas or certificates.

R.S.S. 1909, c.110, s.29; 1914, c.20, s.12; R.S.S. 1920, c.145, s.25.

Admission and qualification of members

26(1) Any person qualified under the provisions of section 25 other than clauses (b) and (c) shall be admitted as a member of the association on payment of the admission fee fixed by the council pursuant to section 30, and production to the registrar of the document authenticating the qualification in respect whereof he desires to be registered.

(2) In case of any person seeking to qualify under subsection (b) or (c) of section 25, he shall be required, in addition, to pass such examination as the council of the University of Saskatchewan may prescribe and to produce proof satisfactory to the council of the association that he was in good standing and in the actual practice of his profession up to the time of his coming to Saskatchewan.

R.S.S. 1909, c.110, s.30; 1914, c.20, s.12; R.S.S. 1920, c.145, s.26.

Public service

27 No person shall be appointed a district veterinarian or a veterinary surgeon in any branch of the public service of Saskatchewan unless licensed under this Act.

R.S.S. 1909, c.110, s.31; R.S.S. 1920, c.145, s.27.

Professional witness fees

28 Persons licensed under this Act shall be entitled to professional fees for giving evidence in such cases as related to veterinary practice.

R.S.S. 1909, c.110, s.32; R.S.S. 1920, c.145, s.28.

Appeal to council

29 Every person who applies to have his name entered in the register may appeal to the council of the association from any decision of the registrar, and the council shall hear the appeal and determine the matters in question.

R.S.S. 1909, c.110, s.33; R.S.S. 1920, c.145, s.29.

FEES AND CERTIFICATES

Fees and certificates

30 The council shall have the power to fix the admission and annual fees, and shall prescribe the form of certificates to be issued by the registrar. The admission fee shall not be greater than \$25 and the annual fee shall not be greater than \$10; all fees and other moneys payable to the association shall be paid to the registrar and may be applied in carrying out the provisions of this Act.

1909, c.110, s.34; R.S.S. 1920, c.145, s.30.

Annual fee

31 Every member of the association in active practice in Saskatchewan shall on or before the fifteenth day of January in every year, pay to the registrar the annual registration fee, and every person who subsequently to the fifteenth day of January in any year receives a license to practise shall before entering upon active practice pay such registration fee.

R.S.S. 1909, c.110, s.35; R.S.S. 1920, c.145, s.31.

Annual license

32 Upon receipt of the annual registration fee the registrar shall forthwith issue to the person from whom such fee is received a license to practise veterinary surgery for the year in respect of which such fee is paid, which license shall be in the form prescribed by the council and shall be signed by the registrar and sealed with the seal of the association. Such license shall be *prima facie* evidence in all courts of Saskatchewan and in all proceedings of whatsoever description that the person named therein is duly licensed to practise veterinary surgery.

R.S.S. 1909, c.110, s.36; R.S.S. 1920, c.145, s.32.

PRACTITIONERS

Practitioners

33 Those persons only who have received a license to practise and who have paid the annual registration fee shall be entitled to practise veterinary surgery in Saskatchewan.

R.S.S. 1909, c.110, s.37; R.S.S. 1920, c.145, s.33.

Collection of fees

34(1) No person shall be entitled to recover any fee or remuneration for professional services rendered or materials or appliances provided by him in the practice of veterinary surgery unless he holds a license to practise at the time such services are rendered or materials or appliances provided.

(2) Nothing in this section shall prevent any person from suing for and recovering in any such court any amount or amounts which he would be lawfully entitled to sue for and to recover for any professional services performed or rendered by him or materials or appliances so provided by such person prior to the coming into force of this Act.

(3) The provisions of this section shall not apply to any charge for castration, dehorning or spaying.

R.S.S. 1909, c.110, s.38 (redrawn); R.S.S. 1920, c.145, s.34.

DISCIPLINARY

Council may hear and determine charges

35(1) The council shall have jurisdiction to hear and determine any charge made against a member of the association of having violated the bylaws, rules or regulations of the council, or any charge of malpractice.

(2) Upon receipt of any such charge the council shall fix a time and place for hearing the same, of which time and place the person accused and the complainant shall have at least fourteen days' previous notice, and at the time and place so fixed the council shall meet and hear such evidence as is adduced, and if the charge is proved the council may suspend the person accused from practice for such period as it thinks fit or may cancel his license and remove his name from the register.

(3) The member suspended or whose license is cancelled may be reinstated, his license renewed and all his rights and privileges thereunder restored in such manner and upon such terms and conditions as the council deems meet.

R.S.S. 1909, c.110, s.39 (redrawn); R.S.S. 1920, c.145, s.35.

Oaths

36 Upon the hearing of any charge under section 35 the member of the council having the conduct of the proceedings may administer any oath to any witness produced for examination thereat.

R.S.S. 1909, c.110, s.40; R.S.S. 1920, c.145, s.36.

Appeal to judge

37 Any person suspended from practice or whose license has been cancelled and whose name removed from the register may, at any time within six months after the date of the order of the council, appeal to a judge of the Court of King's Bench for such relief as the nature of the case may require, and the judge to whom such appeal has been taken shall, after due notice to all parties concerned, hear the said appeal and make such order as to the restoration of the name of the appellant or confirming such removal of his name or for further inquiries into the facts of the case by the council and as to costs as he shall deem just.

R.S.S. 1909, c.110, s.41 (redrawn); R.S.S. 1920, c.145, s.37.

Costs of frivolous charges

38 The council may order to be paid out of the funds at its disposal such costs as it deems just to any person against whom a charge has been made which when formally determined is found to be frivolous and vexatious.

R.S.S. 1909, c.110, s.42; R.S.S. 1920, c.145, s.38.

PENALTIES

Unqualified person

39 Any person not holding a license to practise veterinary surgery, or who has not paid the annual fee payable by him in any year as hereinbefore provided and who:

- (a) either publicly or privately for hire, gain or hope of reward, practises veterinary surgery, except the castration, spaying or dehorning of animals; or
- (b) appends to his name the title “veterinary surgeon,” or any abbreviation thereof; or
- (c) holds himself out to be duly qualified who practise veterinary surgery; or
- (d) assumes any title, addition or description implying or designed to lead the public to believe that he is duly qualified; or
- (e) prescribes or administers medicine for or to animals for hire, gain or hope of reward;

shall be liable on summary conviction to a penalty of not less than \$20 and not more than \$100 for the first offence, and to a penalty of not less than \$50 nor more than \$200 for each subsequent offence.

R.S.S. 1909, c.110, s.43 (redrawn); R.S.S. 1920, c.145, s.39.

Funds to be transmitted to registrar

40 The convicting justice shall forthwith after the payment of the amount of any penalty to be paid by any such person so convicted as aforesaid transmit the same to the registrar and such penalty shall belong to the association for its use.

R.S.S. 1909, c.110, s.44; R.S.S. 1920, c.145, s.40.

Limitation of prosecutions

41 Every prosecution under this Act shall be commenced within six months after the commission of the alleged offence.

R.S.S. 1909, c.110, s.45; R.S.S. 1920, c.145, s.41.

Onus of proof

42 In any prosecution for an offence set out in section 39 the onus of proof that the person against whom such charge is laid is duly entitled to practise veterinary surgery and is duly registered shall be upon the person against whom such charge is made.

R.S.S. 1909, c.110, s.40; R.S.S. 1920, c.145, s.42.

MEETINGS

General meeting

43 There shall be general meetings of the association as hereinafter provided and at all general meetings a majority of the members present having a right to rote thereat shall decide upon the matters brought before such meetings, the person presiding having in case of an equality of votes a casting vote.

R.S.S. 1909, c.110, s.47; R.S.S. 1920, c.145, s.43.

Time and place of meetings

44 The members of the association shall hold an annual general meeting and such special general meetings as the council may deem advisable; the annual general meeting shall be held at such time and place as may be fixed by the council; notice of the time of such annual general meeting shall be given in such manner as the council may by bylaw determine; and upon a requisition in writing signed by five members of the association entitled to vote requesting the council to hold a special general meeting such meeting shall accordingly be held within such reasonable time not exceeding thirty days as the council shall deem fit and notice thereof shall be given in manner to be fixed by the council.

R.S.S. 1909, c 110, s.48; R.S.S. 1920, c.145, s.44.

BYLAWS, RULES AND REGULATIONS

Objects of association

45 The objects of the association shall include the study of veterinary science and practice with a view to a more thorough understanding of the diseases, contagious and otherwise, to which the domesticated animals of Saskatchewan are liable; and are council shall have power to make such bylaws, rules and regulations as may be deemed necessary for the carrying out of the objects of the association.

R.S.S. 1909, c.110, s.49; R.S.S. 1920, c.145, s.45.

RETURNS

General return

46 The registrar shall, whenever required by the Lieutenant Governor in Council so to do, transmit to the Provincial Secretary a certified return under the seal of the association setting forth all such information and particulars relating to the association as may from time to time be required or asked for.

R.S.S. 1909, c.110, s.50; R.S.S. 1920, c.145, s.46.

SCHEDULE

FORM A

(Section 6)

VOTING PAPER

I, _____ resident at _____ in the Province of Saskatchewan, do hereby declare:

- 1.. That I am a member of The Veterinary Association of Saskatchewan;
2. That the signature affixed hereto is of my proper handwriting;
3. That I vote for the following persons as members of the council of the association:

- A. B. _____ of the _____
- C. D. _____ of the _____
- E. F. _____ of the _____
- G. H. _____ of the _____
- J. K. _____ of the _____
- L. M. _____ of the _____
- N. O. _____ of the _____

4. That I have signed no other voting paper at this election;
5. That this voting paper was executed on the day of the date hereof.

Witness my hand, this _____ day of _____ 19____.

FORM B

(Section 24)

REGISTER

| No. | Name | Residence | Date of graduation | Where graduated | Date of registration | Remarks |
|-----|------|-----------|--------------------|-----------------|----------------------|---------|
| | | | | | | |

FOR HISTORICAL REFERENCE ONLY