

Content

Title :	Veterinarian Act Ch
Date :	2009.05.27
Legislative :	<p>1.Promulgated by the President on January 6, 1959</p> <p>2.Amendment to Article 1, deletion of Article 18, and Article 19 moved to Article 18 promulgated on June 12, 1962.</p> <p>3.Amendment to Articles 1~56 promulgated on January 27, 1995.</p> <p>4.Amendment to Article 3 promulgated on May 17, 2000.</p> <p>5.Amendment to Articles 32, 54, and 56 on November 7, 2001</p> <p>6.Amendment to Articles 6, 12, 18, 21, 24, 26, 28, 29, 34, 36~40, and addition of Article 24-1 promulgated on January 30, 2002.</p> <p>7.Amendment to Articles 6, 56 promulgated on May 27, 2009.</p>
Content :	<p>Chapter 1 General Provisions</p> <p>Article 1</p> <p>Citizen of the Republic of China who passes the national examination for veterinarian and obtains a veterinarian certificate shall be allowed to serve as a veterinarian.</p> <p>The aforementioned examination can be replaced by qualification examination. The qualifications of the examination shall be determined by The Examination Yuan and the Executive Yuan.</p> <p>Article 2</p> <p>Citizen of the Republic of China who passes the national examination for veterinary aide and obtains a veterinary aide certificate shall be allowed to serve as a veterinary aide.</p> <p>The aforementioned examination can be replaced by qualification examination. The qualifications of the examination shall be determined by The Examination Yuan and the Executive Yuan.</p> <p>Article 3</p> <p>As used in this Law, the term “competent authority” shall denote the Council of Agriculture, Executive Yuan at the central government level (hereinafter referred to as the “central competent authority”); the municipal government at the municipality level (hereinafter referred to as the “municipal competent authority”); and the county (city) government at the county (city) level (hereinafter referred to as the “county(city) competent authority”).</p> <p>Article 4</p> <p>To obtain the veterinarian certificate or the veterinary aide certificate, the person shall submit application form and documents attesting his/her qualifications to the central competent authority for approval and issuance.</p> <p>Chapter 2 Veterinary Practice</p>

Article 5

In practicing his trade, the veterinarian shall submit application form together with veterinarian certificate, photo and fees to respective municipal or county (city) competent authority for issuance of a practice license.

The aforementioned practice denotes diagnosis, treatment, inspection, diagnosis certification, prescription, certification of relevant documents and other veterinarian practices governed by the law.

Article 6

Practice license shall not be issued under any of the following conditions. The license which is issued shall be withdrawn or revoked.

1. Veterinarian certificate is withdrawn.
2. Veterinarian practice license is revoked not exceeding one year.
3. Having been adjudicated on guardianship or assistantship not yet revoked.

Article 7

A veterinarian shall practice his trade in the location stated in the application for practice license. The practice shall be conducted in duly approved and registered veterinary medical institution/clinic, animal husbandry or veterinary organizations or other veterinary organizations which are recognized by the competent authority that hiring of veterinarian is necessary. The practice can be conducted in organizations other than the abovementioned for consultation, assistance, house calls, emergency or those with prior approval.

Article 8

When the practice is closed, suspended, or resumed or the address for practice is changed, the veterinarian shall obtain approval from the authority issuing the practice license within 10 days. Relocation of practice to other administrative area shall be regulated by Article 5. The death of a practice licensee shall be reported by closest relative or local household registration office to the authority issuing the practice license and the license shall be cancelled by the authority.

Article 9

A veterinarian who is not a member of the local veterinarian association shall not be allowed to practice.

Article 10

The practice licensee shall not be allowed to conduct diagnosis certification and prescription unless diagnosis is performed personally; to conduct inspection certification unless inspection is performed personally.

Article 11

The practice licensee shall not refuse to conduct diagnosis, treatment and inspection without appropriate reasons, and shall not refuse to conduct diagnosis certification and inspection certification.

Article 12

When conducting diagnosis, treatment or inspection, a practice licensee shall record such diagnosis, treatment or inspection in the medical record or inspection record.

The clinical record shall describe the followings:

- 1.Name and address of animal owner.
- 2.Kind and weight of animal.
- 3.Treatment dates, symptoms, results of diagnosis, medicine and treatment.
- 4.Name of drugs, dosage and application for the animal treated with controlled drugs.

Article 13

A veterinarian who diagnoses or examines animal with notifiable disease, shall instruct disinfection and quarantine methods and report the classification of the animal, name of the disease, name and address of owner or managing personnel to the local competent authority within 24 hours.

Article 14

A veterinarian inquired or entrusted for examination by a relevant authority shall not make any false statements or reports.

Article 15

A veterinarian is under the obligation to follow orders of the municipal or county (city) competent authority concerning the control of natural calamities and infectious animal diseases.

Article 16

A veterinary aide, under the guidance of a veterinarian, shall be allowed to assist in executing veterinarian practice; but not to conduct diagnosis certification and prescription or issue certification of relevant documents.

A veterinary aide who has obtained a registered veterinary aide certificate prior to the amendment of this Law or within 10 years from the date of amendment and execution of this Law, with any of the following experiences, and confirmed by the central competent authority, shall be allowed to execute diagnosis, treatment and inspection and conduct diagnosis certification and prescription; but not to issue certification documents designated by the competent authority.

- 1.Over 4 years experience in assisting in executing veterinarian business in a veterinary medical institution/clinic.
- 2.Over 5 years experience in assisting in executing veterinarian business in animal husbandry or veterinary organizations or other veterinary organizations recognized by the competent authority.

Other articles which regulate practice of veterinarian under this chapter shall apply to veterinary aide who practices veterinary business in accordance with provisions under paragraph 1 or paragraph 2 of this article.

Chapter 3 Management of Veterinary Medical Institution/Clinic

Article 17

To open veterinary medical institution/clinic, the regulations provided hereunder shall be followed to apply for approval for registration and issuance of opening permit by the municipal or county (city) competent authority.

1. For private veterinary medical institution/clinic applicant shall be a qualified veterinarian with practice permit or a veterinary aide with qualifications described under paragraph 2 of Article 16.
2. For public veterinary medical institution/clinic applicant shall be its representative.

To be in charge of supervision of diagnosis and treatment, the public veterinary medical institution/clinic shall have a qualified veterinarian, and private veterinary medical institution/clinic shall have a qualified veterinarian or veterinary aide who is the applicant for the institution/clinic.

The standard for installation of veterinary medical institution/clinic shall be established by the local competent authority.

Article 18

Opening permit shall not be issued to applicant or veterinary medical institution/clinic stated in Article 17 under any of the following conditions. One who has already obtained an opening permit shall be withdrawn or revoked.

1. Practice license is withdrawn or revoked.
2. Opening permit is revoked not exceeding one year.
3. Opening permit is issued.

Article 19

The name of a veterinary medical institution/clinic shall be confined to the designated names approved by the central competent authority.

A non-veterinary medical institution/clinic shall not use the name of a veterinary medical institution/clinic or the like.

Article 20

When the veterinary medical institution/clinic is closed, suspended or resumed or changes its registered item, the applicant shall report within 10 days after the fact occurs, to the original authority which issued the opening permit for record. Relocation of the institution to other administrative area shall be regulated by Article 17.

Article 21

A veterinary medical institution/clinic shall display its opening permit, notice of clinic hours and other clinic rules in a conspicuous place. The provision shall also apply to the practice license and certificate of veterinarian or veterinary aide.

When veterinarian or veterinarian aide certificate, practice license or opening permit is damaged or lost, a practicing veterinarian or veterinarian aide shall apply to the competent authority for replacement

and re-issuance.

Article 22

Veterinary medical institution/clinic shall maintain medical records and inspection records. If necessary, the competent authority may check the records. The institution shall not refuse, hamper or avoid checking. The person conducting the checking shall present his/her identification documents.

The period of record-keeping for medical records and inspection records mentioned in Paragraph 1 shall follow the regulations promulgated by the central competent authority.

Article 23

A non-veterinary medical institution/clinic shall not make medical advertisement.

A veterinary medical institution/clinic shall not publish or distribute forgery advertisements relating to its practice.

Article 24

Medical fees charged by veterinary medical institution/clinic shall not exceed the standard for the fees. Itemized account and receipt shall be made available to the owner of the animal upon request.

The standard for the aforementioned medical fees shall be prescribed by the local veterinarian association and approved by municipal or county (city) competent authority.

Article 24-1

The competent authority shall charge fees for the issuance of veterinarian certificate, veterinarian aide certificate, practice license or opening permit. The fees shall be determined by the central competent authority.

Chapter 4 Rewards and Penalty

Article 25

The competent authority shall award veterinarian or veterinary aide who makes major contributions relating to prevention or control of animal diseases or other veterinary practices.

Article 26

Veterinarian or veterinary aide who violates any of the following provisions shall be suspended from practice for no more than one-year or be revoked of the practice license:

1. Violation of Article 14 or Article 15.
2. Making major mistakes or committing fraud in practice leading to damages to a third party.
3. Unable to practice due to mental disorder.

Article 27

A person obtains veterinarian or veterinary aide certificate through fraud or other illegal means, the certificate shall be withdrawn. In addition, one who violates the Criminal Code shall be referred to the competent

judicial authority for investigation.

Article 28

Veterinarian and veterinary aide shall not be allowed to lend their license to other person for use. Certificate of veterinarian or veterinary aide who is found to violate the provision shall be revoked.

Article 29

A veterinarian or a veterinary aide who continues to practice under suspension from practice shall be revoked of his/her practice license. A veterinarian or a veterinary aide who continues to practice after revoke of the practice license shall be revoked of his/her veterinarian or veterinary aide certificate.

Article 30

Any person without the qualifications of a veterinarian or a veterinary aide practicing veterinary trade without qualifications provided under paragraph 2 of Article 16 shall be subject to a fine of NT\$30,000~NT\$150,000 and all medicine and equipment shall be confiscated. However, this provision shall not apply to students or graduates of department of veterinary medicine and/or animal husbandry who practice veterinary trade under the guidance of licensed veterinarians.

Article 31

Any person who poses as a veterinarian or veterinary aide without a veterinary certificate or veterinary aide certificate shall be subject to a fine no more than NT\$15,000.

Article 32

Any veterinarian and veterinary aide who violates any of the provisions under paragraph 1 of Article 5, Article 7, paragraph 1 of Article 8, Article 10, Article 11, Article 12 or paragraph 3 of Article 54, shall be subject to a fine no more than NT\$9,000.

Article 33

Any veterinarian and veterinary aide who violates any of the provisions under Article 9 or Article 13 shall be subject to a fine no more than NT\$6,000.

Article 34

In the event that veterinary medical institution/clinic violates any of the following provisions, its opening permit shall be revoked:

1. Allowing a person without the qualifications of a veterinarian or a veterinary aide without qualifications provided under paragraph 2 of Article 16 to practice veterinary trade.
2. Ordered to be suspended from practice but failing to comply.

Article 35

Any person who violates any of the provisions under paragraph 1 of Article 19, Article 20, Article 21 or any veterinary medical institution/clinic

which fails to comply with the standard set forth by the competent authority under paragraph 3 of Article 17, shall be fined in accordance with this law. The municipal or county (city) competent authority shall order that improvement be made within a prescribed time limit. If no improvement is made within that time limit, suspension from practice may be ordered for not more than one year.

Article 36

A veterinary medical institution/clinic which is penalized with abolishment or revoke of the opening permit shall submit the permit for cancellation within 10 days after receipt of the penalty. For a veterinary medical institution/clinic under penalty of suspension from practice, the opening permit shall be submitted to the municipal or county (city) competent authority for specifying on its back the reasons and duration of suspension and then returned to the applicant. The practice may be resumed only after the duration expires.

Article 37

Any veterinary medical institution/clinic which violates any of the provisions under paragraph 1 of Article 17, Article 19, Article 20, Article 21, paragraphs land 3 of Article 22, Article 23 and Article 24 or fails to comply with the standard set forth by the competent authority under paragraph 3 of Article 17 shall be subject to a fine no more than NT\$9,000. A veterinary medical institution/clinic which is penalized with abolishment or revoke of the opening permit but continues to practice, shall be penalized in accordance with the provisions Article 17 and the certificate of the responsible veterinarian or a veterinary aide shall be suspended for two years.

Article 38

A veterinarian or veterinary aide who is penalized with abolishment or revoke of the certificate or practice license shall submit the certificate or license for cancellation within 10 days after receipt of the penalty. For a veterinarian or veterinary aide under penalty of suspension from practice, the practice license shall be submitted to the municipal or county (city) competent authority for specifying on its back the reasons and duration of suspension and then returned to the applicant. The practice may be resumed only after the duration expires.

Article 39

Where certificates or practice license of a veterinarian or veterinary aide or opening permit of a veterinary medical institution/clinic is abolished or revoked, failure to submit the certificate, license or permit to the competent authority for cancellation at deadline shall have the certificate, license or permit declared invalid.

Article 40

The administrative fine, suspension from practice, and abolishing and revoking of practice license or opening permit prescribed in this Law shall be executed by municipal and county (city) competent authorities, and

abolishing or revoking of veterinarian or veterinarian aide certificate by the central competent authority.

Article 41

If the administrative fines imposed according to this Law are not paid within the prescribed time limit after being notified to comply, the case shall be referred to a court for compulsory execution.

Chapter 5 Associations

Article 42

Veterinarian associations shall be divided into county (city) associations and provincial (municipal) associations. A national veterinarian association may be established at the place of the central government.

Article 43

The district of a veterinarian association shall correspond to the existing administrative district. Only one association of the same level may be established in the same district.

Article 44

To organize a municipal or a county (city) veterinarian association shall be initiated by no less than nine veterinarians and/or veterinary aides having qualifications provided under Paragraph 2 of Article 16 of this Law practiced in the same district . If there are less than nine persons in the same district, they may either join the neighboring association or establish an association with others jointly.

Article 45

To establish a provincial veterinarian association shall be initiated by no less than five county (city) veterinarian associations in the province and agreed upon by a majority of them. If there are less than five county (city) veterinarian associations in the province, two provinces or more may jointly organize one association.

Article 46

To establish a national veterinarian association shall be initiated by no less than three provincial (municipal) veterinarian associations, and agreed upon by a majority of them; otherwise shall be approved by the competent authority of social administration in consultation with the central competent authority in this Law.

Article 47

The competent authority of the veterinarian associations at various levels shall be the competent authority of social administration. However, the program activities of the associations shall be under the direction and supervision of the competent authorities prescribed in Article 3.

Article 48

Veterinarian associations shall appoint, by their level, directors and supervisors elected by members (representatives) in general

(representatives) meetings and establish committees of directors and supervisors with the following number:

- 1.The directors of county (city) veterinarian association shall not exceed 15.
- 2.The directors of provincial (municipal) veterinarian association shall not exceed 25.
- 3.The directors of national veterinarian association shall not exceed 35.
- 4.The supervisors of veterinarian association at various levels shall not exceed 1/3 of the directors of each association.
- 5.The veterinarian association at various levels shall have alternate directors and alternate supervisors. The alternate directors and supervisors shall not exceed 1/3 of the directors or supervisors of each association.

When the directors or supervisors in each association exceed 3 persons, standing directors and standing supervisors shall be elected among them, and shall not exceed 1/3 of the total number of directors or supervisors. The president of the association shall be elected by the directors from standing directors or from the directors where there is no standing directors.

The term of office for the directors and the supervisors shall be three years. No more than one-half of them shall be re-elected and the president shall only be re-elected once.

Article 49

A veterinarian association shall draft organization rules, prepare a list of members and resume of staff, and submit to the local social administration authority for approval and registration, and to the central and local competent authorities respectively for record.

Article 50

The following items shall be included in the organization rules of a veterinarian association:

- 1.The name of the association;
2. Purpose;
3. Area;
4. Address;
5. Functions or business;
6. Organization;
7. Membership and cancellation of membership;
8. Obligation of the members;
9. Number, limits of authorities, terms of office of directors or supervisors, as well as their election and dismissal;
10. Meetings;
11. General rules to be followed by members;
12. Standard for remuneration for members performing their duties
13. Fee and accounting;
14. Amendment of organization rules;
- 15.Other necessary matters to be described in accordance with relevant regulations.

Article 51

The resolution of a general meeting of the members(representatives), or meeting of directors or supervisors of a veterinarian association may be revoked by the competent authority of social administration if the resolution violates relevant laws and regulations.

Article 52

A member of a veterinarian association who violates relevant laws and regulations or the organization rules shall be penalized by the association in accordance with the resolution adopted at the meeting of directors and supervisors, or the general meeting of the members (representatives). The penalty to cancel the membership for violation of relevant laws and regulations shall be passed by the general meeting of the members(representatives), and the facts shall be submitted to the competent authority of social administration which shall provide the facts to the central competent authority in this Law for approval of cancellation.

CHAPTER 6 SUPPLEMENTARY PROVISIONS

Article 53

The regulations provided under this Law for the issuance of veterinarian or veterinary aide certificates shall be applicable for the issuance of veterinarian or veterinary aide registration certificates by the central competent authority prior to the amendment of this Law.

Article 54

A foreigner may take the veterinarian examination and the veterinarian aide examination in accordance with the laws of the Republic of China.

A foreigner who passes the aforementioned examination and obtains veterinarian or veterinary aide certificate shall adopt this Law and other laws and regulations in relation with veterinarian or veterinary aide.

A foreigner who practices veterinarian or veterinary aide trade in Republic of China shall use Chinese in recording relevant documents including medical record, inspection record and certification, etc.

Article 55

The enforcement rules of this Law shall be established by the central competent authority.

Article 56

This Law shall take effect from the date of promulgation thereof, except for the effect date of the articles amended on November 7, 2001 to be decided by the Executive Yuan, and the articles amended on May 5, 2009 to be in force on November 23, 2009.