

CHAP. 26

An Act to amend the law respecting Veterinary Surgeons

[Assented to 20th May, 1905]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Article 3 of the act 2 Edward VII, chapter 27, is repealed. 2 Ed. VII, c. 27, art. 3, repealed.

2. Article 4 of the said act is amended : Id., 4, amended.

(a) By replacing the word : “ Board ” in the tenth line by the word : “ College ; ”

(b) By replacing the third clause by the following :

“ They shall be able in law to have, hold, receive and retain, for the purposes of this act and the advantage of the corporation, all sums of money as have been or shall, at any time, be paid, given or bequeathed to and for the use of the the said corporation.” Power to receive, &c., money, &c.

(c) By replacing the word : “ board ” in the fourth line of the fourth clause by the word : “ corporation ”.

3. Article 5 of the said act is replaced by the following : Id., 5, replaced.

“ 5. The licensed veterinary surgeons who compose the corporation constituted by the preceding article are styled : ‘ Members of the College of Veterinary Surgeons of the Province of Quebec ’ ” Name of members of corporation.

4. Section third of the said act, comprising articles 6, 7, 8, and 9, is replaced by the following : Id., 3, replaced.

“ SECTION III.

BOARD OF GOVERNORS

“ 6. For the purposes of this act, the province is divided into two regions respectively called ‘ Quebec Region ’ and ‘ Montreal Region ’ ” Division of province into Regions.

The Quebec region comprises the judicial districts of Quebec, Gaspé, Saguenay, Chicoutimi, Rimouski, Montmagny, Beauce, Kamouraska, Three Rivers and Arthabaska. Quebec Region.

The Montreal region comprises the judicial districts of Montreal Region.

Montreal, Terrebonne, Joliette, Richelieu, Bedford, Saint Hyacinthe, Iberville, Beauharnois, Ottawa, Pontiac and Saint Francis.

Management
of College by
Board.

“7. 1. The affairs of the College of Veterinary Surgeons of the Province of Quebec are managed by a board called ‘Board of Governors of the College of Veterinary Surgeons of the Province of Quebec.’

Composition
of Board.

2. The board is composed of ten persons.

Eight of these persons are selected from the members of the College of Veterinary Surgeons of the Province of Quebec and elected at a general meeting of its members held for that purpose. Five of the persons elected must have their domicile in the Montreal region and three in the Quebec region. So soon as there shall be an English veterinary College in the city of Montreal, four of these persons must have their domicile in the Montreal region and four in the Quebec region.

The two others are selected from the professors of the faculty of veterinary medicine of Laval University at Montreal and those of a university to which an English veterinary college shall be affiliated, one for each university, and appointed by the respective faculties of such universities.

So long as there is no English veterinary college, the Board of Governors shall be composed of nine persons only.

Term of
office.

“8. The members of the Board of Governors are elected for a period of two years.

Vacancies.

The office of member of the Board becomes vacant by death, resignation forwarded by registered letter to the secretary of the College of Veterinary Surgeons of the Province of Quebec, and by the abandonment of the domicile in the region for which the election was held.

If the member of the Board, whose office has become vacant had been elected by the College of Veterinary Surgeons of the Province of Quebec, the Board of Governors is bound to fill the vacancy at the first meeting of the Board after it has occurred or it has become aware thereof, by electing a substitute in accordance with the provisions of article 7.

If the member whose office has become vacant had been elected by a university his substitute is elected by the university in accordance with the provisions of article 7.

Term of
office of re-
placing
members.

The member elected to fill a vacancy remains in office during the whole time for which the person whom he replaces was elected.

9. The Board of Governors meets to fulfil the various Meeting of duties imposed upon it by this act, not less than once a year Board. at Montreal and Quebec alternately.

Five members are a quorum for the transaction of busi- Quorum ness”.

5. The present Board shall remain in office until the Present month of May, 1906, but Laval University may, notwith- Board. standing, as soon as this act comes into force, appoint under the provisions of the preceding section a member for such Board, who shall remain in office until the said time.

6. Article 10 of the said act is amended by replacing the Id., 10, words : “ Provincial Veterinary Board, which is hereby amended. authorized to issue such license ”, in the third and fourth lines, by the words : “ Board of Governors of the College of Veterinary Surgeons of the Province of Quebec, which is hereby authorized to issue such license upon the production of a diploma from a Veterinary College as defined by paragraph 4 of article 2 of this act.”

7. Article 11 of the said act is amended :

(a) By replacing the words : “ Provincial Veterinary Board ”, in the third line, by the words : “ Board of Governors of the College of Veterinary Surgeons of the Province of Quebec, upon payment, for such certificate, of five dollars to the treasurer of the said college.” Id., 11, amended.

(b) By adding, after the word : “ act”, in the seventh line, the words : “ The cost of the license is five dollars, which must be paid to the treasurer of the College of Veterinary Surgeons of the Province of Quebec.”

8. Article 12 of the said act is amended :

(a) By replacing the words “ Provincial Veterinary Board,” Id., 12, in the third line, by the words : “ Board of Governors of the amended. College of Veterinary Surgeons of the Province of Quebec ;”

(b) By replacing the words : “ Board of Veterinary Surgeons of the Province of Quebec,” in the second and third lines of the second clause, by the word “ Board of Governors of the College of Veterinary Surgeons of the Province of Quebec ”;

(c) By adding, after the word : “ age”, in the second line of the third clause, the words : “ and pay to the treasurer of the College of Veterinary Surgeons of the Province of Quebec five dollars before undergoing the required examination to obtain a certificate of capacity.”

Id., 13,
amended.

9. Article 13 of the said act is amended :

(a) By striking out the word : “ association,” in the fourth line ;

(b) By replacing the word : “ six,” in the fifth line, by the word : “ eight.”

Id., 14,
amended.

10. Article 14 of the said act is amended by striking out the words : “ as well as the fees required from candidates for study or practice,” in the third and fourth lines.

Id., 15, re-
placed.
Fees payable
by members,
&c.

11. Article 15 of the said act is replaced by the following :

“ **15.** Licensed veterinary surgeons and veterinarians practising in the Province of Quebec shall annually pay, during the month of May, two dollars to the treasurer of the College of Veterinary Surgeons of the Province of Quebec.”

Id., 16,
amended.

12. Article 16 of the said act is amended :

(a) By inserting after the word : “ board ” in the first line, the words : “ of governors ” ;

(b) By replacing the word : “ board,” in the fifth line, by the words : “ College of Veterinary Surgeons of the Province of Quebec, or the Board of Governors ” ;

(c) By adding thereto the following clause :

List of licen-
sed veteri-
nary sur-
geons.

“ The Secretary of the College of Veterinary Surgeons of the Province of Quebec, upon payment of one dollar, shall furnish to each licensed veterinary surgeon of the Province of Quebec, having paid everything that he owes in virtue of this act, a printed table showing the names, surnames, date of admission to practice, residences or domiciles of all the licensed veterinary surgeons of the province.”

Id., 17,
amended.

13. Article 17 of the said act is amended :

(a) By replacing the words : “ board may direct”, in the second line of the second clause, by the words : “ College of Veterinary Surgeons of the Province of Quebec or the Board of Governors may establish ” ;

(b) By replacing the word : “ board ”, wherever found in the third clause, by the words : “ Board of Governors ” ;

(c) By replacing the words : “ board of veterinary surgeons of the province”, at the end of the fourth clause, by the words : “ College of Veterinary Surgeons of the Province of Quebec ;

(d) By replacing the word : “ board of veterinary surgeons of the province,” at the end of the fifth clause, by the words : “ College of Veterinary Surgeons of the Province of Quebec.”

14. Article 20 of the said act is amended by replacing the words : “ board of surgeons,” in the seventh and eighth lines, by the words : “ required by law.” Id., 20,
amended

15. Article 23 of the said act is amended : Id., 23,
amended

(a). By replacing the word “ board,” in the third line, by the word : “ College ” ;

(b). By replacing the word “ board ”, at the end of the second clause, by the words : “ College of Veterinary Surgeons of the Province of Quebec ” ;

(c). By replacing the third clause by the following :

“ The Board of Governors may authorize any person to prosecute, in the name of the college of Veterinary Surgeons of the Province of Quebec, any person for any infringement of this act, and it has power to allow the prosecutor the whole or a portion of the fine recovered.” Private
prosecutions
for infringe-
ments of act.

16. The following titles and articles are inserted in the said act, after article 23 : Titles and
arts. added
after id., 23.

“ SECTION Va

“ COMPLAINTS AGAINST MEMBERS OF THE COLLEGE OF VETERINARY SURGEONS AND AGAINST VETERINARIANS

“ **23a.** The Board of Governors has power to enact by-laws for the maintenance of the honor, dignity and discipline of the members of the College of Veterinary Surgeons of the Province of Quebec, and of Veterinarians. Such by-laws shall come into force only when approved by the general meeting of the members of the college.” Power to
enact certain
by-laws.
When such
by-laws come
into force.

“ **23b.** The Board of Governors takes cognizance of any complaint against a member of the College of Veterinary Surgeons of the Province of Quebec, accusing him of infringing the by-laws, any act derogatory to the honor or the dignity of the profession or any infraction to discipline brought before it.” Board takes
cognizance of
complaints
against mem-
bers.

Who may
lay com-
plaints.

“ **23c.** Such complaint may be made :

1. By a member of the College of Veterinary Surgeons of the Province of Quebec ; or
2. By any person interested.

How made.

The complaint must be in writing and under oath taken before the secretary of the College of Veterinary Surgeons of the Province of Quebec, who is authorized to receive such oath.

Copy of com-
plaint and
notice when
to be sent to
accused.

A copy of the complaint, as well as a notice of the day when and place where the Board of Governors will meet, shall be transmitted to the member accused, by registered letter, at least fifteen days before the date fixed by the meeting of Governors. On the day and at the place appointed, the Board shall hear the complainant and the member accused if they present themselves, if not the one that appears. If after having heard the parties or, if the accused does not appear, the Board of Governors is not satisfied with the explanation given, it may proceed with the complaint in the manner provided in the following articles.

Proceedings
by Board on
day fixed in
notice.

Proceedings
on com-
plaints.

“ **23d.** In the trial of the complaint, the Board of Governors proceeds deliberatively, and may have recourse to all means which it deems suitable to arrive at the facts to be proved and to allow the accused to defend himself.

Swearing of
witnesses.

Every member of the Board of Governors has the right to swear the parties and their witnesses and to cause them to declare or affirm solemnly, sincerely and truly that they will tell the truth.

Stenographer
may be em-
ployed.

“ **23e.** The Board of Governors may require, in every case, whenever either party applies therefor, that the evidence be taken by a stenographer, provided that the party making the application deposits with the treasurer of the College of Veterinary Surgeon of the Province of Quebec a sum fixed by the Board of Governors as security for the costs of the stenographer.

Deposit for
costs.

The Board of Governors may also require, in every case, that either party make a deposit to guarantee the payment of the disbursements, the witnesses, and all other costs occasioned by the complaint.

Power of
Board upon
complaints.

23f. The Board of Governors has power, according to the gravity of the offence, in the case of the condemnation of the person accused :

1. To pronounce a censure and reprimand ; or

2. To deprive the member of his vote and even of the right of being present at meetings of the College of Veterinary Surgeons of the Province of Quebec, for a discretionary period not exceeding five years; or
3. To suspend the member from the exercise of his profession, for a term not exceeding three years.

There shall be an appeal from the decision of the Board of Governors by *certiorari*.

“**23g.** Every member of the College of Veterinary Surgeons of the Province of Quebec who has been found guilty before a court of competent jurisdiction of any offence which may be prosecuted by indictment and is punishable by imprisonment without the alternative of a fine, shall *ipso facto* lose the right to practise as a Veterinary Surgeon in the province, and the Board of Governors shall strike his name from the register of members of the College of Veterinary Surgeons of the Province of Quebec, as soon as it has cognizance of the cause of such incapacity.”

Removal of members.

“**23h.** The provisions of this section apply *mutatis mutandis* in the case where the complaint is against a veterinarian.”

Application to veterinarians.

“ SECTION *vb*

MISCELLANEOUS PROVISIONS ”

17. Article 24 of the said act is amended by replacing the word : “ board,” in the fourth line, by the word ; “ College.”

Id., 24, amended.

18. Article 26 of the said act is replaced by the following :

Id., 26, replaced.

“ **26.** This act shall not in any way affect persons attending or castrating animals, in localities where there is no veterinarian.”

Application of act.

19. This act shall come into force on the day of its sanction.”

Coming into force.