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(March 11, 1999)

Act No. 24 of the year 2055 (1999)

An Act Made to Provide Necessary Arrangement

Relating to Nepal Veterinary Council

Preamble: Whereas it is expedient to establish Nepal Veterinary Council in the Kingdom of Nepal to systematize the veterinary profession by making it efficient and for the registration of veterinary practitioners according to their qualification,

Now, therefore, the Parliament has enacted this Act on the twenty-seventh year of the reign of His Majesty the King Birendra Bir Bikram Shah Dev.

Chapter -1

Preliminary

1. **Short Title and Commencement:** (1) This Act may be called "Nepal Veterinary Council Act, 2055 (1999).
(2) This Act shall come into force at once.
2. **Definition:** Unless the subject or context otherwise requires, in this Act,-
 - (a) "Council" means the Nepal Veterinary Council established under Section 3.

- (b) "President" means the President of the Council.
- (c) "Member" means a Member of the Council which also includes the President and Vice President of the Council.
- (d) "Register" means the Register for the enrollment of name of the Veterinarians under this Act.
- (e) "Registered Veterinarian" means a Veterinarian registered in the Register.
- (f) "Veterinarian" means any person holding a bachelor degree at minimum in veterinary science from any educational institution recognised by the Council.
- (g) "Registrar" means the Registrar appointed under Section 19.
- (h) "Veterinary Drug" means any medicine, hormones or biologicals used for diagnosis, treatment and control of animal diseases, and this word also includes protein, salt or vitamin used in animal feeds.
- (i) "Animal" means and includes animals, bird and fish.
- (j) "Prescribed" or "As Prescribed" means prescribed or as prescribed in the Rules framed under this Act.

Chapter -2

Establishment, Composition as well as Functions, Duties and Powers of the Council

3. **Establishment of the Council:** Nepal Veterinary Council has been established in order to systematize the veterinary profession by making it efficient one to conduct it in a scientific manner and also for the registration of the Veterinarians according to their qualifications.
4. **The Council shall be an Autonomous Body:** (1) The Council shall be an autonomous and corporate body having perpetual succession.
 - (2) The Council shall have its own seal for its whole functions.
 - (3) The Council may acquire, consume, dispose off or manage otherwise the movable or immovable property, as a person.
 - (4) The Council may sue and be sued in its name as a person.
5. **Composition of the Council:** (1) The Council established under Section 3 shall comprise the following members:-
 - (a) A registered veterinarian of
category "A" nominated by
His Majesty's Government -President

- (b) Two veterinarians elected out of
the registered veterinarians -Vice president
- (c) Two registered veterinarians
at least of category "B"
nominated by His Majesty's
Government -Member
- (d) Five veterinarians elected out
of the registered veterinarians -Member
- (e) President, Nepal Veterinary
Association Member

(2) His Majesty's Government may constitute a committee to carry out the functions to be performed by the council until the Council under sub-section (1) is formed. The committee so constituted shall not continue for more than one year.

6. **Tenure of Office of the Members:** (1) The tenure of office of the members under clauses (a), (b), (c) and (d) of sub-section (1) of Section 5 shall be of four years.

(2) If the post of a member is vacant before the expiry of the tenure of office under sub-section (1) such vacancy may be fulfilled by an election or nomination.

~~Provided~~ that no election or nomination shall be made for a period of less than six months.

7. **Disqualification for being a Member:** No one can be elected or nominated for the post of a member of the Council as follows:-

- (a) Who is a non-Nepali Citizen,
- (b) Whose name has been removed from the register,
- (c) Who has been insolvent,
- (d) Who has been convicted by a court and punished for a criminal offence involving moral turpitude, and
- (e) Who is an insane.

8. **Termination of Membership:** The membership of the Council shall be terminated under the following circumstances:-

- (a) If disqualified under Section 7.
- (b) If a resignation submitted from the post of member is accepted.
- (c) If a member does not attend the meeting of the Council for three consecutive period without giving a prior notice with justification.
- (d) If he dies.

9. **Functions, Duties and Powers of the Council:** The functions, duties and powers of the Council shall be as follows:-

- (a) Formulation of necessary policies, plans and programmes and to implement them for proper management of veterinary profession.
- (b) Formulation of necessary policies, workplans and programmes and submit them to His Majesty's Government for implementation in order to make the animal health services and the system thereof systematic, standard, dignified and effective.
- (c) To advise His Majesty's Government in preparing criteria for standardising the veterinary drugs, biologicals, animal feeds, chicks and animal production materials.
- (d) Determination of qualification of the veterinarians and register the name of the veterinarians having met the qualification so determined and to maintain it up to date.
- (e) To formulate and implement the code of conduct to be abided by the veterinarians.
- (f) To recognise the veterinary education teaching institution and the certificates and degree conferred by such institutions as prescribed.

- (g) To provide necessary advice to His Majesty's Government on matters relating to veterinary science and animal health.
- (h) To make endeavours in the research or invention relating to veterinary drugs.
- (i) To exchange the research and experiences relating to veterinary services attained in international field and to recommend His Majesty's Government to implement the matters appropriate for Nepal.
- (j) To remove the name of a veterinarian from the Council after completing the procedures as prescribed if a registered veterinarian does not comply with the code of conduct.
- (k) To perform other functions for the attainment of the objectives of the Council.

10. **Meeting of the Council and Decision:** (1) The meeting of the Council shall generally be held four times in a year.

(2) The meeting of the Council shall be convened in such date, time and place as specified by the President.

(3) The quorum for the Meeting of the Council shall be deemed to have been constituted if more than fifty percent of the total number of the members of the Council are present.

(4) The President and, in his absence, the Vice-President shall preside over the meeting of the Council. In the absence of both the President and the Vice-President, the person selected out of the members present at the meeting shall preside over the meeting.

(5) The opinion of the majority shall prevail in the meeting of the Council. In the case of equal of votes, the person presiding over the meeting may exercise a casting vote.

(6) The registrar shall certify the decisions of the Council.

(7) Other procedures relating to the meeting of the Council shall be as determined by the Council.

Chapter -3.

Provision for the Registration of Name

11. **No Practice Without the Registration of Name:** No person without being registered in the Council shall carry out veterinary practice after one year from the date of commencement of this Act.
12. **Application for the Registration of Name:** (1) Any person interested to register his name in the Council shall have to apply to the Council in the format as prescribed.

(2) Any person who is carrying out veterinary practice at the time of commencement of this Act shall have to apply under sub-section (1) for the registration of name in the

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(2) Any person who is carrying out veterinary practice at the time of commencement of this Act shall have to apply under sub-section (1) for the registration of name in the

Council within six months from the date of commencement of this Act.

(3) Any person applying for the registration of name under sub-section (1) or (2) shall have to submit certificates, degree and other documents thereof and prescribed fee alongwith the application.

13. **Action on the Application and Registration Certificate:** (1)

The Registrar, after necessary examination of the application received under Section 12, shall submit to the committee concerned for the registration of name in the Register.

(2) The committee concerned shall examine the application received under sub-section (1) including the matter whether or not the degree relating to qualification is recognized and the application is in the format, and submit a report thereof to the Council within fifteen days.

(3) The Council on the basis of the report submitted by the committee under sub-section (2) shall decide whether to register or not the name of the applicant in the Register.

(4) If the Council decides to register the name of the applicant under sub-section (3), the Registrar shall register the name of such applicant and issue a certificate to him in the prescribed format. If the Council decides not to register the name of the applicant, the Registrar shall inform the same to the applicant.

14. **Removal of Name from the Register and Re-registration:**

(1) The name of the registered veterinarian shall not be removed from the Register save under the following circumstances:-

- (a) If he is insane,
- (b) If he is convicted by a court for a criminal offence involving moral turpitude,
- (c) If he has been insolvent,
- (d) If a resolution made by a two-third majority of the Council for not abiding by the code of conduct.

(2) If a veterinarian whose name was removed from the register by the reasons mentioned in clause (a), (c) and (d) of sub-section (1) applies for re-registration with a reasonable ground, and the Council, if finds appropriate to re-register this name, may, by the decision of two-third majority of the Council, order to enroll such name.

(3) If an order is made under sub-section (2) the Registrar shall re-register the name of such veterinarian in the Register by charging a fee as prescribed, and issue a certificate thereof.

15. **Revocation of Certificates:** If any information is received of the fact that the name of any person has been enrolled in the Register by fraud or by mistake, and the information so

received is found to be true after an inquiry, the Council may revoke the certificate of such person.

16. **Category of the Veterinarians:** For the purpose of the registration of name of the veterinarians under this Act, the veterinarians having following qualification shall be categorized as follows:-

- (a) **Category "A":** A person holding a Doctoral (Ph. D.) degree in veterinary science from a recognized educational institution with an experience of at least seven years in the concerned field or a person holding a Masters degree in veterinary science from a recognized educational institution with an experience of at least ten years in the concerned field or a person holding a bachelor degree in veterinary science from a recognized educational institution with an experience of at least fifteen years or a vetererinarian holding a bachelor degree in veterinary science from a recognized educational institution and working in the post of at least gazetted first class or equivalent in any service of His Majesty's Government or at least in the post of reader in the University.

- (b) **Category "B":** A person holding a Doctoral (Ph.D.) degree in veterinary science from a recognized educational institution with an experience of at least five years in the concerned field or a person holding a Masters degree in veterinary science from a recognized educational institution with an experience of at least seven years in the concerned field or a person holding a bachelor degree in veterinary science from a recognized educational institution with an experience of at least ten years or a veterinarian holding a bachelor degree in veterinary science from a recognized educational institution and working in the post of at least gazetted first class or equivalent in any service of His Majesty's Government or at least in the post of lecturer in the University.
- (c) **Category "C":** A veterinarian holding at least bachelor degree in veterinary science from a recognized educational institution.

17 **Application for Recognition:** (1) A person holding Degree Diploma, Certificate or such other awards from any educational institutions in the subject relating to veterinary

science shall have to apply to the Council as prescribed for the recognition of such degrees.

(2) The name of the educational institutions awarding Degree, Diploma, Certificate or other degrees which are recognized by the Council after an inquiry into the application submitted under sub-section (1) shall be published in the Nepal Gazettee.

18. **To Notify in the Case of Abandonment of Practice or Alteration of Address:** A registered veterinarian who abandons his Practice or alters his address shall have to notify to the Registrar within one month of so being.

Chapter 4

Provision Relating to the Personnels

19. **Appointment and Functions, Duties and Powers of the Registrar:** (1) His Majesty's Government may appoint a Registrar of the Council out of such persons whose name is registered in the Council and who have the qualifications as prescribed.

(2) The Registrar shall be the chief administrative officer of the Council.

(3) The salary, term and conditions of services and facilities of the Registrar shall be as prescribed.

(4) In addition to the matters mentioned in other part of this Act, the functions, duties and powers of the Registrar shall be as follows:-

- (a) To submit the applications received from the veterinarians for the registration of name to the committee concerned.
- (b) To implement or cause to implement the decisions made by the Council.
- (c) To enroll the name of the veterinarians in the Register as per the decision of the Council.
- (d) To remove the name of a registered veterinarian from the Register in case of his death.
- (e) If a notice is received as to the abandonment of practice or the alteration of address of a registered veterinarian, to mention it in the Register.
- (f) To certify the decision of the Council.

(5) The other functions, duties and powers of the Registrar shall be as prescribed.

20. **Staff of the Council:** (1) The Council may appoint staff in the required numbers for its office management on such a condition that the salary, allowances and other facilities of the staffs be provided by the financial sources of the Council.

(2) The staff appointed under sub-section (1) shall be under the supervision and control of the Registrar.

(3) The terms and conditions and other facilities of the staff appointed under sub-section (1) shall be as specified in the Bye-laws.

Chapter -5

Account and Audit

21. **Account of the Council:** (1) There shall be a separate fund of the Council.

(2) All the expenses of the Council shall be borne from the fund under sub-section (1).

(3) The fund under sub-section (1) shall consist of the following amounts:-

- (a) Amount received from His Majesty's Government,
- (b) Amount received from a national or foreign individual, association, government or an international organization or associations as loan, donation, grant or gift,
- (c) Amount raised from various fees charged by the Council,
- (d) Amount received from any other sources.

(4) Prior approval of His Majesty's Government shall have to be obtained to receive the amount under clause (b) of sub-section (3).

(5) The amount received in the name of the Council shall have to deposit with any commercial bank of the Kingdom of Nepal by maintaining an account.

(6) The operation of the fund and the account of the Council shall be operated as prescribed.

22. **Account and Audit of the Council:** (1) The account of income and expenditure of the Council shall be kept as prescribed.

(2) Audit of the Council shall be made by an auditor specified by the Auditor General.

(3) His Majesty's Government may, at any time, check or cause to check the accounts of the Council, if so desired.

Chapter -6

Miscellaneous

23. **Dissolution of the Council:** (1) If His Majesty's Government thinks that the Council is not able to exercise the powers provided to it by this Act or Regulation framed under this Act or is frequently abusing the powers or is exercising the powers more than it has or is not performing its duties conferred on it by the Regulation framed under this Act, His

Majesty's Government may give directions to the Council to reform or correct the matter.

(2) If the Council fails to improve or correct its working practices as per the direction given under sub-section (1), His Majesty's Government may dissolve the Council.

(3) After the dissolution of the Council and until the constitutions of other Council, His Majesty's Government shall take over the fund and property of the Council and may exercise all the powers to be exercised by the Council under this Act or under the Regulation framed under this Act or may constitute a committee and cause it to exercise the powers.

(4) His Majesty's Government shall constitute a new Council under Section 5 within three months from the date of dissolution of the Council under sub-section (2).

24. **May Constitute a Committee:** (1) The Council may constitute various subject committees and other committees as per necessity.

(2) The functions, duties and powers and tenure of the subject committees as well as other committees constituted under sub-section (1) shall be as prescribed by the Council.

25. **Meeting Allowances and Other Facilities of the Members:** Meeting allowances and other facilities of the Members of the subject committees and other committees constituted under Section 24 shall be as prescribed.

26. **Investigation and Case Filing Officer:** The investigating officer of the offence under Section 27 and case filing officer or authority and procedure thereof shall be as prescribed by His Majesty's Government by publishing a notice in the Nepal Gazettee.

27. **Offence and Punishment:** (1) It shall be deemed to have been committed an offence under this Act if veterinary practice is carried out without registering name under Section 11.

(2) Any person who commits an offence under sub-section (1) shall be punished with a fine upto three thousand Rupees or an imprisonment of three months or both.

(3) Any person who acts in contrary to any provision, other than mentioned in sub-section (2), of this Act or the Regulation framed under this Act shall be punished with a fine upto two thousand Rupees.

28. **Contact with His Majesty's Government:** The Council shall contact to His Majesty's Government through the Ministry of Agriculture.

29. **Power to Frame Regulation and Bye-laws:** (1) The Council may frame necessary Rules for carrying out the purposes of this Act and the Rules so framed shall come into effect only after the approval of His Majesty's Government.

(2) The Council may frame necessary Bye-laws subject to this Act and the Regulation framed under this Act.