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3rd SESSION, 67th GENERAL ASSEMBLY  
Province of Prince Edward Island  
4 CHARLES III, 2026

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**(Bill No. 10)**

## **Veterinary Profession Act**

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Hon. Bloyce Thompson  
Minister of Agriculture

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GOVERNMENT BILL

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Andrea MacRae  
Acting King's Printer  
Charlottetown, Prince Edward Island





## VETERINARY PROFESSION ACT

BILL NO. 10

2026

BE IT ENACTED by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows:

### PART 1 - INTERPRETATION

#### 1. Definitions

In this Act,

- (a) “**animal**” means a living being of the animal kingdom other than a human being;
- (b) “**Association**” means the Prince Edward Island Veterinary Medical Association continued under section 2;
- (c) “**bylaws**” means the bylaws of the Association made by the Council under section 8;
- (d) “**certificate of registration**” means a certificate of registration issued by the Registrar under subsection 9(3);
- (e) “**Council**” means the Council of the Association continued under section 5;
- (f) “**licence**” means a licence issued by the Registrar under this Act;
- (g) “**member**” means a person who is registered in the register as a member of the Association;
- (h) “**Minister**” means the Minister of Agriculture;
- (i) “**practice of veterinary medicine**” means the assessment of the physiological or behavioural status of an animal or group of animals, and the diagnosis, treatment, prevention or control of any condition, disease, disorder or dysfunction;
- (j) “**register**” means the register of the Association kept and maintained by the Registrar;
- (k) “**Registrar**” means the Registrar of the Association appointed by the Council under subsection 7(2);
- (l) “**veterinarian**” means a person who holds a valid certificate of registration issued by the Registrar and whose name is entered on the register as a veterinarian;
- (m) “**veterinary technician**” means a person who holds a valid certificate of registration issued by the Registrar and whose name is entered on the register as a veterinary technician.

## **PART 2 – PRINCE EDWARD ISLAND VETERINARY MEDICAL ASSOCIATION**

### **2. Association continued**

- (1) The Prince Edward Island Veterinary Medical Association, as it existed immediately before the coming into force of this Act, is continued.

#### **Membership**

- (2) The membership of the Association consists of
- (a) all persons who, immediately before the coming into force of this section, were members of the Association; and
  - (b) all persons who are registered as members of the Association in accordance with this Act.

### **3. Objects of Association**

The objects of the Association are to serve and protect the public interest by

- (a) regulating the practice of veterinary medicine through the establishment of processes for
  - (i) registering members, and
  - (ii) monitoring the professional conduct of members;
- (b) cooperating with agricultural associations, societies and organizations having, in whole or in part, objectives similar to those of the Association;
- (c) cooperating with the Chief Public Health Officer and the Chief Veterinary Officer to conform with rules and regulations for the protection of the public against infectious and contagious diseases communicable from animals to humans;
- (d) developing, establishing, maintaining and promoting standards of professional practice and a code of professional ethics for members; and
- (e) advancing and promoting public awareness of the Association and the practice of veterinary medicine.

### **4. Annual report**

The Association shall, within three months after the end of each calendar year, submit to the Minister an annual report in a form and manner acceptable to the Minister containing

- (a) a statement with respect to complaints made under section 30, setting out
  - (i) the number of complaints received by the Registrar,
  - (ii) the disposition of each complaint,
  - (iii) the number of appeals made to the appeals committee under section 37,
  - (iv) the number of interim orders issued under section 39, and
  - (v) the number of members who have had their registrations or licences suspended or cancelled;
- (b) the number of certificates of registration issued by the Registrar under subsection 9(3);
- (c) the number of licences issued by the Registrar under sections 12 and 13;
- (d) the Association's most recent financial statement; and
- (e) any other information requested by the Minister.

**5. Council**

- (1) The Council of the Association is continued.

**Mandatory Council members**

- (2) The Council shall consist of
- (a) at least six veterinarians;
  - (b) two veterinary technicians; and
  - (c) two public representatives appointed by the Minister under subsection (4).

**Election or appointment of members to Council**

- (3) Persons serving on the Council, other than public representatives, shall be elected or appointed in the manner and for the terms specified in the bylaws.

**Appointment of public representatives**

- (4) The Minister shall appoint two persons to serve on the Council as public representatives for the term fixed by the Minister, which shall not exceed three years, and a public representative is eligible for reappointment.

**Public representative requirements**

- (5) The Minister shall not appoint a person to the Council under subsection (4) where the person
- (a) is a member or former member;
  - (b) is the parent, spouse, common-law partner, brother, sister or child of a member;
  - (c) is employed by a member;
  - (d) is an officer or employee of a firm or corporation that practises veterinary medicine;  
or
  - (e) has a pecuniary interest in a firm or corporation that practises veterinary medicine.

**Term**

- (6) Despite subsection (3), the term of office of a member of the Council shall not exceed three years.

**Limitation on length of service**

- (7) A member of the Council may serve more than one term of office but shall not serve for more than six consecutive years.

**Continuation of service**

- (8) Despite subsection (6), a member of the Council continues to hold office after the expiry of the member's term until
- (a) the member is re-elected, reappointed or resigns, or a successor is elected or appointed;  
or
  - (b) the expiry of three months,  
whichever occurs first.

**“Consecutive” defined**

- (9) For the purposes of subsection (7), “consecutive” means that the member has held office without a break or interruption lasting more than four months.

**Effect of vacancy**

- (10) The Council may act despite a vacancy in its membership as long as a quorum is maintained.

**Quorum**

- (11) A majority of the members of the Council, at least one of whom shall be a public representative, constitutes a quorum.

**Transitional**

- (12) The persons forming the Council, and the officers of the Council who hold office immediately before the coming into force of this section, continue to form the Council and hold office until their successors are elected or appointed under this section and the bylaws.

**6. Powers of Council**

The Council may

- (a) appoint committees and establish their terms of reference;
- (b) establish the time, place and order of business of general and special meetings; and
- (c) exercise all the functions and powers conferred on the Council by this Act, the regulations and the bylaws.

**7. President, Vice-President and Secretary-Treasurer**

- (1) The Council shall elect the following officers in accordance with the bylaws from among the members elected or appointed to the Council under subsection 5(3):
- (a) the President;
  - (b) the Vice-President;
  - (c) the Secretary-Treasurer.

**Registrar**

- (2) The Council
- (a) shall appoint a Registrar for the purposes of this Act, the regulations and the bylaws; and
  - (b) may remunerate the Registrar for performing the Registrar's duties under this Act, the regulations and the bylaws.

**Non-voting membership**

- (3) The Registrar is a non-voting member of the Council.

**Duties of Registrar**

- (4) The Registrar shall
- (a) keep and maintain the register and records in accordance with this Act, the regulations and the bylaws;
  - (b) enter in the register the name of every person registered under this Act, the class of membership held by the person, and any other information required by the regulations or the bylaws;
  - (c) issue certificates of registration and licences to members; and
  - (d) perform other functions and duties assigned to the Registrar by the Council under this Act, the regulations, or the bylaws.

**Other officers**

- (5) The Council may appoint a Deputy Registrar and other officers, agents or employees that the Council considers necessary to assist it in carrying out its duties under this Act, the regulations or the bylaws.

**Registrar absent or unable to act**

- (6) Where the Registrar is absent or unable to act, the Deputy Registrar has the powers and duties of the Registrar under this Act, the regulations or the bylaws.

**Delegation**

- (7) The Registrar may delegate in writing any of the Registrar's powers and duties under this Act, the regulations or the bylaws to the Deputy Registrar and may impose terms, conditions or limitations the Registrar considers appropriate on the delegation.

**8. Bylaws**

- (1) The Council may make bylaws not inconsistent with this Act or the regulations respecting
- (a) standards for the practice of veterinary medicine that must be met by members and specialists;
  - (b) restrictions on the practice of veterinary medicine by members and specialists;
  - (c) a code of professional ethics for members;
  - (d) the holding of meetings of the Association and the Council, quorum requirements and the conduct of meetings, including:
    - (i) fixing the time and place for regular meetings,
    - (ii) determining by whom meetings may be called,
    - (iii) regulating the conduct of meetings, including voting procedures,
    - (iv) providing for emergency meetings,
    - (v) regulating the notice required in respect of meetings;
  - (e) the establishment and operation of committees of the Association and the Council;
  - (f) the governing of the rights, privileges and obligations of members of the Association, including the requirements for members to be eligible to vote;
  - (g) the practice of veterinary medicine in the province by veterinarians licensed to practise in another Canadian jurisdiction, including, subject to subsection (2), bylaws respecting the terms, conditions or limitations under which they are entitled to practise;
  - (h) governing the names under which members may engage in the practice of veterinary medicine;
  - (i) the establishment of standards, guidelines and restrictions respecting advertisement by members;
  - (j) the establishment of standards for veterinary facilities, including for the use of technology in the practice of veterinary medicine;
  - (k) the establishment of procedures for the making, amendment and revocation of the bylaws of the Council;
  - (l) the duties and responsibilities of officers of the Council;
  - (m) the manner of election or appointment of members to the Council other than public representatives;
  - (n) the terms of office for members of the Council and the manner in which vacancies on the Council may be filled;

- (o) the appointment of officers and employees of the Association and setting out their duties and responsibilities;
- (p) the establishment of classes of members and specialists in the Association, and setting out the rights, privileges, duties and obligations of all classes of members and specialists that have been established;
- (q) the requirements for classes of registration and categories of licensure in the Association, including standards and qualifications to be required of an applicant for the granting of a registration or a licence;
- (r) the academic standards and examination requirements for membership in the Association;
- (s) continuing education requirements for members and specialists;
- (t) the payment of annual registration and licensing fees by members;
- (u) the method of setting registration and licensing fees and other fees payable to the Association and the penalty for default of payment of them;
- (v) the terms, conditions or limitations of membership in the Association, including honorary and life membership;
- (w) the establishment, content and maintenance of registers of members, specialists and other classes of membership to be kept by the Registrar;
- (x) the removal from the registers of any memorandum or entry made in them;
- (y) any other matter that the Council considers advisable for the working or management of the Association or the study and advancement of veterinary medicine.

**Labour Mobility**

- (2) In making a bylaw under clause (1)(g), the Council shall ensure that the bylaw complies with the *Labour Mobility Act* R.S.P.E.I. 1988, Cap. L-1.1.

**Bylaw ratification and approval**

- (3) Any bylaw made under subsection (1) is effective only after it has been approved at a meeting of the Association by a majority of the members of the Association in good standing who are present and entitled to vote.

**Transitional**

- (4) The bylaws of the Association that are in effect immediately before the coming into force of this section remain in force under this Act, to the extent that they are not inconsistent with this Act, until they are amended, revoked or cease to have effect under this Act.

## **PART 3 – REGISTRATION AND LICENSING**

### **9. Registration**

- (1) A person may apply to the Registrar, in a form and manner approved by the Council, to be registered as a member.

**Eligibility criteria**

- (2) To be eligible for registration as a member, an applicant shall
  - (a) establish that the applicant meets the applicable requirements set out in the regulations and the bylaws respecting
    - (i) education standards, and

- (ii) qualification examinations;
- (b) pay the fee prescribed by the Council for the class of membership applicable to the applicant; and
- (c) satisfy any other registration requirements set out in the regulations and the bylaws.

**Review by Registrar**

- (3) Where the Registrar receives an application made under subsection (1) and is satisfied that the applicant meets the requirements for registration under subsection (2), the Registrar shall, in respect of the class of membership applicable to the applicant,
- (a) register the applicant in the register; and
  - (b) issue a certificate of registration to the applicant.

**Referral to Council**

- (4) Where the Registrar receives an application made under subsection (1) and is not satisfied that the applicant meets the requirements for registration set out in subsection (2), the Registrar shall refer the application to the Council.

**Review by Council**

- (5) On receipt of an application referred by the Registrar under subsection (4), the Council shall review the application and, subject to section 10,
- (a) direct the Registrar to, in respect of the class of membership applicable to the applicant,
    - (i) register the applicant in the register, and
    - (ii) issue a certificate of registration to the applicant; and
  - (b) impose any terms, conditions or limitations the Council considers appropriate on the registration of the applicant.

**Transitional**

- (6) Every person who is registered as a member immediately before the coming into force of this section is deemed to be registered in the register under this Act and the certificate of registration or equivalent document of the person is deemed to have been issued under this Act.

**Conditions continue**

- (7) Where a person is deemed under subsection (6) to be registered in the register, the registration of the person is subject to any terms, conditions or limitations to which the registration of the person was subject under the former Act or the bylaws made under that Act.

**Expiry date continues**

- (8) Where a certificate of registration or equivalent document of a person is deemed under subsection (6) to have been issued under this Act, the certificate of registration or equivalent document, as the case may be, is subject to the expiry date to which the registration of the person was subject under the former Act or the bylaws made under that Act.

**10. Refusal of application**

- (1) The Council may refuse to register an applicant where the Council determines that the applicant does not meet the eligibility requirements set out in this Act, the regulations or the bylaws.

**Suspension or cancellation of registration**

- (2) The Council may suspend or cancel the registration of a member where

- (a) the Council determines that the member is unsuitable to practise veterinary medicine as a result of
  - (i) being found guilty of an offence, or
  - (ii) being disciplined by a professional regulatory body;
- (b) the member ceases to hold or be covered by professional liability insurance or protection as required by the regulations; or
- (c) the member fails to meet any eligibility requirements set out in this Act, the regulations or the bylaws.

**11. Notice of refusal, suspension or cancellation**

- (1) On refusing to register an applicant under subsection 10(1), or suspending or cancelling a registration under subsection 10(2), the Council shall serve on the affected person written notice of
  - (a) the reasons for the refusal, suspension or cancellation; and
  - (b) the person's right to appeal the refusal, suspension or cancellation under section 24.

**Suspension or cancellation not effective until notice served**

- (2) A suspension or cancellation of a registration under subsection 10(2) is not effective until the required notice has been served under subsection (1).

**12. Categories of licences**

- (1) A member shall apply to the Registrar for one of the following categories of licences:
  - (a) a veterinarian licence to engage in the practice of veterinary medicine as a veterinarian;
  - (b) a veterinary technician licence to be employed in the practice of veterinary medicine as a veterinary technician.

**Licence to practise veterinary medicine**

- (2) A member registered in the register as a veterinarian shall, before practising veterinary medicine, obtain a licence from the Registrar in accordance with the regulations and the bylaws.

**Eligibility criteria**

- (3) To be eligible for a licence, a veterinarian shall
  - (a) establish that the veterinarian meets the requirements set out in the regulations and the bylaws respecting
    - (i) educational standards, and
    - (ii) qualification examinations;
  - (b) pay the fee prescribed by the Council; and
  - (c) satisfy any other requirements for licensing set out in the regulations and the bylaws.

**Conditions and limitations**

- (4) A veterinarian is subject to any terms, conditions or limitations imposed on the veterinarian's licence by the Registrar.

**Refusal of licence**

- (5) The Registrar may refuse to issue a licence to a veterinarian where the Registrar determines that the veterinarian does not meet the eligibility requirements set out in this Act, the regulations or the bylaws.

**Suspension or cancellation of a licence**

- (6) The Registrar may suspend or cancel the licence of a veterinarian where the Registrar determines that the veterinarian
- (a) has been in contravention of
    - (i) a code of professional ethics adopted by the Association,
    - (ii) this Act, the regulations, or the bylaws, or
    - (iii) any terms, conditions or limitations imposed on the veterinarian's licence by the Registrar under subsection (4);
  - (b) has ceased to meet the eligibility requirements for a licence set out in subsection (3); or
  - (c) is no longer registered under section 9.

**Transitional**

- (7) Every person who holds a valid and subsisting licence to practise veterinary medicine as a veterinarian immediately before the coming into force of this section is deemed to be licensed as a veterinarian under this Act and the licence continues to be valid until it expires, unless it is otherwise suspended or cancelled.

**13. Veterinary technician – licence**

- (1) A member registered in the register as a veterinary technician shall, before being employed as a veterinary technician, obtain a licence from the Registrar in accordance with the regulations and the bylaws.

**Eligibility criteria – veterinary technician**

- (2) To be eligible for a licence, a veterinary technician shall
- (a) establish that the veterinary technician meets the requirements set out in the regulations and the bylaws respecting
    - (i) educational standards, and
    - (ii) qualification examinations;
  - (b) pay the fee prescribed by the Council; and
  - (c) satisfy any other requirements for licensing set out in the regulations and the bylaws.

**Conditions and limitations – veterinary technician**

- (3) A veterinary technician is subject to any terms, conditions or limitations imposed on the veterinary technician's licence by the Registrar.

**Refusal of licence**

- (4) The Registrar may refuse to issue a licence to a veterinary technician where the Registrar determines that the veterinary technician does not meet the eligibility requirements set out in this Act, the regulations or the bylaws.

**Suspension or cancellation of a licence**

- (5) The Registrar may suspend or cancel the licence of a veterinary technician where the Registrar determines that the veterinary technician
- (a) has been in contravention of
    - (i) a code of professional ethics adopted by the Association,
    - (ii) this Act, the regulations, or the bylaws, or

- (iii) any terms, conditions or limitations imposed on the veterinary technician's licence by the Registrar under subsection (3);
- (b) has ceased to meet the eligibility requirements for a licence set out in subsection (2);  
or
- (c) is no longer registered under section 9.

**14. Employment of veterinary technicians**

- (1) In accordance with the regulations and the bylaws, a veterinarian may employ a veterinary technician who is registered and licensed under this Act and may charge and collect fees for services performed by the veterinary technician.

**Responsibilities**

- (2) A veterinary technician shall be employed under a licensed veterinarian's supervision.

**Transitional**

- (3) A person registered with the Association as a technician when this subsection comes into force is deemed to be registered as a veterinary technician, and the person is subject to this Act, the regulations and the bylaws in the same manner as though originally registered as a veterinary technician under this Act.

**15. Individual or corporate practice**

- (1) A member who is licensed by the Registrar as either a veterinarian or veterinary technician may practise in the member's own name, by and under a corporation in which the member has shares or by which the member is paid a salary, or through a partnership.

**Eligibility to hold shares in corporation**

- (2) No corporation may charge a fee for the services of a member licensed by the Registrar unless the shares of the corporation are majority owned by a veterinarian licensed to practise veterinary medicine, except as may be otherwise authorized by the Council.

**Contravention**

- (3) Where a corporation contravenes subsection (2),
  - (a) the Council may suspend or cancel the licence of the member holding shares in the corporation; and
  - (b) the fee for the services charged by the corporation is void and uncollectable.

**Transferring shares – notification to Council**

- (4) A shareholder of a corporation referred to in subsection (1) who intends to transfer, assign or otherwise alienate shares in the corporation to a person not licensed to practise veterinary medicine shall notify the Council without delay of the shareholder's intention to transfer, assign or otherwise alienate the shares before any share transaction takes place.

**Council to approve or reject transfer**

- (5) Where the Council has been notified pursuant to subsection (4) of a shareholder's intention to transfer, assign or otherwise alienate the shareholder's shares in a corporation, the Council shall approve or reject the transfer and provide notice of the approval or rejection to the shareholder without delay.

**Where shares transferred without Council approval**

- (6) Where the Council has rejected a transfer, an assignment or alienation of a shareholder's shares in a corporation pursuant to subsection (5) and the shares have been transferred, assigned or alienated, any fees for the services of a veterinarian licensed to practise veterinary medicine or of a veterinary technician charged by the corporation are void and uncollectable.

**Notice of Terms, Conditions or Limitations on Registration or Licence****16. Notice of terms, conditions or limitations**

- (1) Where the Council or the Registrar, as the case may be, imposes terms, conditions or limitations on a certificate of registration or a licence, the Council or Registrar shall give written notice of the terms, conditions or limitations to the affected member.

**No contravention of the *Labour Mobility Act***

- (2) The Council or the Registrar, as the case may be, shall not impose a term, condition or limitation on a certificate of registration or a licence that contravenes the *Labour Mobility Act*.

**Information in Register****17. Information to be entered in register**

- (1) The Registrar shall enter in the register, in respect of each member,
- (a) the name and business address of the member;
  - (b) the qualifications of the member;
  - (c) the class of membership and category of licence held by the member;
  - (d) any terms, conditions or limitations imposed by the Council or the Registrar on the member's registration or licence;
  - (e) the date and circumstances of the voluntary surrender of the registration or licence, or both, of a member pursuant to clause 34(1)(e);
  - (f) the date and circumstances of any suspension, cancellation or reinstatement of the registration or licence of the member or other result of a disciplinary proceeding involving the member; and
  - (g) any other information required to be entered in the register by the regulations or the bylaws.

**Notification of change in information**

- (2) A member who is registered in the register shall notify the Registrar without delay of any change in the information or qualifications to be registered referred to in clauses (1)(a) and (b) in respect of the member.

**Requirement to Notify Council****18. Notification to Council – member**

A member who

- (a) is found guilty of an offence;
- (b) is disciplined by a professional regulatory body in another jurisdiction; or

- (c) ceases to hold professional liability insurance or protection as required by the regulations,  
shall notify the Council without delay.

### **Renewal of Registration**

#### **19. Renewal of certificate of registration**

- (1) Subject to the regulations, a member may, at least 30 days before the certificate of registration of the member expires, apply to the Registrar, in a form approved by the Council, for renewal of the registration.

##### **Eligibility for renewal**

- (2) The Registrar shall review the application made under subsection (1) and may renew the registration of an applicant who is a member if the Registrar is satisfied that the applicant
- (a) has fulfilled any applicable remedial training or terms, conditions or limitations pursuant to section 34 or 43 or set out in the regulations;
  - (b) has fulfilled any applicable requirements for currency of professional knowledge and skills set out in the regulations;
  - (c) has not been found guilty of an offence that, in the Council's opinion, renders the applicant unsuitable to engage in the practice of veterinary medicine;
  - (d) has not been disciplined by a professional regulatory body for conduct that, in the Council's opinion, renders the applicant unsuitable to engage in the practice of veterinary medicine;
  - (e) holds or is covered by professional liability insurance or protection as required by the regulations;
  - (f) meets any other requirements set out in the regulations or the bylaws; and
  - (g) has paid the fee prescribed by the Council.

##### **Referral to Council**

- (3) The Registrar shall refer an application by a member to the Council where
- (a) the Registrar is not satisfied that the applicant meets the requirements set out in subsection (2); or
  - (b) the member is currently subject to an interim suspension.

##### **Review by Council**

- (4) Subject to section 22, on receipt of an application referred by the Registrar under subsection (3), the Council shall review the application and, subject to the regulations, may
- (a) direct the Registrar to renew the registration of the member; and
  - (b) impose any terms, conditions or limitations the Council considers appropriate on the registration of the member.

### **Expiry of Registration**

#### **20. Expiry of registration**

- (1) Subject to subsection (2), the registration of a member expires on the expiry date indicated on the certificate of registration.

**Extension**

- (2) Despite subsection 19(1), on the written request of a member, the Council may, in writing,
- (a) extend the time for making an application for renewal of a registration; or
  - (b) extend the registration beyond the expiry date specified on the certificate of registration for a period not exceeding 30 days.

**Surrender of certificate of registration**

- (3) A member may
- (a) surrender the certificate of registration held by the member to the Registrar; and
  - (b) request, in writing, that the Registrar cancel the registration of the member.

**Cancellation of registration on request**

- (4) On receipt of a request by a member under clause (3)(b), the Registrar shall cancel the registration of the member.

## Reinstatement of Registration

**21. Application for reinstatement**

- (1) Subject to the regulations, where the registration of a former member expired or was cancelled under section 20, and a prescribed minimum waiting period has passed but not more than a prescribed maximum waiting period has passed since the expiry or cancellation, the former member may apply to the Council, in a form approved by the Council, for reinstatement of the former member's registration.

**Waiver of waiting period**

- (2) The Council may, in its discretion, waive the waiting period imposed under subsection (1).

**Application and fees**

- (3) An applicant shall provide the following with an application made under subsection (1):
- (a) proof satisfactory to the Council that the applicant meets the qualifications and requirements as set out in subsection (4);
  - (b) payment of the fee prescribed by the Council.

**Eligibility for reinstatement – member**

- (4) Subject to section 22, the Council shall direct the Registrar to reinstate the registration of an applicant who is a former member and issue a certificate of registration to the applicant if the Council is satisfied that the applicant
- (a) has submitted an application in accordance with subsections (1) and (3);
  - (b) has no outstanding complaints before, or ongoing restrictions or penalties imposed by, a professional regulatory body for misconduct, incompetence or incapacity that, in the opinion of the Council, render the applicant unsuitable to engage in the practice of veterinary medicine pending their conclusion;
  - (c) meets any applicable requirements for currency of professional knowledge and skills set out in the regulations or the bylaws;
  - (d) has not been found guilty of an offence that, in the Council's opinion, renders the applicant unsuitable to engage in the practice of veterinary medicine;

- (e) has not been disciplined by a professional regulatory body for conduct that, in the Council's opinion, renders the applicant unsuitable to engage in the practice of veterinary medicine;
- (f) holds or is covered by professional liability insurance or protection as required by the regulations; and
- (g) meets any other requirements respecting registration set out in the regulations or the bylaws.

**Terms, conditions or limitations**

- (5) The Council may impose any terms, conditions or limitations the Council considers appropriate on the registration of an applicant reinstated pursuant to this section.

**Reinstatement of registration**

- (6) On receipt of a direction from the Council under subsection (4), the Registrar shall reinstate the registration of the applicant and issue a certificate of registration to the applicant.

## **Refusal to Renew or Reinstatement Registration**

**22. Refusal to renew registration**

- (1) The Council may refuse to renew an applicant's registration where the registration is suspended or the Council determines that the applicant does not meet the eligibility requirements for renewal set out in subsection 19(2), the regulations or the bylaws.

**Refusal to reinstate registration**

- (2) The Council may refuse to reinstate the registration of an applicant where the Council determines that the applicant does not meet the eligibility requirements for reinstatement set out in subsection 21(4), the regulations or the bylaws.

**Refusal to consider application**

- (3) The Council may refuse to consider an application for renewal or reinstatement of a registration by an applicant who
  - (a) has an outstanding charge for an offence; or
  - (b) is under investigation by a professional regulatory body, until the matter has been resolved.

**23. Notice of refusal**

Where the Council refuses to renew or reinstate an applicant's registration, the Council shall serve, on the affected person,

- (a) written notice of and reasons for the refusal; and
- (b) written notice of the person's right to appeal under section 24.

## **Appeal**

**24. Appeal of terms, conditions, limitations on registration**

- (1) A person who is aggrieved by the imposition of any terms, conditions or limitations on the person's registration by the Council under this Part may appeal the imposition of the terms,

conditions or limitations, as the case may be, to the Supreme Court within 30 days after being served with notice of the imposition.

**Appeal of refusal, suspension or cancellation**

- (2) A person who is aggrieved by a refusal of the Council to consider an application for registration, or to register an applicant, or to renew or reinstate a registration, or of a suspension or cancellation of a registration by the Council, may appeal the refusal, suspension or cancellation, as the case may be, to the Supreme Court within 30 days after being served with notice of the refusal, suspension or cancellation.

**Decision of Supreme Court**

- (3) On hearing an appeal, the court may
- (a) confirm, revoke or vary
    - (i) the terms, conditions or limitations imposed on the registration by the Council, or
    - (ii) the refusal, suspension or cancellation of the registration under appeal;
  - (b) refer the matter, or any issue, back to the Council for further consideration; or
  - (c) provide any direction that it considers appropriate.

**Costs of appeal**

- (4) The court may make any order as to the costs of an appeal that the court considers appropriate.

## PART 4 – SCOPE OF PRACTICE

**25. Authorized activities**

- (1) No person shall carry out an authorized activity other than in accordance with this section.

**Authorized activities – members**

- (2) A member may, subject to section 26, carry out an authorized activity while engaged in the practice of veterinary medicine, subject to
- (a) any prescribed limitations or prohibitions; and
  - (b) any terms, conditions or limitations imposed on the member's registration or licence.

**Authorized activities – non-members**

- (3) A person who is not a member may carry out an authorized activity where
- (a) the regulations permit the person to carry out the authorized activity; and
  - (b) subject to any prescribed limitations or prohibitions, the authorized activity is delegated to that person by a member.

**26. Risk of harm**

- (1) No person, other than a member acting within the scope of the practice of veterinary medicine, shall treat an animal or advise an owner or the owner's representative with respect to the animal's health, where it is reasonably foreseeable that serious bodily harm to an animal or a person may result from the treatment or advice.

**Exceptions**

- (2) Subsection (1) does not apply to
- (a) a person acting under the direction of, or in collaboration with, a member if the treatment being provided to an animal is within the scope of the practice of veterinary medicine;
  - (b) an activity carried out by a person if the activity is an authorized activity that was delegated to the person by a member under subsection 25(3);
  - (c) a person providing first aid or temporary assistance in an emergency without a fee; or
  - (d) any prescribed treatment, advice, authorized activity or person.

**27. Restricted titles – veterinarian**

- (1) Except where otherwise provided in the regulations, no person other than a person who is registered and licensed with the Association as a veterinarian shall use the title “veterinarian”, “veterinary surgeon” or “doctor”, or any variation, abbreviation of the title or equivalent in another language, while engaged in the practice of veterinary medicine.

**Restricted titles – veterinary technician**

- (2) Except where otherwise provided in the regulations, no person other than a person who is registered and licensed with the Association as a veterinary technician shall use the title “veterinary technician” or “veterinary technologist” or any variation, abbreviation of the title or equivalent in another language, while engaged in the practice of veterinary medicine.

**Restricted terms**

- (3) No person shall use the term “veterinary facility” or any variation, abbreviation of the term or equivalent in another language to refer to the person’s building, vehicle or land unless the building, vehicle or land is used by a member or members in the practice of veterinary medicine.

**PART 5 – PROFESSIONAL MISCONDUCT, COMPLAINTS AND DISCIPLINE**

**Interpretation**

**28. Definitions**

In this Part,

- (a) “**complainant**” means a person who makes a complaint under section 30;
- (b) “**incompetence**” means, with respect to a respondent, the display of lack of knowledge, skill or judgement in the practice of veterinary medicine that, having regard to all of the circumstances, renders the member unsafe to practise or unsafe to practise without remedial assistance;
- (c) “**professional misconduct**” includes such conduct or acts relevant to the practice of veterinary medicine that, having regard to all of the circumstances, would reasonably be regarded as disgraceful, dishonourable or unprofessional and, without limiting the generality of the foregoing, may include
  - (i) failing to maintain standards of practice,
  - (ii) failing to uphold the code of professional ethics adopted by the Association,
  - (iii) abusing a person verbally, physically or sexually,

- (iv) abusing an animal,
  - (v) falsifying records,
  - (vi) publishing or causing to be published any advertisement that is false, fraudulent, deceptive or misleading,
  - (vii) engaging or assisting in fraud, misrepresentation, deception or concealment of a material fact when applying for or securing registration or a licence, or taking of any examinations provided for in this Act or the regulations including using fraudulently procured credentials, or
  - (viii) refusing or failing to cooperate fully in respect of an investigation or a hearing of a complaint; and
- (d) “**respondent**” means a member or former member who is the subject of a complaint made under section 30.

### **Peer Review Committee**

#### **29. Peer review committee**

- (1) There shall be a peer review committee appointed by the Council, from among the members of the Association, in accordance with this section.

#### **Purpose of peer review committee**

- (2) The purpose of the peer review committee is to establish a roster of persons who may be appointed to serve as members on
- (a) a complaints committee appointed under section 32;
  - (b) an appeals committee appointed under section 37; or
  - (c) an inquiry panel appointed under section 40.

#### **Composition of committee**

- (3) The peer review committee shall be composed of
- (a) at least seven members, of whom
    - (i) at least three shall be veterinarians, and
    - (ii) at least two shall be veterinary technicians; and
  - (b) two public representatives.

#### **Appointment of public representatives**

- (4) The Council shall appoint two persons to serve on the peer review committee as public representatives.

#### **Public representative requirements**

- (5) The Council shall not appoint a person to the peer review committee under subsection (4) where the person
- (a) is a member or former member;
  - (b) is the parent, spouse, common-law partner, brother, sister or child of a member;
  - (c) is employed by a member;
  - (d) is an officer or employee of a firm or corporation that practises veterinary medicine; or
  - (e) has a pecuniary interest in a firm or corporation that practises veterinary medicine.

**Appointment terms**

- (6) Each person appointed to the peer review committee shall serve until the later of the following:
- (a) two years after the person was appointed;
  - (b) a successor is appointed for the person.

**Chairperson**

- (7) The Council shall appoint one member serving on the peer review committee to be chairperson.

**Complaint**

**30. Complaint of incompetence or professional misconduct**

- (1) Subject to subsection (2), any person may make a complaint in writing to the Registrar in accordance with this Act and the regulations respecting the conduct of a member or former member, alleging that the member or former member's conduct constitutes incompetence or professional misconduct.

**Limitations**

- (2) A complaint made under subsection (1)
- (a) with respect to a member shall be made within two years after the date the conduct complained of occurred; and
  - (b) with respect to a former member shall be made
    - (i) only with respect to conduct that occurred while the former member held a valid and subsisting certificate of registration and licence, and
    - (ii) within five years after the date the former member last held a valid and subsisting certificate of registration and licence.

**Mediation**

- (3) On receipt of a complaint, the Registrar, or Deputy Registrar where subsection (4) applies, shall, subject to section 31, attempt to mediate the complaint.

**Conflict**

- (4) Where the Registrar has a conflict of interest with respect to, or is named in, a complaint, the Council shall, if a Deputy Registrar has not been appointed pursuant to subsection 7(5), immediately appoint a Deputy Registrar and refer the complaint to the Deputy Registrar.

**Mediation not possible or not likely to be successful**

- (5) Where, in the opinion of the Registrar, mediation of a complaint is not possible or not likely to be successful, the Registrar shall request that the chairperson of the peer review committee appoint a complaints committee under section 32 within 10 working days after the day the Registrar received the complaint.

**Notice**

- (6) Where a complaint is referred to a complaints committee under subsection (5), the Registrar shall provide written notice of the referral to the complainant and the respondent.

**31. Complaint – abuse of process**

- (1) Where the Registrar considers a complaint made under section 30 to be frivolous, vexatious, made in bad faith or otherwise an abuse of process, the Registrar shall deliver to the complainant and the respondent written notice that
- (a) the Association intends to take no action with respect to the complaint; and
  - (b) the complainant and the respondent each have the right to make written submissions to the Registrar within 30 days after receiving the notice.

**Dismissal of complaint**

- (2) Where the Registrar is satisfied, after considering any written submissions of the complainant and the respondent, that a complaint was frivolous, vexatious, made in bad faith or otherwise an abuse of process, the Registrar shall
- (a) dismiss the complaint; and
  - (b) deliver written notice of the dismissal to the complainant and the respondent.

**Complaints Committee**

**32. Complaints committee**

- (1) Where the chairperson of the peer review committee receives a request under subsection 30(5), the chairperson shall
- (a) appoint from among the persons serving on the peer review committee pursuant to subsection 29(3), persons to form a complaints committee; and
  - (b) appoint one of the persons referred to in clause (1)(a) to be chairperson of the complaints committee.

**Composition of complaints committee**

- (2) Despite subsection (1),
- (a) a complaints committee appointed to hear a complaint respecting a veterinarian shall contain
    - (i) at least two veterinarians,
    - (ii) at least one veterinary technician, and
    - (iii) at least one public representative; and
  - (b) a complaints committee appointed to hear a complaint respecting a veterinary technician shall contain
    - (i) at least two veterinary technicians,
    - (ii) at least one veterinarian, and
    - (iii) at least one public representative.

**Quorum**

- (3) A majority of a complaints committee constitutes a quorum.

**Term**

- (4) Each person appointed to a complaints committee with respect to a complaint shall serve until the later of the following:
- (a) the appointment of the person's successor;
  - (b) the completion of any proceedings undertaken with respect to the complaint.

## Investigation

### 33. Investigation

- (1) A complaints committee may direct the Registrar, or Deputy Registrar where subsection (2) applies, to conduct an investigation into the complaint respecting the respondent.

#### **Conflict**

- (2) Where the Registrar has a conflict of interest with respect to, or is named in, a complaint, the Council shall, if a Deputy Registrar has not been appointed under subsection 7(5), immediately appoint a Deputy Registrar to investigate the complaint.

#### **Termination of investigation**

- (3) The complaints committee may choose not to investigate a complaint, or may terminate an investigation after commencement, where the complaints committee is satisfied that
- (a) the complaint is frivolous, vexatious, made in bad faith or otherwise an abuse of process; or
  - (b) there is insufficient evidence of incompetence or professional misconduct.

#### **Registrar may retain counsel**

- (4) For the purposes of an investigation referred to in subsection (1), the Registrar may engage legal counsel and employ other expert assistance.

#### **Notice of investigation**

- (5) Where the complaints committee directs the Registrar to conduct an investigation into a complaint, the chairperson of the complaints committee shall give notice in writing within five business days of the investigation to the respondent and any other members named in the complaint, along with a copy of the complaint.

#### **Investigation powers**

- (6) In carrying out an investigation under this section, the Registrar may
- (a) require the respondent to produce any records, documents or things in the respondent's possession or under the respondent's control that may be relevant to the investigation;
  - (b) require the respondent, or any other member who, in the opinion of the Registrar, may have relevant information, to attend before the Registrar to be interviewed; and
  - (c) direct an inspection or audit of the practice of the respondent.

#### **Representations by member**

- (7) The respondent may, within 30 days after receiving notice of the investigation, make written representations to the complaints committee respecting the complaint.

#### **Report**

- (8) At the conclusion of an investigation, the Registrar shall provide, as soon as practicable, the complaints committee with a report setting out the Registrar's findings.

### 34. Decision of complaints committee

- (1) After an investigation into the conduct of a respondent, a complaints committee may
- (a) direct that no further action be taken;
  - (b) refer the matter back to the Registrar for further investigation;

- (c) issue a formal caution to the respondent, censuring the respondent's conduct, where
  - (i) the complaints committee has met with the respondent, and
  - (ii) the respondent has agreed to accept the caution;
- (d) enter into an agreement with the respondent, or accept an undertaking from the respondent, that provides for any of the following:
  - (i) an assessment of the respondent's capacity or fitness to practise veterinary medicine,
  - (ii) counselling or treatment of the respondent,
  - (iii) monitoring or supervision of the respondent's practice of veterinary medicine,
  - (iv) completion by the respondent of a specific course of studies by way of remedial training,
  - (v) the placement of any terms, conditions or limitations on the respondent's certificate of registration or licence;
- (e) accept the voluntary surrender of the respondent's certificate of registration or licence, or both;
- (f) refer the matter to mediation where
  - (i) the complaints committee determines that the complaint is strictly a matter of concern to the complainant and the respondent, and
  - (ii) both parties agree to mediation; or
- (g) request that the chairperson of the peer review committee refer the matter to an inquiry panel established under section 40.

**Notice to member, complainant and Registrar**

- (2) The complaints committee shall provide written notice to the respondent and the complainant of the complaints committee's decision made under subsection (1), along with the reasons for the decision.

**Notice to the Registrar**

- (3) The complaints committee shall notify the Registrar in accordance with the bylaws where the complaints committee
  - (a) takes action against a respondent under clause (1)(c) or (d); or
  - (b) accepts the voluntary surrender of a respondent's certificate of registration or licence, or both, under clause (1)(e).

**35. Formal caution, publication**

- (1) A complaints committee may publish
  - (a) the fact that a formal caution has been issued to a respondent under clause 34(1)(c);
  - (b) the name of the respondent; and
  - (c) a description of the circumstances that led to the caution being issued.

**No appeal, formal caution**

- (2) The issuance of a formal caution cannot be appealed.

**36. Surrender of certificate of registration or licence**

- (1) Where a complaints committee accepts the voluntary surrender of a respondent's certificate of registration or licence, or both, under clause 34(1)(e), the complaints committee may direct the

respondent to satisfy any of the following conditions before the respondent's certificate of registration or licence, or both, may be reinstated:

- (a) obtain counselling or treatment;
- (b) complete a specified course of studies;
- (c) obtain supervised clinical experience.

**Conditions on reinstatement**

- (2) A voluntary surrender of a respondent's certificate of registration or licence, or both, remains in effect until the complaints committee is satisfied that, in addition to the respondent satisfying any conditions imposed on the respondent under subsection (1), the conduct or complaint that was the subject of the investigation has been resolved, at which time the complaints committee may impose conditions on the respondent's entitlement to engage in the practice of veterinary medicine, including conditions that the respondent do one or more of the following:
  - (a) limit the respondent's practice;
  - (b) practise under supervision;
  - (c) not engage in sole practice;
  - (d) permit periodic
    - (i) inspections of the respondent's practice, or
    - (ii) audits of the respondent's records;
  - (e) report on specific matters to a person or to the complaints committee;
  - (f) comply with any other conditions the complaints committee considers appropriate in the circumstances.

## **Appeals Committee**

**37. Appeal to appeals committee**

- (1) A complainant may appeal a decision of a complaints committee by filing the reasons for the appeal in writing with the Registrar in accordance with this Act and the regulations within 30 days after the day the complainant receives a notice from the complaints committee under subsection 34(2) setting out the complaints committee's decision.

**Referral to appeals committee**

- (2) On receipt of an appeal under subsection (1), the Registrar shall request that the chairperson of the peer review committee appoint an appeals committee within 10 business days after the day the Registrar receives the appeal.

**Notice**

- (3) Where an appeal is made to the Registrar under subsection (1), the Registrar shall provide notice in writing of the appeal to the respondent.

**38. Appointment of appeals committee**

- (1) On receipt of a request made under subsection 37(2), the chairperson of the peer review committee shall
  - (a) subject to subsections (2) and (3), appoint at least three members from among the persons serving on the peer review committee pursuant to subsection 29(3) to form an appeals committee; and

- (b) appoint one of the persons referred to in clause (1)(a) to be chairperson of the appeals committee.

**Public representative**

- (2) One of the members of the appeals committee shall be one of the public representatives of the peer review committee.

**Conflict**

- (3) No person who acted as an investigator or served on the complaints committee with respect to a complaint shall serve on an appeals committee with respect to the same complaint.

**Appeals committee decision**

- (4) On an appeal, the appeals committee shall
  - (a) make any decision that in its opinion ought to have been made by the complaints committee;
  - (b) deny, vary or confirm the decision of the complaints committee; or
  - (c) request that the chairperson of the peer review committee refer the matter to an inquiry panel established under section 40.

**39. Interim order**

- (1) Despite any other provision of this Act, the Council may, on the recommendation of the Registrar or Deputy Registrar carrying out an investigation under section 33, make an order imposing terms, conditions or limitations on, or suspending, a respondent's certificate of registration or licence, or both.

**Service of order and referral**

- (2) Where the Council makes an order under subsection (1), the Council shall serve on the respondent who is the subject of the order
  - (a) a copy of the order; and
  - (b) written notice of the respondent's right to appeal under section 45.

**Order in effect when served**

- (3) An order of the Council made under subsection (1)
  - (a) is in effect when it is served on the respondent; and
  - (b) is valid for the period specified in the order which shall not exceed 90 days.

**Limit on orders**

- (4) The Council shall not make more than two consecutive orders under this section in relation to the same conduct of a member.

**Inquiry Panel**

**40. Inquiry panel**

- (1) Where the chairperson of the peer review committee receives a request under clause 34(1)(g) or clause 38(4)(c), the chairperson of the peer review committee shall notify the President of the Council and request an inquiry panel.

**Members of inquiry panel**

- (2) On receipt of a request under subsection (1), the President of the Council shall
- (a) appoint an inquiry panel consisting of
    - (i) at least three members currently serving on the Council, and
    - (ii) at least one public representative; and
  - (b) appoint one of the members referred to in subclause (a)(i) to be chairperson of the inquiry panel.

**Quorum**

- (3) A majority of the inquiry panel constitutes a quorum.

**Non-voting members**

- (4) A person who was an investigator or served on a complaints committee or an appeals committee with respect to a complaint, may sit on an inquiry panel with respect to the same complaint, but only as a non-voting member of the inquiry panel.

**41. Inquiry panel procedure**

- (1) An inquiry panel shall hold a hearing in private within 30 days after the date the matter was referred to the inquiry panel, unless the respondent consents in writing to a later date.

**Notice of hearing details**

- (2) The Registrar shall, at least 21 days before the date of the hearing, serve on the complainant and the respondent a notice of the hearing setting out
- (a) the date, time and place of the hearing; and
  - (b) the general terms of the complaint that will be heard.

**Representation**

- (3) The respondent and the complainant may attend the hearing in person and may each be represented by counsel at that person's own expense.

**42. Member's right to examine evidence**

- (1) The respondent shall be afforded an opportunity to examine, before the hearing, any written or documentary evidence that will be produced or any report that will be given in evidence at the hearing.

**Member's duty to share evidence**

- (2) Where the respondent intends to rely on any written or documentary evidence at the hearing, the respondent shall provide a copy of that evidence to the Association before the day of the hearing.

**Witnesses**

- (3) The complainant and the respondent may call witnesses at the hearing.

**43. Decision of inquiry panel**

- (1) On concluding a hearing, an inquiry panel shall determine whether the conduct of the respondent constitutes incompetence or professional misconduct.

**Orders of inquiry panel**

- (2) Where an inquiry panel determines under subsection (1) that a respondent's conduct constitutes incompetence or professional misconduct, the inquiry panel may
- (a) reprimand the respondent;
  - (b) suspend the respondent's certificate of registration or licence or both;
  - (c) cancel the respondent's certificate of registration or licence or both;
  - (d) impose conditions on the respondent's entitlement to practise veterinary medicine, including conditions that
    - (i) limit the respondent's practice, or
    - (ii) require the respondent to
      - (A) practise under supervision,
      - (B) take remedial action, such as retraining courses or compulsory competency evaluations,
      - (C) report the respondent's name and the details of the disciplinary action to any discipline database the Association is a member of, or
      - (D) obtain treatment for a disability or addiction, or undertake counselling, until the respondent can demonstrate that the disability or addiction has been, or can be, overcome by the respondent to the satisfaction of the Council;
  - (e) direct the respondent to pay all or part of the costs incurred by the Association to conduct the hearing;
  - (f) direct the respondent to pay the Association a fine in an amount and timeframe that the inquiry panel considers appropriate, up to a maximum of \$50,000; or
  - (g) take any other action the inquiry panel considers appropriate in the circumstances that is not inconsistent with or contrary to this Act, the regulations or the bylaws.

**Cancellation or suspension of registration or licence**

- (3) If a member's certificate of registration or licence is suspended or cancelled under this section, the member shall not practise veterinary medicine during the period of suspension or cancellation.

**Inquiry panel may request information from Registrar**

- (4) After making a finding described under subsection (2), to assist the inquiry panel in making an appropriate order, the inquiry panel may request that the Registrar provide any information respecting the respondent that was provided to the Registrar under subsection 34(3).

**44. Publication**

Where the Registrar, the Council, a complaints committee, an appeals committee or an inquiry panel suspends or cancels a member's certificate of registration or licence or imposes terms, conditions or limitations on a member's certificate of registration or licence, the Registrar shall publish a notice of the suspension, cancellation, or the terms, conditions or limitations imposed in a manner that the Registrar considers appropriate to inform the public.

## Appeal

### 45. Appeal to Supreme Court

A respondent may appeal any of the following to the Supreme Court within 30 days:

- (a) an order of the Council made under subsection 39(1);
- (b) a determination of an inquiry panel made under subsection 43(1);
- (c) an order of an inquiry panel issued under subsection 43(2).

## PART 6 – MINISTERIAL POWERS

### Inquiry

### 46. Appointment of person to inquire and make recommendations

- (1) Where the Minister determines that it is in the public interest to do so, the Minister may appoint a person to inquire into and make recommendations about any aspect of the administration or operation of the Council.

#### Inquiry

- (2) An inquiry under subsection (1) may include an inquiry into an exercise of a power or a performance of a duty, or the failure to exercise a power or perform a duty, under this Act, the regulations or the bylaws.

#### Powers of person making inquiry

- (3) A person appointed under subsection (1) has the powers and protections of a commissioner under the *Public Inquiries Act* R.S.P.E.I 1988, Cap. P-31, when conducting an inquiry under this Act.

#### Terms of reference

- (4) A person appointed under subsection (1) shall comply with any terms of reference the Minister may establish concerning the conduct of an inquiry.

#### Expenses related to inquiry

- (5) The expenses incurred by the government under this section in respect of the Council are a debt due by the Council to the government and are recoverable in a court of competent jurisdiction.

### 47. Ministerial Directive

- (1) On completion of an inquiry under section 46, the Minister may, if in the Minister's opinion it is in the public interest to do so, issue a directive to the Council respecting the results of the inquiry, including directives respecting matters related to health, safety or adherence to standards in the practice of veterinary medicine.

#### Effect of directive

- (2) A directive under subsection (1) may
  - (a) require the Council to exercise the powers or perform its duties under this Act, the regulations or the bylaws to address the issues that were the subject of the inquiry, including the making, amending or revoking of regulations or bylaws;

- (b) provide for the procedure to be followed by the Council in developing, proposing, consulting on and reviewing a regulation or a bylaw; and
- (c) include a requirement that the Council submit a written report to the Minister, within a specified time, detailing the measures the Council has taken to implement that directive.

**Administrative or procedural matter**

- (3) Despite subsection (1), the Minister may issue a directive to the Council respecting an administrative or procedural matter, without conducting an inquiry.

**Restriction on directive**

- (4) A directive issued under this section shall not require the Council to
  - (a) adopt a standard, limit or condition on the practice of veterinary medicine; or
  - (b) do anything with respect to the registration, licensing or discipline of a specific member.

**Council to comply with directive**

- (5) The Council shall comply with a directive issued to it under this section.

**Administrator****48. Order respecting administrator**

- (1) The Minister may, by order, do one or more of the following in respect of the Council:
  - (a) provide for the appointment of one or more persons as administrators of the Council for a prescribed term;
  - (b) authorize the payment of remuneration or expenses out of the Council's funds to any person appointed as an administrator;
  - (c) authorize a person appointed as an administrator to exercise any of the powers and carry out any of the duties of the Council, its members or committees under this Act, the regulations and the bylaws as specified in the order.

**When order may be made**

- (2) The Minister may exercise the power described in subsection (1) only where
  - (a) the Council requests that the Minister exercise the power; or
  - (b) the Minister is of the opinion that it is in the public interest to provide support to the Council for the pursuit of its objects and the carrying out of its duties under this Act, the regulations and the bylaws.

**Suspension of powers of Council**

- (3) Where the Minister appoints an administrator under subsection (1), the Minister may, by order, suspend the powers granted to the Council under this Act for the term of the administrator's appointment.

**Administrator carrying out power or duty**

- (4) The exercise of a power or the carrying out of a duty by a person appointed as an administrator under subsection (1) is deemed to be the exercise of a power or the carrying out of a duty by the Council, or its members or committees.

**Termination of appointment of administrator**

- (5) Where, in the Minister’s opinion, an administrator appointed under subsection (1) is no longer required, the Minister may terminate the administrator’s appointment on any terms and conditions that the Minister considers appropriate.

**PART 7 – GENERAL MATTERS**

**Prohibitions**

**49. Prohibition, member**

No member shall

- (a) contravene any terms, conditions or limitations on the member’s certificate of registration or licence; or
- (b) engage in the practice of veterinary medicine while the member’s registration or licence, or both, is suspended or cancelled.

**50. False representation**

No person shall knowingly furnish false information in any application under this Act, or in any statement or return required to be furnished under this Act, the regulations or the bylaws.

**51. Advertising**

No member shall engage in advertising that is untruthful, inaccurate or otherwise capable of misleading or misinforming the public.

**Duty of Employer**

**52. Employment or engagement as member**

- (1) A person who employs or engages another person to provide veterinary care as a member shall ensure that the other person is registered and licensed under this Act and holds a valid and subsisting certificate of registration and licence during the period of employment or engagement.

**Report of suspension**

- (2) A person who employs or engages a member to provide veterinary care on a full-time or part-time basis in any capacity, including as an employee, contractor or consultant, shall
- (a) promptly report the suspension or termination of the employment or engagement of the member for misconduct, incompetence or incapacity to the Council; and
  - (b) give the member a copy of the report.

**Prohibition**

- (3) No person who employs or engages a member shall knowingly permit the member to
- (a) contravene a provision of this Act, the regulations or the bylaws; or
  - (b) fail to comply with a condition of the member’s certificate of registration or licence.

## Limitation of Liability

### 53. Limitation of Liability

No action or proceeding lies or shall be instituted for anything done or omitted to be done in good faith in the performance or intended performance of any duty or in the exercise or intended exercise of any power under this Act, the regulations or the bylaws made by the Council against the following:

- (a) the Minister;
- (b) the Association;
- (c) the Council;
- (d) the Registrar;
- (e) the Deputy Registrar;
- (f) an investigator;
- (g) a peer review committee;
- (h) a complaints committee;
- (i) an appeals committee;
- (j) an inquiry panel;
- (k) a member of a peer review committee, complaints committee, appeals committee or an inquiry panel;
- (l) an officer or employee of the Association or the Council;
- (m) persons acting on behalf of the Association or the Council under the authority of this Act.

## Service of Documents

### 54. Manner of service

- (1) Any notice, order or other document required to be served on a person under this Act, the regulations or the bylaws is deemed to be sufficiently served
  - (a) upon a copy being personally served on the person to whom it is directed;
  - (b) upon a copy being sent by facsimile or other electronic means to the person to whom it is directed and an acknowledgement of receipt being received;
  - (c) five days after a copy is sent by registered mail addressed to the person to whom it is directed at the last known address for that person; or
  - (d) in the case of a member, five days after a copy is sent by registered mail addressed to the member at the business address shown in the records of the Registrar.

#### Service on corporation

- (2) Where the person to be served is a corporation, service on a director, officer or recognized agent of the corporation in accordance with subsection (1) is deemed to be service on the corporation for the purposes of this Act.

#### Service on Council

- (3) Service of any document on the Council may be made by service on the Registrar.

## Offences and Penalties

### 55. Offences and penalties

- (1) Every person who contravenes this Act or the regulations is guilty of an offence and is liable, on summary conviction,
- (a) in the case of an individual,
    - (i) to a fine of not less than \$5,000 and not more than \$10,000 for a first offence, and
    - (ii) to a fine of not more than \$50,000 for a subsequent offence; and
  - (b) in the case of a corporation,
    - (i) to a fine of not more than \$50,000 for a first offence, and
    - (ii) to a fine of not more than \$100,000 for a subsequent offence.

#### **Directors, officers and employees**

- (2) Where a corporation commits an offence under this Act or the regulations, every officer, director, agent or employee of the corporation who authorized, permitted or acquiesced in the commission of the offence is also guilty of an offence and is liable, on summary conviction, to the applicable penalty set out in clause (1)(a), whether or not the corporation has been prosecuted for or convicted of the offence.

#### **Prosecution, limitation period**

- (3) No prosecution for an offence under this Act or the regulations shall be commenced after two years from the date when the offence is alleged to have been committed.

## Regulations

### 56. Regulations

- (1) The Lieutenant Governor in Council may make regulations
- (a) respecting authorized activities, including regulations
    - (i) prescribing authorized activities for the purposes of section 25,
    - (ii) limiting or clarifying the authorized activities,
    - (iii) permitting or prohibiting members or classes of members from carrying out specified authorized activities and governing the circumstances in which those activities may or may not be carried out,
    - (iv) permitting persons who are not members to carry out specified authorized activities and limiting or governing the carrying out of such authorized activities by persons who are not members, and
    - (v) permitting, limiting, prohibiting and governing the use of titles, terms, names and designations by persons who are not members while carrying out an authorized activity;
  - (b) permitting, limiting, prohibiting and governing the use of titles, terms, names and designations by members in the practice of veterinary medicine for the purposes of section 27;
  - (c) respecting the type and amount of professional liability insurance or other liability protection that members are required to hold or be covered by;

- (d) respecting the registration and licensing of veterinary technicians and setting out the duties and responsibilities of veterinary technicians;
- (e) respecting the registration of veterinary students and setting out the duties and responsibilities of students during their employment by licensed members;
- (f) respecting additional information to be entered in the register;
- (g) permitting, limiting, prohibiting and governing members who act beyond the scope of the practice of veterinary medicine;
- (h) respecting the duties and authority of the Registrar and officers of the Council;
- (i) exempting members or classes of members from any provision of the regulations and prescribing and governing any terms, conditions and limitations respecting exemptions;
- (j) respecting the eligibility of applicants generally for registration to engage in the practice of veterinary medicine;
- (k) governing the practice of veterinary medicine through professional corporations for the purposes of section 15;
- (l) respecting the issuance of licences and specifying terms of licences;
- (m) respecting terms, conditions and limitations that may be imposed on a certificate of registration or a licence, or both;
- (n) prescribing minimum and maximum wait times for reinstatement of a former member's registration that has expired or has been cancelled for the purposes of section 21;
- (o) respecting any matter relating to the provisions of this Act regarding the issuance, renewal, suspension, cancellation or refusal of certificates of registration or licences, or both;
- (p) respecting professional misconduct matters and the practice of veterinary medicine generally;
- (q) prescribing and governing anything in this Act that is described as being prescribed, done in accordance with the regulations, provided for in the regulations or authorized or required by the regulations;
- (r) respecting any other matter or thing the Lieutenant Governor in Council considers necessary or advisable to carry out the intent and purpose of this Act.

**Incorporation by reference, standards of practice**

- (2) A regulation made under this section may adopt by reference, in whole or in part and with any changes that are considered necessary, any code, standard or guideline relating to the standards of practice of veterinary medicine.

**Transitional Provisions, Consequential Amendments, Repeal, Commencement**

**57. Transitional: definition of “former Act”**

- (1) In this section and in section 58 “former Act” means the *Veterinary Profession Act* R.S.P.E.I. 1988, Cap. V-3.

**Application for registration continued**

- (2) An application for registration as a member made under the former Act but on which a decision has not been made under subsection 5(1) of the former Act before the coming into force of this Act shall be dealt with under section 9 of this Act.

**Application for licence continued**

- (3) An application for a licence to practise clinical veterinary medicine made under the former Act but on which a decision has not been made under subsection 5(2) of the former Act before the coming into force of this Act shall be dealt with under section 12 of this Act.

**58. Complaint under former Act - preliminary investigation commenced**

- (1) If a complaint was made pursuant to section 21 of the bylaws made under the former Act in respect of which a preliminary investigation was commenced by the Complaints Committee under section 21.12 of the bylaws before the coming into force of this Act, the preliminary investigation and other proceedings relating to the complaint shall be concluded under the bylaws of the former Act.

**Complaint under former Act – no preliminary investigation commenced**

- (2) If a complaint was made pursuant to section 21 of the bylaws made under the former Act in respect of which a preliminary investigation has not commenced by the Complaints Committee under section 21.12 of the bylaws before the coming into force of this Act, the complaint shall be dealt with under Part 5 of this Act as if the complaint had been made under this Act.

**Complaints – past conduct**

- (3) A complaint made after this Act comes into force that relates to conduct that occurred in whole or in part before this Act comes into force shall be dealt with under Part 5 of this Act.

**Orders under former Act continued**

- (4) If a member has been reprimanded pursuant to section 21.23 or disciplined pursuant to section 21.24, or if the Council has made an order pursuant to section 21.25 of the bylaws made under the former Act, and the reprimand, disciplinary action or order made, as the case may be, is in effect on the day this Act comes into force, the reprimand, disciplinary action or order continues in effect as though it was made under Part 5 of this Act.

**Appeal under former Act continued**

- (5) If a complainant appeals a decision of the Complaints Committee to the Council pursuant to section 21.15 and the matter is proceeding to a hearing pursuant to clause 21.16(c) and a date for the hearing to review the complaint has not been prescribed pursuant to section 21.19 of the bylaws made under the former Act before the coming into force of this Act, the hearing to review the complaint and other proceedings related to the hearing shall be concluded under the bylaws of the former Act.

## Consequential Amendments

**59. Agrologists Act**

- (1) **The *Agrologists Act* R.S.P.E.I. 1988, Cap. A-10, is amended as provided by this section.**
- (2) **Clause 34(d) of the Act is amended by the deletion of the words “*Veterinary Profession Act* R.S.P.E.I. 1988, Cap. V-3” and the substitution of the words “*Veterinary Profession Act* R.S.P.E.I. 1988, Cap. V-3.01”.**

**60. Animal Welfare Act**

- (1) The *Animal Welfare Act* R.S.P.E.I. 1988, Cap. A-11.2, is amended as provided by this section.
- (2) Clause 1(1)(x) of the Act is amended by the deletion of the words “*Veterinary Profession Act* R.S.P.E.I. 1988, Cap. V-3” and the substitution of the words “*Veterinary Profession Act* R.S.P.E.I. 1988, Cap. V-3.01”.

**Repeal**

**61. Veterinary Profession Act**

The *Veterinary Profession Act* R.S.P.E.I. 1988, Cap. V-3, is repealed.

**Commencement**

**62. Commencement**

This Act comes into force on a date that may be fixed by proclamation of the Lieutenant Governor in Council.

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(Bill No. 10)

**Veterinary Profession Act**

<i>STAGE:</i>	<i>DATE:</i>
<i>1st Reading:</i>	March 27, 2026
<i>2nd Reading:</i>	
<i>To Committee:</i>	
<i>Reported:</i>	
<i>3rd Reading and Pass:</i>	
<i>Assent:</i>	

**SIGNATURES:**

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Honourable Dr. Wassim Salamoun, Lieutenant Governor

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Honourable Brad Trivers, Speaker

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Joseph Jeffrey, Clerk

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Hon. Bloyce Thompson  
Minister of Agriculture

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GOVERNMENT BILL

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2026  
3rd SESSION, 67th GENERAL ASSEMBLY