

# Nepal Veterinary Council Act, 2055 (1999)

## Date of Authentication and Publication

2055.11.27 (11 March 1999)

Amendment:

Strengthening Republic and Some Nepal Laws

Amendment Act, 2066 (2010)<sup>▲</sup>

2066.10.7

**Act number 24 of the year 2055(1999)**

## **An Act Made to Provide for the Nepal Veterinary Council**

**Preamble:** Whereas, it is expedient to establish the Nepal Veterinary Council in order to manage and making effective the veterinary business in Nepal and also to provide for the registration of name according to the qualifications of the veterinary doctors;

Now, therefore, Parliament has enacted this Act in the Twenty Seventh year of the reign of His Majesty King Birendra Bir Bikram Shah Dev.

### **Chapter-1**

#### **Preliminary**

1. **Short title and commencement:** (1) This Act may be called as the "Nepal Veterinary Council Act, 2055(1999)".  
(2) This Act shall come into force immediately.
2. **Definitions:** Unless the subject or the context otherwise requires, in this Act:
  - (a) "Council" means the Nepal Veterinary Council established under Section 3.
  - (b) "Chairperson" means the chairperson of the Council.
  - (c) "Member" means the member of the Council and this term also includes the chairperson and vice-chairperson of the Council.

---

<sup>▲</sup> The word "Kingdom of" has been deleted by this Amendment.

- (d) "Register" means the registration book containing the registration of names of veterinary doctors pursuant to this Act.
- (e) "Registered veterinary doctor" means a veterinary doctor registered in the register.
- (f) "Veterinary doctor" means a person who has obtained at least bachelor's degree in veterinary subject from any educational institute recognized by the Council.
- (g) "Registrar" means the registrar appointed pursuant to Section 19.
- (h) "Veterinary drug" means any substance, hormone or biological material which is used in the diagnosis, treatment or control of any veterinary disease, and this term includes any protein, salt or vitamin to be used in feed.
- (i) "Livestock" means and includes an animal, bird and fish.
- (j) "Prescribed" or "as prescribed" means prescribed or as prescribed in the Bye-law framed under this Act.

## Chapter-2

### Establishment, Formation and

### Functions, Duties and Powers of Council

3. **Establishment of Council:** The Nepal Veterinary Council is, hereby, established to manage and making more effective the veterinary business, to mobilize it in a scientific manner and also to make provisions on the registration of name according to the qualifications of veterinary doctors.
4. **Council to be autonomous body:** (1) The Council shall be an autonomous body corporate with perpetual succession.  
  
(2) The Council shall have a separate seal of its own for all of its activities.

(3) The Council may, like an individual, acquire, use, sell and dispose of, or otherwise deal with, any movable and immovable property.

(4) The Council may, like an individual, sue by its name and be also sued by the same name.

5. **Formation of Council:** (1) The Council established pursuant to Section 3 shall consist of the members as follows:

- (a) Registered veterinary doctor belonging to class "A" nominated by Government of Nepal -Chairperson
- (b) Two veterinary doctors elected from amongst the registered veterinary doctors -Vice-chairperson
- (c) Two registered veterinary doctors belonging to at least class "B" nominated by Government of Nepal -Member
- (d) Five veterinary doctors elected from amongst the registered veterinary doctors -Member
- (e) Chairperson, Nepal Veterinary Association -Member

(2) Pending the establishment of the Council pursuant to Sub-section (1), Government of Nepal may form a committee to perform such functions as required to be performed by the Council. The committee so constituted shall not be for a period of more than One year.

**6. Term of office of member:** (1) The term of office of the members referred to in Clauses (a), (b), (c) and (d) of Sub-section (1) of Section 5 shall be Four years. The members whose term of office has expired may be eligible to be re-nominated or appointed.

(2) If the office of any member falls vacant prior to the expiration of the term of office referred to in Sub-section (1), such vacancy may be filled by nomination or election for the remainder of term.

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

**7. Disqualifications for membership:** Any of the following persons shall not be eligible to be nominated or elected to the office of member of the Council:

- (a) Who is not a citizen of Nepal;
- (b) Whose name has been removed from the register;
- (c) Who has become insolvent;
- (d) Who has been convicted by a court of a criminal offense involving moral turpitude and served punishment; and
- (e) Who is of unsound mind.

**8. Cessation of membership of Council:** The membership of the Council shall cease to exist in the following circumstances:

- (a) If the member concerned becomes disqualified under Section 7;
- (b) If resignation tendered from the office of member is accepted;
- (c) If the member, without giving a prior notice along with reasons to the Council absents himself/herself from three consecutive meetings of the Council;
- (d) If the member dies.

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

- (a) To prepare such policies, plans and programs as may be required to smoothly operate the veterinary business and implement them.
- (b) To formulate such policies, plans of action and programs as may be required to make the veterinary health service and related system well-managed, standard, dignified and effective and submit them to Government of Nepal for their enforcement.
- (c) To give suggestions to Government of Nepal for the setting of standards as may be required to ensure standards of quality veterinary drugs, biological substances, feed, pullets, animal products and materials.
- (d) To determine the qualifications of veterinary doctors and register the names of those veterinary doctors who have fulfilled the qualifications so determined, and maintain updated records.
- (e) To prepare and enforce the code of conduct required to be observed by the registered veterinary doctors.
- (f) To recognize, as prescribed, educational institutes imparting veterinary education and the certificates and degrees awarded by such institutes.
- (g) To give necessary advice to Government of Nepal on the matters related with veterinary and animal health.
- (h) To remain effortful to the exploration or invention of veterinary drugs.
- (i) To have exchange of research works or experiences on veterinary gained at the international sector, and make recommendation to Government of Nepal for the enforcement of such matters as may be appropriate for Nepal.

- (j) To delete the name of a registered veterinary doctor who fails to observe the code of conduct from the Council by completing the procedures as prescribed.
- (k) To perform such other functions as may be required for the attainment of the objectives of the Council.

**10. Meeting and Decision of Council:** (1) The Council shall normally hold its meeting Four times a year.

(2) The meeting of Council shall be held at such place, time and date as may be specified by the chairperson.

(3) The presence of more than Fifty percent members of the total number of members of the Council shall be deemed to constitute a quorum for a meeting of the Council.

(4) The meeting of the Council shall be presided over by the chairperson and by the vice-chairperson in the absence of the chairperson. The meeting shall be presided over by the person selected by the members present at the meeting from amongst themselves, in the absence of both the chairperson and the vice-chairperson.

(5) A majority opinion shall prevail at the meeting of the Council. In the event of a tie, the person presiding over the meeting may exercise the casting vote.

(6) The decisions of the Council shall be authenticated by the registrar.

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

### **Chapter-3**

#### **Provisions on Registration of Name**

**11. Prohibition on carrying on business without registration of name:** Any person who has not got his/her name registered with the Council after one year of the date

of commencement of this Act shall not be entitled to carry on the veterinary business.

**12. Application for registration of name:** (1) A person who intends to get his/her name registered with the Council has to make an application, in the prescribed format, to the Council.

(2) A person who is carrying on the veterinary business at the time of commencement of this Act has to make an application under Sub-section (1) to the Council for the registration of his/her name within Six months after the date of commencement of this Act.

(3) A person who makes an application pursuant to Sub-section (1) or (2) for the registration of his/her name has to attach the certificate, degree and other relevant documents and the fees as prescribed with the application.

**13. Examination of application and registration certificate:** (1) The registrar shall make necessary inquiry into the application made pursuant to Section 12 and make a submission to the concerned committee for the registration of name in the register.

(2) The concerned committee shall inquire into the application made pursuant to Sub-section (1) as to whether the degree related with qualifications is recognized one or not and whether the application meets the requirements and submit a report to the Council within Fifteen days.

(3) The Council shall, based on the report submitted by the committee pursuant to Sub-section (2), make decision to or not to register the name of applicant in the register.

(4) Where the Council makes decision to enter the name of the applicant in the register, the registrar shall enter the name of such applicant in the register and provide the applicant with the registration certificate in the prescribed format.

Where the Council decides not to register the name of applicant, the registrar shall give information thereof to the applicant.

**14. Deletion of name from register and re-registration:** (1) Except in the following circumstances, the name of a registered veterinary doctor shall not be deleted from the register:

- (a) where he/she has become insane;
- (b) where he/she has been punished by a court in a criminal offense involving moral turpitude;
- (c) where he/she has become insolvent;
- (d) where Two-thirds majority of the Council adopt a resolution that he/she has not observed the code of conduct.

(2) Where a veterinary doctor whose name has been deleted from the register in the circumstances referred to in Clauses (a), (c) and (d) of Sub-section (1), showing a reasonable ground, makes an application for registration of his/her name, and the Council deems it reasonable for the re-registration of his/her name, the Council may, by a decision made by its Two-thirds majority, give an order to register his/her name.

(3) In cases where an order is given pursuant to Sub-section (2), the registrar shall re-register the name of such veterinary doctor in the register and issue the certificate, by collecting the fees as prescribed.

**15. Revocation of certificate:** Where the Council receives information that the name of any person has been entered into the register by fraud or mistake and this matter is held to be true following an inquiry into the matter, the Council may revoke the registration certificate of such person.



16. **Class of veterinary doctors:** For the purposes of the registration of the name of veterinary doctors pursuant to this Act, the veterinary doctors having the qualifications as follows are placed in the classes as follows:

(a) **Class "A":**

A veterinary doctor who has obtained doctorate degree in veterinary science from a recognized educational institute and gained at least Seven years of experiences in the concerned field or who has obtained master's degree in veterinary science from a recognized educational institute and gained at least Ten years of experiences in the concerned field or who has obtained bachelor's degree in veterinary science from a recognized educational institute and gained at least Fifteen years of experiences in the concerned field or who has obtained bachelor's degree in veterinary science from a recognized educational institute and is serving in the post of at least gazetted first class or the post equivalent thereto in the service of Government of Nepal or in the post of at least reader in any university.

(b) **Class "B":**

A veterinary doctor who has obtained doctorate degree in veterinary science from a recognized educational institute and gained at least Five years of experiences in the concerned field or who has obtained master's degree in veterinary science from a recognized educational institute and gained at least Seven years of experiences in the concerned field or who has obtained bachelor's degree in veterinary science from a recognized educational institute and gained at least Ten years of experiences in the concerned field or who has obtained bachelor's degree in veterinary science from a recognized educational institute and is serving in the post of at least gazetted second class in the service of Government of Nepal or in the post of at least lecturer in any university.

(c) **Class "C":**

A veterinary doctor who has obtained at least bachelor's degree in veterinary science from a recognized educational institute.

17. **Application to be made for recognition:** (1) A person who obtains master's degree, diploma certificate or similar other degree in veterinary subject from any educational institute has to make an application, as prescribed, to the Council for the recognition thereof.

(2) After examining the application made pursuant to Sub-section (1), the Council publish the name of the educational institute awarding master's degree, diploma, certificate or other degree as recognized by it.

18. **Requirement to give notice where business is given up or address changed:**

Where any registered veterinary doctor gives up his/her business or changes his/her address, such doctor has to give a notice thereof to the registrar within One month.

#### **Chapter-4**

##### **Provisions relating to Employees**

19. **Appointment, and functions, duties and powers of registrar:** (1) Government of Nepal may appoint a person as the registrar from amongst the persons who are registered in the Council and have possessed the qualifications as prescribed.

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

(3) The remuneration, terms and conditions of service and facilities of the registrar shall be as prescribed.

(4) In addition to the matters mentioned elsewhere in this Act, the functions, duties and powers of the registrar shall be as follows:

- (a) To submit to the concerned committee the applications made by veterinary doctors for the registration of their names.

- (b) To implement, or cause to be implemented, the decisions made by the Council.
- (c) To enter the names of veterinary doctors in the register pursuant to the decisions made by the Council to register their names as veterinary doctors.
- (d) In the event of the death of a veterinary doctor, to delete his/her name from the register.
- (e) In the event of receipt of a notice that a registered veterinary doctor has given up the business or changed his/her address, to record the matter in the register.
- (f) To authenticate the decisions of the Council.

(5) The other functions, duties and powers of the registrar shall be as specified by the Council.

**20. Employees of Council:** (1) The Council may so appoint employees in the required number for the operation of its business that they are provided with salary, allowances and other facilities from its financial source.

(2) The employees appointed pursuant to Sub-section (1) shall be under supervision and control of the registrar.

(3) The terms and conditions of service and facilities of the employees appointed pursuant to Sub-section (1) shall be as prescribed in the Bye-law.

## **Chapter-5**

### **Fund and Audit**

**21. Fund of Council:** (1) The Council shall have a separate fund of its own.

(2) All the expenditures of the Council shall be chargeable on the fund as referred to in Sub-section (1).

(3) The fund as referred to in Sub-section (1) shall consist of the following amounts:

- (a) Amounts received from Government of Nepal,
- (b) Amounts obtained as loans, donations, grants or contributions from any native or foreign persons, organizations, governments or international organizations,
- (c) Amounts collected by way of various fees charged by the Council,
- (d) Amounts received from any other sources.

(4) Prior approval of Government of Nepal shall be obtained in receiving amounts as referred to in Clause (b) of Sub-section (3).

(5) All amounts paid to the fund of the Council shall be credited to an account to be opened with any commercial bank within Nepal.

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

**22. Accounts and audit:** (1) The accounts of the incomes and expenditures of Council shall be maintained as prescribed.

(2) The audit of the Council shall be performed by the auditor appointed by the Auditor General.

(3) Government of Nepal may, if it so desires, inspect, or cause to be inspected, the accounts of the fund of the Council at any time.

## **Chapter-6**

### **Miscellaneous**

**23. Dissolution of Council:** (1) If Government of Nepal thinks that the Council has failed to exercise the powers conferred to it pursuant to this Act or the Rules

framed under this Act or has frequently abused powers or used excessive powers or failed to perform its duties pursuant to the Regulation framed under this Act, it may give direction to the Council to rectify or correct the matter.

(2) If the Council fails to rectify or correct its acts and actions in pursuance of the direction given pursuant to Sub-section (1), Government of Nepal may dissolve the Council.

(3) After the dissolution of the Council pursuant to Sub-section (2), and pending the formation of another council, Government of Nepal may take custody of the fund and assets of the Council and itself exercise all such powers as may be exercisable by the Council pursuant to this Act or the Rules framed under this Act or cause to be exercised such powers by a committee formed by it.

(4) Government of Nepal shall form a new council pursuant to Section 5 within Three months after the dissolution of the Council pursuant to Sub-section (2).

**24. Powers to form committee:** (1) The Council may, as per necessity, form various thematic committees and other committees.

(2) The functions, duties, powers and procedures of the thematic committees and other committees formed pursuant to Sub-section (1) shall be as specified by the Council.

**25. Meeting allowances and other facilities of member:** The meeting allowances and other facilities of the member and the member of thematic committees and other committees formed pursuant to Section 24 shall be as prescribed.

**26. Authority to investigate and file case:** The authority or body to investigate and file cases on the offenses referred to in Section 27 and the procedures pertaining thereto shall be as specified by Government of Nepal by a Notification in the Nepal Gazette.

**27. Offense and penalty:** (1) Carrying the veterinary business without having the name registered with the Council pursuant to Section 11 shall be considered an offense under this Act.

(2) A person who commits the offense referred to in Sub-section (1) shall be punished with a fine not exceeding Three Thousand Rupees or with imprisonment for a term not exceeding Three months or with both.

(3) A person who commits any act in violation of this Act or the Rules framed under this Act, other than the offense mentioned in Sub-section (2), shall be punished with a fine not exceeding Two Thousand Rupees.

**28. Liaison with Government of Nepal:** The Council shall liaise with Government of Nepal through the Ministry of Agriculture.

**29. Powers to frame Rules or Bye-laws:** (1) The Council may frame necessary Rules in order to carry out the objectives of this Act; and the Rules so framed shall come into force only after being approved by Government of Nepal.

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