

LEGISLATIVE COUNCIL BRIEF

Veterinary Surgeons Registration Ordinance (Chapter 529)

VETERINARY SURGEONS REGISTRATION ORDINANCE (AMENDMENT OF SCHEDULE 2) ORDER 2021

INTRODUCTION

The Secretary for Food and Health (“SFH”) has made the Veterinary Surgeons Registration Ordinance (Amendment of Schedule 2) Order 2021 (“the Amendment Order”) at **Annex A** under section 29(2) of the Veterinary Surgeons Registration Ordinance (“VSRO”) (Cap. 529).

JUSTIFICATIONS

2. In accordance with the current exemptions under sections 3A to 3C of Schedule 2 to the VSRO, the performing of certain veterinary surgery¹ acts and the provision of veterinary service² by persons other than registered veterinary surgeons are permitted under the direction and/or supervision of registered veterinary surgeons, but these acts must not include diagnosing, prescribing medication or performing a surgical operation; and only injection

¹ “Veterinary surgery” is defined in section 2 of the VSRO to mean the art and science of veterinary surgery and medicine and includes –

- (a) the diagnosis of disease in, and injuries to, animals including tests performed for diagnostic purposes;
- (b) the giving of advice based on such diagnosis;
- (c) the medical or surgical treatment of animals including the performance of surgical operations thereon.

² “Veterinary service” is defined in section 2 of the VSRO to mean “doing or performing any act or attending to any matter the doing or performing of which or the attending to which forms part of the generally accepted practice of veterinary surgery”.

or medication other than anaesthetic drugs can be ministered. The relevant provisions of the current exemptions in Schedule 2 are at **Annex B**.

3. With the establishment of a veterinary school at the City University of Hong Kong, the current scope of exemption needs to be expanded to allow veterinary students to perform a wider variety of veterinary surgery acts under the appropriate level of supervision. Otherwise, local veterinary students will not be able to receive training on all veterinary surgery acts required by their curricula.

4. Empowered by section 29(2) of the VSRO, SFH has made the Amendment Order to permit a student of a full-time course in veterinary surgery at the City University of Hong Kong or a university, college or school that awards a qualification recognised by the Veterinary Surgeons Board, to perform acts of veterinary surgery and provide veterinary services as part of the clinical training required by that veterinary course under the direction, supervision or direct and continuous supervision, as the case may be, of a registered veterinary surgeon.

AMENDMENT ORDER

5. The Amendment Order is set out at **Annex A**.

LEGISLATIVE TIMETABLE

6. The legislative timetable is as follows –

Publication in the Gazette	18 June 2021
Tabling at the Legislative Council	23 June 2021
Commencement of Amendment Order	1 September 2021

IMPLICATIONS OF THE PROPOSAL

7. The proposal is in conformity with the Basic Law, including the provisions concerning human rights. The proposal has no economic,

productivity, environmental, sustainability, family, gender or resource implications. The proposal does not affect the binding effect of the VSRO.

PUBLIC CONSULTATION

8. The Food and Health Bureau and the Agriculture, Fisheries and Conservation Department conducted a two-month public consultation from 23 November 2020 to 22 January 2021. A total of 66 written responses were received during the public consultation period. All respondents indicated general support for the proposal.

9. The Panel on Food Safety and Environmental Hygiene (FSEH Panel) was briefed on the proposals set out in the consultation document and the outcome of the public consultation on 25 January 2021 and 9 March 2021 respectively. Members were supportive of the proposed amendments.

PUBLICITY

10. A press release will be issued. A spokesperson from the Food and Health Bureau will be available to address press enquiries.

ENQUIRY

11. For any enquiries, please contact Mr. Amor Wong, Principal Assistant Secretary for Food and Health, at 3509 8927.

Food and Health Bureau
June 2021

**Veterinary Surgeons Registration Ordinance
(Amendment of Schedule 2) Order 2021**

(Made by the Secretary for Food and Health under section 29(2) of the
Veterinary Surgeons Registration Ordinance (Cap. 529))

1. Commencement

This Order comes into operation on 1 September 2021.

2. Veterinary Surgeons Registration Ordinance amended

The Veterinary Surgeons Registration Ordinance (Cap. 529) is
amended as set out in section 3.

3. Schedule 2 amended (exemptions from Ordinance)

(1) Schedule 2, Chinese text, before section 1, definition of ~~監督~~—

Repeal

“助。”

Substitute

“助；”。

(2) Schedule 2, before section 1—

Add in alphabetical order

“*recognized veterinary course* (認可獸醫課程) means a full-
time course in veterinary surgery provided by—

- (a) the City University of Hong Kong; or
- (b) a university, college or school that awards a
qualification recognized by the Board for the
purpose of registration as a registered veterinary
surgeon;

specified veterinary student (指明獸醫學生) means a person
who is undergoing a recognized veterinary course with a
view to becoming a veterinary surgeon;”.

(3) Schedule 2, sections 3A, 3B and 3C, after “person”—

Add

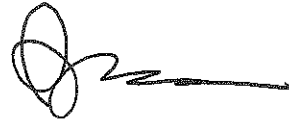
“(other than a specified veterinary student)”.

(4) Schedule 2, after section 3C—

Add

“3D. A specified veterinary student of a recognized veterinary
course who performs an act of veterinary surgery or provides
veterinary service as part of the clinical training required by the
course—

- (a) for an act described in section 3A(a), (b), (c), (d) or
(e) of this Schedule (but not including diagnosing,
prescribing medication or performing a surgical
operation) that is performed on an animal—under
the direction of a registered veterinary surgeon;
- (b) for an act described in section 3B(a), (b), (c) or (d)
of this Schedule (but not including diagnosing,
prescribing medication or performing a surgical
operation) that is performed on an animal—under
the supervision of a registered veterinary surgeon;
or
- (c) for any other act of veterinary surgery or veterinary
service—under the direct and continuous
supervision of a registered veterinary surgeon.”.



Secretary for Food and Health

11 June 2021

Explanatory Note

The Veterinary Surgeons Registration Ordinance (Cap. 529) (*Ordinance*) prohibits a person from practising veterinary surgery or providing a veterinary service in Hong Kong unless the person is registered and holds a valid practising certificate. Persons listed in Schedule 2 to the Ordinance (*Schedule*) are exempted from the provisions of the Ordinance in the circumstances specified in the Schedule. Currently, a person is permitted under sections 3A, 3B and 3C of the Schedule to perform certain veterinary acts (*exempted acts*) under the direction or supervision, and on the premises of the practice, of a registered veterinary surgeon.

2. This Order amends the Schedule to permit a student of a full-time course in veterinary surgery, as part of the training required by the course, to perform—
 - (a) other acts of veterinary surgery and veterinary service in addition to the exempted acts under the direct and continuous supervision of a registered veterinary surgeon; and
 - (b) the exempted acts under the direction or supervision of a registered veterinary surgeon without being on the premises of the practice of a registered veterinary surgeon.

Provisions of the current exemptions in Schedule 2 of the Veterinary Surgeons Registration Ordinance

Veterinary Surgeons Registration Ordinance

Schedule 2
Section 1

S2-2
Cap. 529

Schedule 2

[s. 29]

Exemptions from Ordinance

In this Schedule—

direct and continuous supervision (直接持續監督) means specific instruction given by a person on how a certain act is to be performed, with the person being present on the premises on which the act is performed to monitor the whole process and to provide assistance when appropriate;

direction (指示) means instruction given by a person to perform a certain act (which may include instruction on how the act is to be performed) without it being necessary for the person to be present on the premises on which the act is performed;

supervision (監督) means specific instruction given by a person on how a certain act is to be performed, with the person being present on the premises on which the act is performed to provide assistance when appropriate.

(Added L.N. 40 of 2012)

1. A medical practitioner or a dentist carrying out any treatment, test or surgery on an animal provided it is done at the request of a registered veterinary surgeon.
2. A medical practitioner who performs surgery on an animal for the purpose of removing an organ or tissue for use in the treatment of human beings.

Veterinary Surgeons Registration Ordinance

Schedule 2
Section 3A

S2-4
Cap. 529

3. A person who treats an animal by physiotherapy provided the treatment is carried out under the direction of a registered veterinary surgeon.
- 3A. A person who performs any of the following on an animal under the direction, and on the premises of the practice, of a registered veterinary surgeon—
- (a) applying medication or treatment (other than anaesthetic drugs) topically or administering medication or treatment (other than anaesthetic drugs) orally, per-rectally or by inhalation;
 - (b) positioning for, or the taking of, medical images;
 - (c) giving subcutaneous or intramuscular injections (other than anaesthetic drugs);
 - (d) non-invasive parameter monitoring, including taking vital signs of an animal;
 - (e) administering fluids intravenously through a preplaced catheter,
- but it must not include diagnosing, prescribing medication or performing a surgical operation.
- (Added L.N. 40 of 2012)*
- 3B. A person who performs any of the following on an animal under the supervision, and on the premises of the practice, of a registered veterinary surgeon—
- (a) blood sampling from peripheral veins;
 - (b) applying simple dressings and bandages and simple wound management;
 - (c) placing intravenous catheters into the cephalic, saphenous or ear veins;

Last updated date
2.8.2012

Veterinary Surgeons Registration Ordinance

Schedule 2

S2-6

Cap. 529

- (d) administering medication (other than anaesthetic drugs) intravenously through a preplaced catheter,

but it must not include diagnosing, prescribing medication or performing a surgical operation.

(Added L.N. 40 of 2012)

- 3C. A person who performs any of the following on an animal under the direct and continuous supervision, and on the premises of the practice, of a registered veterinary surgeon—

- (a) teeth scaling or polishing, but not associated processes or other dental procedures;
- (b) endotracheal intubation or extubation;
- (c) giving intravenous injections (other than anaesthetic drugs);
- (d) monitoring and maintaining anaesthesia;
- (e) aiding the registered veterinary surgeon who is performing and is in charge of a medical or surgical procedure, but not making any decision on the procedure;
- (f) applying complex dressings and bandages and complex wound management,

but it must not include diagnosing, prescribing medication or performing a surgical operation.

(Added L.N. 40 of 2012)

- 4. An owner of an animal (or the owner's employee or a member of the owner's household) when performing any of the following on the animal for remedy or prevention of injury or illness—

- (a) applying medication topically or administering medication orally;

Last updated date
2.8.2012

Veterinary Surgeons Registration Ordinance

Schedule 2

S2-8
Cap. 529

- (b) administering medication specific to the animal per-rectally, parenterally or by inhalation under the direction of a registered veterinary surgeon;
- (c) any other non-invasive act of veterinary surgery or veterinary service under the direction of a registered veterinary surgeon,

but it must not include making a surgical incision into any part of the animal.

(Replaced L.N. 40 of 2012)

4A. An owner of a fish (or the owner's employee or a member of the owner's household) when performing on the fish any of the following—

- (a) taking samples for diagnosing or treating infection;
- (b) administering vaccine or medication.

(Added L.N. 40 of 2012)

4B. A licensee under the Public Health (Animals and Birds) (Keeping of Cattle, Sheep and Goats) Regulations (Cap. 139 sub. leg. C), the Dairies Regulations (Cap. 139 sub. leg. D) or the Public Health (Animals and Birds) (Licensing of Livestock Keeping) Regulation (Cap. 139 sub. leg. L) (or the licensee's employee or a member of the licensee's household) when performing on an animal kept by the licensee in that capacity any of the following—

- (a) castrating a pig (other than a cryptorchid pig) at 14 days of age or less;
- (b) docking the tail of a pig at 7 days of age or less;
- (c) clipping the teeth of a pig at 7 days of age or less;
- (d) trimming the beak of poultry at 10 days of age or less;
- (e) administering vaccine or medication.

Last updated date
2.8.2012

Veterinary Surgeons Registration Ordinance

Schedule 2

S2-10
Cap. 529

(Added L.N. 40 of 2012)

5. A licensee under the Animals (Control of Experiments) Ordinance (Cap. 340) when performing an experiment in accordance with the provisions of that Ordinance.
6. A person who is employed or retained by the Government for performing one or more of the following on an animal, when acting in that capacity—
 - (a) examining the animal;
 - (b) collecting samples;
 - (c) administering vaccine or medication;
 - (d) implanting identification devices;
 - (e) any other procedure as instructed by a veterinary officer.

(Replaced L.N. 40 of 2012)
7. A person who administers first aid to an animal for the purpose of saving its life or relieving pain, provided such treatment does not include making a surgical incision into the abdominal or thoracic cavity.

Last updated date
2.8.2012