

CHAPTER 437**VETERINARY SERVICES ACT**

To establish and consolidate the requirements in the veterinary field, veterinary medicinal products, feeding stuffs and zootechnical requirements and for the regulation of the veterinary profession.

1st February, 2002

ACT XXIII of 2001, as amended by Act XVIII of 2002; Legal Notice 426 of 2007; and Acts XXIII of 2009, XXXIV of 2016 and XIV of 2022.

Preliminary

1. The short title of this Act is the Veterinary Services Act. Short title.
2. In this Act, unless the context otherwise requires: Definitions.
Amended by:
XXXIV.2016.7;
XIV.2022.2.
 - "active substance" means any substance or mixture of substances intended to be used in the manufacture of a veterinary medicinal product that, when used in its production, becomes an active ingredient of that product;
 - "animal" means all living members of the animal kingdom, other than human beings, including free-living larval and, or reproducing larval forms, but excluding foetal or embryonic forms;
 - "aptitude test" means a test of the professional knowledge, skills and competences of the applicant, made by the Council with the aim of assessing the ability of the applicant to pursue a regulated profession in Malta;
 - "border inspection post" means any inspection post, designated and approved for the carrying out of veterinary inspections on live animals and products arriving from third countries at the border of the territory of Malta or at the border of the territory of any trading partner;
 - "Council" means the Veterinary Surgeons' Council established by article 39;
 - "data on sales" means data on the volume of sales;
 - "Department" means the Department of Veterinary Services;
 - "Director" means the Director Veterinary Services who shall be a warranted Veterinary Surgeon or an officer nominated by him;
 - "feeding stuffs" means any substance or product including additives, whether processed, partially processed or unprocessed, intended to be used for oral feeding to animals;
 - "importation" means importation from third countries, of live animals, veterinary medicinal products, products of animal origin and products listed in the First Schedule, into Malta or into the territory of a trading partner;
 - "lifelong learning" means all general education, vocational education and training, non-formal education and informal learning undertaken throughout life, resulting in an improvement in

knowledge, skills and competences, which may include professional ethics;

Cap. 458. "Medicines Authority" means the Medicines Authority established under the [Medicines Act](#);

"Minister" means Minister responsible for veterinary services;

"official veterinarian" means a veterinary surgeon who is authorised to carry out State veterinary activities;

"placing on the market" means holding or displaying for sale, offering for sale, selling, delivering, transferring or any other form of offering for consumption, storage, transport for the purpose of sale and importation for the purpose of sale;

"private veterinary activity" has the meaning assigned to it in article 44;

"State veterinary activities" has the meaning assigned to it in article 45;

"third country" means any country which is not a trading partner;

"trading partner" means such State, or group of States, or organisation or institution, as may be designated by the Minister by notice from time to time, which State, group of States, organisation or institution may have entered into any treaty or agreement, by whatever name called, with the Government of Malta relating to the provisions of this Act;

"veterinary medical device" means an instrument, apparatus, implement, machine, contrivance, implant, in-vitro reagent, or other similar or related article, including any component, part, or accessory, which is intended for use in the diagnosis of disease or other conditions, or in the cure, mitigation, treatment or prevention of disease in animals, or which is intended to affect the structure or any function of the body of animals;"

"veterinary services" means the authority in Malta, or in a trading partner, or in a third country, as the case may be, empowered to carry out veterinary inspections and examinations;

"veterinary medicinal product" means any substance or combination of substances which fulfils at least one of the following conditions:

- (a) it is presented as having properties for treating or preventing disease in animals;
- (b) its purpose is to be used in, or administered to, animals with a view to restoring, correcting or modifying physiological functions by exerting a pharmacological, immunological or metabolic action;
- (c) its purpose is to be used in animals with a view to making a medical diagnosis;
- (d) its purpose is to be used for euthanasia of animals;

"withdrawal period" means the minimum period between the last administration of a veterinary medicinal product to an animal and the

production of foodstuffs from that animal which under normal conditions of use is necessary to ensure that such foodstuffs do not contain residues in quantities harmful to public health

3. (1) The provisions of this Act apply to -
- (a) the requirements in the veterinary field -
 - (i) in connection with animal health and public health with regard to live animals including the germinal products referred to in paragraph (a) of the First Schedule;
 - (ii) in connection with animal and public health with regard to products of animal origin, including by-products and the plant products referred to in paragraphs (b) and (c) of the First Schedule;
 - (b) the requirements in veterinary medicinal products, active substances and veterinary medical devices;
 - (c) the requirements relating to feeding stuffs;
 - (d) the zootechnical requirements in animal breeding.
- (2) The regulation of -
- (a) the rights and obligations of natural and legal persons in the field of veterinary activities, as well as professional veterinary activities and their execution;
 - (b) the organisation of the persons exercising private veterinary activities; and
 - (c) the organisation, scope of authority and powers of the bodies exercising state veterinary activities,

Applicability.
Amended by:
XIV.2022.3.

shall be governed by the provisions of this Act.

PART I

Veterinary requirements

4. Within the scope of this Act, the veterinary requirements shall include -
- (a) measures, concerning live animals, relating to -
 - (i) the control of contagious diseases;
 - (ii) the notification of diseases;
 - (iii) animal identification and registration;
 - (iv) health conditions relating to the movement of live animals and germinal products; and
 - (v) importation conditions relating to live animals and germinal products imported into Malta from third countries;
 - (b) measures, concerning products of animal origin, relating to -
 - (i) the production and placing on the market of products of animal origin;
 - (ii) animal health measures for the production and

Veterinary requirements.

- placing on the market of products of animal origin; and
- (iii) importation conditions relating to products of animal origin imported into Malta from third countries;
- (c) measures relating to live animals and products of animal origin concerning -
- (i) the prohibition on the use of certain substances;
 - (ii) the monitoring of certain substances and residues thereof in live animals and products of animal origin; and
 - (iii) animal waste and pathogens;
- (d) measures concerning veterinary inspections relating to the exchange, with trading partners, of live animals and products of animal origin;
- (e) measures concerning veterinary inspections relating to the importation, from third countries, of live animals and products of animal origin;
- (f) certification with regard to veterinary matters; and
- (g) the relationship with trading partners in veterinary matters.

Control of contagious diseases.

5. (1) The Minister may prescribe rules concerning the prevention and control of diseases and, in particular, may by such rules -

- (a) classify diseases as dangerous contagious diseases and prescribe veterinary requirements in relation thereto;
- (b) impose obligations on the owners of animals and of products of animal origin, including the obligation to notify the Department, in such circumstances as may be prescribed;
- (c) prescribe the procedure for the diagnosis of diseases;
- (d) impose restrictive measures in case of suspicion or occurrence of diseases;
- (e) establish a National Veterinary Laboratory.

(2) The Minister shall draw up rules concerning contingency plans relating to diseases referred to in subarticle (1).

(3) For the purposes of this article, control of contagious diseases shall include measures for protection against specified zoonoses and specified zoonotic agents in animals and products of animal origin in order to prevent outbreaks of food-borne infections and intoxications.

Notification of diseases.
Amended by:
XIV.2022.4.

6. (1) The Department shall, within twenty-four hours of each such occurrence, notify trading partners about -

- (a) the primary outbreak, confirmed in Malta, of any of the diseases referred to in the list of notifiable terrestrial and aquatic animal diseases issued by the World

Organization for Animal Health; and

- (b) the removal, after the eradication of the last case in an outbreak, of restrictions imposed in relation to the outbreak of the disease.

(2) Without prejudice to the provisions of subarticle (1), the Department shall notify directly to the trading partners, at least on the first working day of each week, the secondary outbreaks of any of the diseases referred to in the list of notifiable terrestrial and aquatic animal diseases issued by the World Organization for Animal Health which are confirmed in Malta. The aforesaid notification shall cover the week ending at midnight between the Sunday and Monday prior thereto.

(3) The notifications referred to in subarticles (1) and (2) shall be communicated in such a manner as may be determined by the Director.

7. The Minister may prescribe rules establishing systems for the identification and registration of animals.

Identification and registration of animals.

8. The Minister may prescribe rules concerning the health conditions to be observed in relation to the movement of live animals and germinal products.

Movements of live animals and germinal products.

9. (1) The Minister may prescribe rules concerning the conditions, and particularly health conditions, under which live animals and germinal products may be imported from third countries.

Import conditions relating to live animals and germinal products.

(2) The Director shall publish in the Gazette -

- (a) a list of third countries from which live animals and germinal products are authorised to be imported into Malta;
- (b) a list of collection centres, approved bodies, institutes or centres, authorised to export live animals and germinal products to Malta;
- (c) a model certificate, relating to the different kinds of live animals and germinal products, to be used by the importers.

10. (1) The Minister may prescribe rules concerning the production and, after consultation with the Minister responsible for public health, may prescribe rules concerning the placing on the market of products of animal origin.

Placing on the market of products of animal origin.

(2) The Director shall publish in the Gazette the list of establishments approved for processing and placing on the market products of animal origin.

11. The Minister may prescribe rules concerning animal health measures to be taken for the production, processing and placing on the market of products of animal origin.

Animal health measures.

12. (1) The Minister may, in agreement with the Minister responsible for public health, prescribe rules concerning the conditions, and particularly health and sanitary conditions, under

Import conditions relating to products of animal origin.

which products of animal origin may be imported from third countries.

- (2) The Director shall publish in the Gazette -
- (a) a list of third countries from which products of animal origin are authorised to be imported into Malta;
 - (b) a list of establishments authorised to export products of animal origin to Malta;
 - (c) a model certificate relating to the different kinds of products of animal origin, to be produced by the importers.

Prohibition of use of certain substances.

13. The Minister may, with the concurrence of the Minister responsible for public health, prescribe rules -

- (a) concerning the prohibition of the use, in stock farming, of substances which have a hormonal or thyreostatic action and of beta agonists and bovine somatotrophin, and of other substances which may, in the opinion of the Minister responsible for public health, be injurious to public health; and
- (b) concerning the measures to be taken to monitor substances and residues thereof in live animals and products of animal origin.

Animal waste and pathogens.

14. The Minister may, in consultation with the Minister responsible for the environment, prescribe rules concerning the measures to be taken for the disposal and processing of animal waste and pathogens, for their placing on the market, and for the prevention of pathogens in feeding stuffs of animal or fish origin.

Veterinary inspections relating to live animals and products of animal origin.
*Amended by:
XIV.2022.5.*

15. (1) The Minister may prescribe rules concerning the veterinary inspections to be carried out on live animals, germinal products, animal waste, pathogens and products of animal origin, which are intended for trade and which are subjected to exchange with trading partners.

(2) The Minister may prescribe the measures to be taken during an inspection carried out at the place of origin and destination of a consignment or during transportation.

(3) The Minister may prescribe the manner in which costs relating to the measures prescribed in subarticle (2) shall be borne by the consignor or his representative or by the person responsible for the animals or products of animal origin.

(4) The Minister may prescribe the measures to be taken in the case where the veterinary services in Malta establish the presence of agents responsible for a disease referred to in the list of notifiable terrestrial and aquatic animal diseases issued by the World Organization for Animal Health, a zoonosis or disease, or any cause likely to constitute a serious hazard to animals or humans.

(5) In the cases referred to in subarticles (2) and (4), the Director may order that immediate emergency measures be taken, and shall establish direct contacts with the persons, organisations or administrations concerned in Malta or abroad.

16. (1) The Customs Department shall not authorise the release, for free circulation in Malta, of live animals or products of animal origin, including the products listed in the First Schedule, imported into Malta, unless it is satisfied that the requirements laid down in this article have been complied with.

Importation of live animals and products of animal origin.
Amended by:
XIV.2022.6.

(2) The Minister may, with the concurrence of the Minister responsible for Customs, prescribe rules concerning the organisation and the action to be taken following the inspection of live animals; and the action to be taken following the inspection of products of animal origin.

(3) The Director may order that immediate emergency measures be taken, and shall establish direct contact with the persons, organisations or administrations concerned in Malta or abroad where -

- (a) in a third country, any of the diseases referred to in the list of notifiable terrestrial and aquatic animal diseases issued by the World Organization for Animal Health, a zoonosis or other disease, or any other circumstance liable to present a serious threat to animal or public health, manifests itself or spreads; or
- (b) any other serious animal health or public health reason so warrants, in the light of findings of the veterinary experts of a trading partner or on the basis of the inspections carried out at a border inspection post of a trading partner; or
- (c) any one of the inspections provided for in this article indicates that any consignment of live animals or products of animal origin, including the products listed in the First Schedule, is likely to constitute a danger to animal or human health.

(4) The Minister may by regulations prescribe the manner in which costs relating to the measures prescribed in subarticle (2) shall be borne by the consignor or his representative or by the person responsible for the animals or products of animal origin.

(5) The Minister may prescribe the frequency of veterinary inspections relating to importations, from third countries, of live animals and products of animal origin, including the products listed in the First Schedule.

(6) The Minister may prescribe regulations for the approval of border inspection posts situated in Malta, and for the suspension, for reasons related to public or animal health, of the said border inspection posts.

17. The Minister may prescribe rules concerning the certification to be established in connection with veterinary inspections and control of live animals and animal products and prescribe rules concerning fees to be paid in connection with the inspectorate activity.

Certification.

18. (1) The financial measures which are to be taken for the purpose of the eradication of diseases shall consist of -

Financial measures.

- (a) financial contributions and compensatory measures within the framework of an emergency, as declared by order of the Minister; and
- (b) financial contributions in connection with national schemes for the eradication of particular diseases.

(2) In the event of an outbreak of any of the diseases listed in the Fifth Schedule, the veterinary services shall define protection zones and the owners of animals shall receive such State financial contribution from the veterinary services for the eradication of the disease, as the Minister may from time to time establish, subject to the condition that the measures applied consist of, at least, the isolation of the holding from the time of a suspicion of the presence of the disease and following official confirmation of the disease, and -

- (a) the veterinary services demand the slaughter of animals of susceptible species which have been affected or contaminated or suspected of having been affected or contaminated, and their destruction, and, in the case of avian plague, the destruction of the eggs;
- (b) the veterinary services demand the destruction of contaminated feeding stuffs and contaminated equipment, in the case where the contaminated items cannot be disinfected in accordance with paragraph (c); and
- (c) the veterinary services demand the cleaning, disinsectisation and disinfection of the holdings and of the equipment on the holdings.

(3) The owners of animals shall be entitled to receive a State financial contribution only if the measures defined by the veterinary services to prevent the risk of the spread of infection are respected, and where the waiting period established by the veterinary services to be observed after the slaughter and before the re-stocking of the holding is complied with.

(4) Without prejudice to any market support measures that may be taken, the State financial contribution may, if appropriate, be divided into tranches; the contribution, which must be adequate and given without delay, may be in the form of -

- (a) the reimbursement of the costs incurred by the owners in the slaughter, destruction of animals and, where appropriate, their products, for the cleaning, disinsectisation and disinfection of holdings and equipment, and for the destruction of the contaminated feeding stuffs and contaminated equipment referred to in subarticle (2)(b); or
- (b) where the veterinary services have ordered that animals, or certain types or species of animals, are to be vaccinated, the supply of the vaccine and the administration of the vaccination by the veterinary services shall be carried out free of charge.

(5) Subject to the provisions of subarticle (6), the provisions of

subarticles (2), (3) and (4) shall apply, notwithstanding the existence of any eradication programme, in accordance with the provisions of article 19, in respect of the disease.

(6) In the event of an outbreak of Newcastle disease in Malta, the provisions of subarticles (2) and (3) shall apply:

Provided that the Minister may authorise, under certain conditions and for a limited period and within a limited area, the recourse to vaccination, but, in such case, no State financial contribution shall be granted for the supply of the vaccine or for the administration of the vaccination.

(7) The Minister may apply the provisions of subarticles (3) and (4), with the exception of the provisions of subarticle (4)(b), to a zoonosis.

(8) The Minister may by regulations add to the list of diseases listed in the Fifth Schedule any disease which is likely to constitute a danger to public or animal health in Malta.

(9) For the purposes of this article -

"protection zone" means any area as may be officially declared by the Minister, being an area based on a minimum radius of three kilometres and a surveillance zone based on a minimum radius of ten kilometres, taking into account natural boundaries, wherein the presence of a notifiable disease has been diagnosed, and wherein measures shall be taken, in accordance with the provisions of this Act, for the control and the eradication of the disease; and

"market support measures" means such measures as may be permitted, in agreement with trading partners, to be taken to support market prices in the case of the outbreak of any of the diseases listed in the Fifth Schedule.

19. (1) Subject to the provisions of this Act, the Director may set up national schemes for the prevention, control and eradication of diseases listed in the Fourth Schedule.

Financial contribution to a national scheme.

(2) The Minister may, with the concurrence of the Minister responsible for finance, prescribe rules to bring into effect the provisions of this article, and, without prejudice to the generality of the foregoing, may, in particular, prescribe rules regarding -

- (a) the diseases which are to be subject to a national scheme of eradication;
- (b) the conditions under which the owners of animals shall obtain a State financial contribution from the veterinary services for the eradication of these diseases; and
- (c) the State financial contribution and other services provided by the veterinary services within the framework of the scheme.

20. The Minister may, with the concurrence of the Minister responsible for finance, prescribe rules concerning the fees to be charged by the Director for veterinary inspections and for the control of live animals and animal products.

Requirements concerning financing of veterinary inspections.

Relations with trading partners in the veterinary field.

21. The Minister may, with the concurrence of the Minister responsible for Foreign Affairs, prescribe rules regarding the assistance and co-operation which the veterinary services are to provide to trading partners so as to ensure the proper application of veterinary and zootechnical rules, the prevention and detection of infringements of such rules and the detection of any activity which is or may be contrary thereto.

Part II

Requirements with regard to Animal Feeding Stuffs

Requirements regarding feeding stuffs.

22. Within the scope of this Act, the veterinary requirements in the field of feeding stuffs shall include -

- (a) the organisation of inspections and the conditions for the approval of establishments involved in the animal nutrition sector;
- (b) the additives which may be incorporated in feeding stuffs, the use of certain products and the prohibition of undesired substances and products used in animal nutrition;
- (c) the methods of sampling and analysis of feeding stuffs and the assessment of products and additives used in animal nutrition;
- (d) the circulation of feed materials and the marketing of compound feeding stuffs;
- (e) the conditions governing the preparation, the placing on the market and the use of medicated feeding stuffs; and
- (f) the fees payable in connection with any service provided by the veterinary services in the animal nutrition sector.

Inspections and approval of establishments in the animal nutrition sector.

23. The Minister may prescribe rules relating to the organisation, the inspection and the conditions for the approval of establishments in the animal nutrition sector and, without prejudice to the generality of the foregoing, may, in particular, prescribe rules regarding -

- (a) the organisation of official inspections in the field of animal nutrition;
- (b) the conditions under which establishments and intermediaries operating in the animal nutrition sector shall be approved and registered; and
- (c) the inspections to be carried out on feeding stuffs imported from third countries.

Additives.
Amended by:
XIV:2022.7.

24. The Minister may, after consulting the Director, prescribe rules regarding the additives which may be incorporated in feeding stuffs, the use of certain products, the prohibition of undesirable substances and products used in animal nutrition, and the use and marketing of enzymes and micro-organisms, and their preparation in connection with animal nutrition.

- 25.** The Minister may prescribe rules regarding the methods of sampling and analysis of feeding stuffs and the assessment of products and additives used in animal nutrition. Methods and sampling and analysis.
- 26.** The Minister may prescribe rules regarding the circulation of feed materials and the marketing of compound feeding stuffs. Circulation of feed materials and marketing of compound feeding stuffs.
- 27.** The Minister may prescribe rules regarding the conditions governing the preparation, the placing on the market and the use of medicated feeding stuffs. Preparation, placing on the market and use of medicated feeding stuffs.
- 28.** The Minister may, with the concurrence of the Minister responsible for finance, prescribe rules regarding the fees to be levied - Fees.
- (a) for the examination of the documentation relating to additives; and
- (b) in connection with the approval and registration of establishments and intermediaries.

PART III

Requirements with regard to Veterinary Medicinal Products

- 29.** Within the scope of this Act, the requirements in connection with the inspection, supervision, authorisation, manufacture, research, wholesale distribution, brokering, marketing, prescribing, dispensing, supply, retail, advertising, provision of data on sales and use of veterinary medicinal products, active substances and veterinary medical devices shall include: Requirements in veterinary medicinal products. *Substituted by: XIV.2022.8.*
- (a) procedures to be observed; and
- (b) fees to be levied.
- 30.** The Minister may, after consulting the Director, prescribe regulations establishing requirements relating to the manufacture, importation, introduction, research, wholesale distribution, brokering, marketing, prescribing, dispensing, supply, retail, advertising, provision of data on sales and use of veterinary medicinal products, active substances, and veterinary medical devices. Power of the Minister to make regulations on requirements relating to veterinary medicinal products and devices. *Substituted by: XIV.2022.9.*
- 31.** The Minister may, with the concurrence of the Minister responsible for Public Health, prescribe rules regarding the analytical, the pharmaco-toxicological and the clinical standards, and the protocols in respect of the testing of veterinary medicinal products. Standards and protocols in respect of veterinary medicinal products.

Power of the Minister to make regulations on authorisation for and supervision of veterinary medicinal products.
Substituted by: XIV.2022.10.

32. The Minister may, after consulting the Director, prescribe regulations regarding the authorisation for, and the inspections and supervision of, the manufacture, importation, wholesale distribution, research, brokering, marketing, prescribing, dispensing, supply, retail, advertising, provision of data on sales and use of veterinary medicinal products, active substances and veterinary medical devices.

Fees.

33. The Minister may, with the concurrence of the Minister responsible for finance, prescribe rules regarding the fees to be charged for services rendered by the veterinary services under the provisions of this Part of this Act.

PART IV

Zootechnical requirements in connection with Animal Breeding

Zootechnical requirements.

34. The Minister may prescribe rules regarding zootechnical requirements in animal breeding and, without prejudice to the generality of the foregoing, may, in particular, prescribe rules regarding -

- (a) pure-bred breeding animals of the bovine species;
- (b) pure-bred breeding animals of the swine species;
- (c) pure-bred breeding animals of the ovine and caprine species;
- (d) zootechnical and genealogical conditions governing trade in *equidae*;
- (e) trade in *equidae* intended for competition and conditions for participation in such competitions;
- (f) zootechnical and pedigree requirements for the marketing of other pure-bred animals; and
- (g) zootechnical and genealogical conditions applicable to the importation, from third countries, of animals, their semen, ova and embryos.

PART V

Obligations of certain persons and other bodies

Obligations of persons in the field of veterinary activities.
Amended by: L.N. 426 of 2007; XIV.2022.11.

35. (1) The owner, the keeper, the dealer or the importer, the consignee, the carrier, the retailer or, where applicable any other person authorised under the provisions of this Act keep, manufacture, import, prescribe, wholesale distribute, broker, market, trade, dispense, advertise, provide data on sales and use of veterinary medicinal products, or to supply, retail or to dispose of live animals, products of animal origin, products listed in the First Schedule, animal feeding stuffs veterinary medicinal products, active substances or veterinary medical devices or the representative of such persons, or any person in charge of a private veterinary activity subject to the provisions of this Act -

- (a) shall declare his activity to the veterinary services, in accordance with the provisions of this Act, as the Director may determine;
- (b) shall provide the necessary cooperation and assistance

to the Director or any other officer nominated by him, in the performance of any State veterinary activity; without prejudice to the generality of the foregoing, such persons shall allow entry into their premises at any reasonable time and-

- (i) allow the execution of the veterinary inspections, examinations or inspections of live animals, products of animal origin, products listed in the First Schedule, animal feeding stuffs, active substances, veterinary medical devices or veterinary medicinal products;
 - (ii) restrain and transport animals in accordance with the provisions of this Act relating to identification controls, examination of animals, preventive vaccinations or eradication of diseases;
 - (iii) manufacture, collect, transport and show in the best conditions that meet all the requirements of the applicable laws products of animal origin, products listed in the First Schedule, feedingstuffs, active substances, veterinary medical devices and veterinary medicinal products in accordance with the provisions of this Act relating to controls or inspections of such products, feedingstuffs, active substances, veterinary medical devices and veterinary medicinal products;
 - (iv) allow access to the veterinary services at any time, as the case may require, to places where live animals, products of animal origin, products referred to in the First Schedule, animal feeding stuffs, active substances, veterinary medical devices or veterinary medicinal products are kept or transported; and
 - (v) assist the officers of the veterinary services in any treatment which they may deem necessary to be carried out on products of animal origin, products referred to in the First Schedule, animal feeding stuffs, active substances, veterinary medical devices or veterinary medicinal products;
- (c) shall observe any obligation imposed under this Act relating to contagious diseases, and implement the rules relating thereto; without prejudice to the generality of the foregoing, such persons shall -
- (i) co-operate and assist in the control of contagious diseases, and in the declaration and notification to the veterinary services of any suspicion of any of the contagious diseases referred to in the list of notifiable terrestrial and aquatic animal diseases issued by the World Organization for Animal Health;
 - (ii) observe the obligations imposed by the

- veterinary services, in the case of a suspected outbreak of any of the diseases referred to in the list of notifiable terrestrial and aquatic animal diseases issued by the World Organization for Animal Health including any obligation concerning the restriction of movement of animals and humans, the slaughtering of animals, the destruction of animal products, feeding stuffs, active substances, veterinary medical devices, veterinary medicinal products and equipment, and the cleaning and disinfection of premises, material and equipment;
- (iii) identify and register animals, and declare the movements of animals for which they are responsible;
 - (iv) keep individual registers for each holding for which they are responsible;
 - (v) observe the health conditions in connection with the movements of live animals and germinal products;
 - (vi) produce, at the request of any officer of the veterinary services, the necessary certificates or documents;
 - (vii) declare and notify to the veterinary services any suspected outbreak of any contagious diseases listed in the Third Schedule, or any of the diseases listed in the Fourth Schedule which are subject to a national programme of eradication;
 - (viii) observe the obligations imposed by the veterinary services in the case of a suspected outbreak of the diseases listed in the Third Schedule, or any of the diseases listed in the Fourth Schedule which are subject to a national programme of eradication, including obligations concerning the restriction of movement of animals, the slaughtering of animals, the destruction of animal products, feeding stuffs, active substances, veterinary medical devices, veterinary medicinal products and equipment, and the cleaning and disinfection of premises, material and equipment;
- (d) shall comply with the conditions relating to the importation of live animals, germinal products and products of animal origin, and provide foreign operators with the appropriate model of certificates, relating to the different kinds of live animals, germinal products and products of animal origin, to be used;
 - (e) shall produce, at the request of the officers of the veterinary services, the necessary certificates or documents;
 - (f) shall notify the veterinary services of any suspicion of zoonosis or other disease or any other phenomenon or

circumstance liable to present a serious threat to animal or public health;

- (g) shall abide by the suspension or the withdrawal, by the officers of the veterinary services, of any authorisations or official approval, following the results of inspections carried out by such officers, or following the use or manufacture of unauthorised substances or products by such person;
- (h) shall observe the obligations, imposed by the veterinary services, relating to restriction of trade for products declared unfit for human consumption, or unauthorised substances or products, or relating to the destruction of products of animal origin which present a serious threat to animal or public health;
- (i) shall observe the animal health measures for the production and placing on the market of live animals and products of animal origin, and produce, at the request of the officers of the veterinary services, the necessary certificates or documents;
- (j) shall observe any withdrawal period, as may be ordered under the provisions of this Act;
- (k) shall assist the veterinary services in the monitoring of such substances, and residues thereof, in live animals and products of animal origin as may be provided by or under this Act;
- (l) shall pay the relevant fees for the inspections and controls referred to in this article, or in any regulations as may be prescribed thereunder;
- (m) shall generally assist and co-operate with the veterinary services in any activities, ordered by the veterinary services, designed to avoid the outbreak of diseases amongst animals or for the control thereof; and
- (n) shall forfeit to the veterinary services any instruments, animals, products of animal origin, active substances, veterinary medical devices, veterinary medicinal product, feedingstuffs, appliances, products, or substances suspected to be used in the commission of the offence against this article.

(2) The Minister may make rules providing that any person who acts in contravention thereof shall be guilty of an offence against this article and shall, on conviction, be liable to such penalty as may be prescribed by the Minister, being a penalty of not more than imprisonment for six months or of a fine (*multa*) of not more than twenty-three thousand and two hundred and ninety-three euro and seventy-three cents (23,293.73), or of both such fine and imprisonment.

Monitoring of certain substances, animal waste and pathogens.

*Amended by:
L.N. 426 of 2007;
XIV.2022.12.*

36. (1) The owner, the keeper, the dealer or the importer, the consignee, the carrier, the retailer or, where applicable, any other person authorised under the provisions of this Act to keep, manufacture, import, prescribe, wholesale distribute, broker, market, trade, dispense, advertise, provide data on sales and use of veterinary medicinal products or to supply, retail or dispose of live animals, products of animal origin, products listed in the First Schedule, animal feeding stuffs veterinary medicinal products or active substances, or the representative of such persons, or any person in charge of a private veterinary activity subject to the provisions of this Act -

- (a) shall assist the veterinary services in the monitoring of such substances, and residues thereof, as may be provided by or under this Act, in live animals and products of animal origin;
- (b) shall place on the market only animals to which no unauthorised substances or products have been administered or which have not undergone any illegal treatment contrary to the provisions of this Act;
- (c) shall not place in a holding or on the market animals which have been treated with veterinary medicinal products, unless the relevant withdrawal period has been observed before the animals were so placed or slaughtered;
- (d) shall not accept, whether by direct delivery or through an intermediary, any animals for which the producer is not able to guarantee that the withdrawal periods have been observed;
- (e) shall place under official control, when requested to do so by an officer of the veterinary services, any unauthorised substances or products, until appropriate measures are taken by the veterinary services;
- (f) shall comply with any order for the suspension or withdrawal of any authorisation or approval previously given by the veterinary services;
- (g) shall comply with any order restricting or prohibiting trade in products declared unfit for human or animal consumption, or ordering the destruction of products of animal origin which present a serious threat to animal or public health;
- (h) shall pay the relevant fees for the inspections and controls referred to in this article, or in any regulations as may be prescribed;
- (i) shall generally assist and co-operate with the veterinary services in any activities, ordered by the veterinary services, designed to avoid the outbreak of diseases amongst animals or for the control thereof; and
- (j) shall obtain any relevant authorisations from the veterinary services prior to the slaughtering of animals for human or animal consumption, unless exempted from doing so under this Act or any other national or

EU law; and

- (k) shall forfeit to the veterinary services any instruments, animals, products of animal origin, active substances, veterinary medical devices, veterinary medicinal products, feeding stuffs, appliances and other products or substances which are suspected to have been used in the commission of an offence against this article.

(2) The Minister may make rules providing that any person who acts in contravention thereof shall be guilty of an offence against this article and shall, on conviction, be liable to such penalty as may be prescribed by the Minister, being a penalty of not more than imprisonment for six months or of a fine (*multa*) of not more than twenty-three thousand and two hundred and ninety-three euro and seventy-three cents (23,293.73), or of both such fine and imprisonment.

37. (1) The owner, the keeper, the dealer or the importer, the consignee, the carrier, the retailer or any other person authorised under the provisions of this Act to dispose of live animals, products of animal origin, products listed in the First Schedule, animal feeding stuffs or veterinary medicinal products, or the representative of such persons, or any person in charge of a private veterinary activity subject to the provisions of this Act -

Obligations
relating to trade
and importations.
Amended by:
L.N. 426 of 2007;
XIV.2022.13.

- (a) shall place on the market only those animals which have been correctly identified, and which are not subject to any restriction of movement because of the suspicion, outbreak or existence of a disease referred to in the list of notifiable terrestrial and aquatic animal diseases issued by the World Organization for Animal Health or because of the application of safeguard measures;
- (b) shall not place in a holding or on the market, recognised as being free from any of the diseases listed in the Third or Fourth Schedules, any animal which is not covered by the guarantees in accordance with the provisions of this Act;
- (c) shall not accept, whether by direct delivery or through an intermediary, any animals which have not been correctly identified, and for which the producer is not able to guarantee that the animal is not subject to any restriction of movement because of the suspicion, outbreak or existence of a disease referred to in the list of notifiable terrestrial and aquatic animal diseases issued by World Organization for Animal Health or because of the application of safeguard measures;
- (d) shall not accept in a holding, centre or organisation, or on the market, recognised as being free from any of the diseases listed in the Third or Fourth Schedules, any animal which is not covered by guarantees, required by the provisions of this Act, to show that such animal is free from any of those diseases;
- (e) shall ensure that all animals intended for trade or

- slaughter meet the health requirements specified in this article or in any regulations made thereunder;
- (f) shall, before the consignment is divided up or subsequently marketed, check that the identification marks, certificates or documents are present, and notify the veterinary services of any irregularity or anomaly and, in the latter case, isolate the animals in question until the veterinary services have taken a decision regarding the said irregularity or anomaly;
 - (g) shall report in advance the arrival of animals and germinal products from a trading partner and, in particular, the nature of the consignment and the anticipated arrival date;
 - (h) shall keep for a period of not less than six months, and not more than five years, as may be specified by the veterinary services, the health certificates or documents referred to in article 17, for presentation to the veterinary services, should the latter so request;
 - (i) shall ensure that products of animal origin intended for trade have been obtained, checked, marked and labelled in accordance with the provisions of this Act, and are accompanied to the final consignee by a health certificate, animal health certificate or by any other document as may be required;
 - (j) shall ensure, by constant self-supervision, that products of animal origin intended for trade satisfy the requirements of the provisions of this Act and of any regulations made thereunder;
 - (k) shall ensure that products of animal origin intended for trade comply with all the requirements in veterinary matters at all stages of the production, storage, marketing and transport of such products;
 - (l) shall ensure that uniform tests are carried out on products to which this Act applies, whether the products are intended for a trading partner or for the national market;
 - (m) shall place under official control, when requested to do so by the veterinary services, any animals or products of animal origin, until appropriate measures are taken by the veterinary services;
 - (n) shall produce, at the request of the veterinary services, the necessary certificates or documents where veterinary inspections relating to the importation, from third countries, of live animals and products of animal origin, are held;
 - (o) shall give sufficient prior notice to the veterinary services of the border inspection post, where the animals are to be presented, specifying the number, nature and estimated time of arrival of the animals;
 - (p) shall convey directly the animals, under official

supervision, to the inspection site or, where applicable, to a quarantine centre, as may be directed by the veterinary services;

- (q) shall forward advance information to the veterinary services, by duly completing, where applicable, any certificate or document delivered by the inspection service, or by providing a detailed description, in writing or in computerised form, of any consignment of products of animal origin, including the products referred to in the First Schedule;
- (r) shall pay the relevant fees for the inspections and controls referred to in this article, or in any regulations as may be prescribed thereunder;
- (s) shall generally assist and co-operate with the veterinary services in any activities, ordered by the veterinary services, related to trading of animal and animal products, and investigations carried out at border inspection posts; and
- (t) shall forfeit to the veterinary services any instruments, animals, products of animal origin, veterinary medicinal products, feeding stuffs, appliances and other products or substances which are suspected to have been used in the commission of an offence against this article.

(2) The Minister may make rules providing that any person who acts in contravention thereof shall be guilty of an offence against this article and shall, on conviction, be liable to such penalty as may be prescribed by the Minister, being a penalty of not more than imprisonment for six months or of a fine (*multa*) of not more than twenty-three thousand and two hundred and ninety-three euro and seventy-three cents (23,293.73), or of both such fine and imprisonment.

38. (1) The owner, the keeper, the dealer or the importer, the consignee, the carrier, the retailer or any other person authorised under the provisions of this Act to keep, manufacture, import, prescribe, wholesale distribute, broker, market, trade, dispense, advertise, provide data on sales and use of veterinary medicinal products, or to supply, retail or dispose of live animals, products of animal origin, products listed in the First Schedule, animal feeding stuffs veterinary medicinal products, active substances or veterinary medical devices, or the representative of such persons, or any person in charge of a private veterinary activity subject to the provisions of this Act -

- (a) shall obtain all relevant authorisation from the veterinary services prior to the placing on the market of animal feeding stuffs and veterinary medicinal products;
- (b) shall provide, at the demand of the veterinary services, any studies, results or information relating to the animal feeding stuffs or veterinary medicinal products, active substances or veterinary medical devices;

Obligations relating to animal feeding stuffs and veterinary medicinal products.
Amended by:
L.N. 426 of 2007;
XIV.2022.14.

- (c) shall comply with any order for the suspension, revocation or withdrawal of any authorisation or approval previously given by the veterinary services;
- (d) shall comply with any order restricting or prohibiting trade in feeding stuffs or veterinary medicinal products, or ordering comply with any order relating to the destruction of feeding stuffs or veterinary medicinal products, active substances or veterinary medical devices which present a serious threat to animal or public health or to the environment;
- (e) shall pay the relevant fees for the inspections and controls referred to in this article or in any regulations as may be prescribed thereunder;
- (f) shall generally assist allow entry into their premises at any reasonable time, and co-operate with the veterinary services in any activities, ordered by the veterinary services, related to trading of animal and animal products, and investigations carried out at border inspection posts.
- (g) shall take samples from animals, products of animal origin, products listed in the First Schedule, foodstuffs, veterinary medicinal products, active substances or veterinary medical devices, as may be demanded by the veterinary services for control purposes. The cost of these samples may be reimbursed by the Director at his discretion; and
- (h) shall forfeit to the veterinary services any instruments, animals, products of animal origin, active substances, veterinary medical devices, veterinary medicinal products, feedingstuffs, appliances and other products or substances which are suspected to have been used in the commission of an offence against this article.

(2) The Minister may make rules providing that any person who acts in contravention thereof shall be guilty of an offence against this article and shall, on conviction, be liable to such penalty as may be prescribed by the Minister, being a penalty of not more than imprisonment for six months or of a fine (*multa*) of not more than twenty-three thousand and two hundred and ninety-three euro and seventy-three cents (23,293.73), or of both such fine and imprisonment.

PART VI

Professional Veterinary Activities

The Veterinary
Surgeons' Council.

39. (1) There shall be a Council, to be called the Veterinary Surgeons' Council, hereinafter referred to as "the Council", which shall exercise and perform the functions assigned to it by this Act.

- (2) The Council shall consist of the following members:
- (a) a Chairman, to be appointed by the Prime Minister, on the advice of the Minister;
 - (b) the Director or his representative;

- (c) two members to be appointed by the Prime Minister, on the advice of the Minister, one of whom shall be a veterinary officer from the Department; and
- (d) four elected members, of whom two shall be veterinary surgeons with experience in the practice on large animals, and two with experience in the practice on small animals, and who shall be elected by secret ballot by the veterinary surgeons ordinarily resident in Malta.

(3) The Director shall, after consultation with the Chairman of the Council, appoint an officer of the Department to act as Registrar of the Council.

40. (1) The Chairman shall hold and vacate his office in accordance with the terms of his appointment, but may at any time resign his office by notice in writing to the Prime Minister.

Terms of appointment and vacancies.

(2) The members appointed or elected, as the case may be, under article 39(2)(c) and (d) shall be so appointed or elected for a term of three years.

(3) The members appointed under article 39(2)(c) shall hold office on such terms and conditions, and may at any time have their appointment terminated, as the Prime Minister, acting on the advice of the Minister, may deem appropriate.

(4) Any member appointed or elected, as the case may be, under article 39(2)(c) and (d) may at any time resign his office by notice in writing to the Chairman of the Council.

(5) When a vacancy occurs in the composition of the Council, a new appointment shall be made or an election held to fill the vacancy for the remaining term of the member vacating the post, as the case may be, within a period of one month from the date of such vacancy:

Provided that, subject to the provisions of article 41(6), the Council may act notwithstanding any vacancy amongst its members.

41. (1) In the absence of the Chairman from any meeting of the Council, the members present shall elect one of them to preside over the meeting.

Proceedings of the Council.

(2) The Council shall have the power to appoint sub-committees, and to allow at its meetings the presence of persons who are not members of the Council.

(3) The Council shall meet at least once every three months and, subject to the provisions of subarticle (6), it may act notwithstanding any vacancy amongst its members.

(4) The Council shall hold its meetings at such time and place as shall be stated in the notice calling the meeting.

(5) The decisions of the Council shall be taken by a majority of votes. The Chairman shall have an original vote, and in case of equality of votes, also a second or casting vote.

(6) It shall not be lawful for the Council to transact any business unless there are at least four of its members present:

Provided that, if the Council is convened to consider any matter upon which its advice is certified by the Minister to be urgently required by Government, the Council may take decisions by a majority of members present, notwithstanding that less than four members may be present.

(7) Subject to the provisions of this Act, the Council may regulate its own procedure.

Functions and
duties of the
Council.

- 42.** (1) The Council shall:
- (a) advise and make recommendations to the President of Malta concerning the grant of warrants to veterinary surgeons to practice their profession;
 - (b) keep a Register in respect of such profession and professions and trades supplementary to the veterinary profession;
 - (c) prescribe and maintain professional and ethical standards for the veterinary profession and professions and trades supplementary to the veterinary profession;
 - (d) advise the Minister on any matter, including legislation, affecting such profession and professions and trades supplementary to the veterinary profession;
 - (e) advise the Minister on the issue of licences for the running of veterinary practices, veterinary clinics, veterinary hospitals, veterinary laboratories and other veterinary establishments;
 - (f) advise and make recommendations to the President of Malta concerning the suspension or withdrawal of warrants to veterinary surgeons who are found to be in breach of the obligations or conditions laid down under this Act;
 - (g) plan, monitor and organise professional training of veterinary surgeons and professional proficiency tests for veterinary surgeons in private veterinary activities;
 - (h) carry out expert supervision of private veterinary activities as described in article 44;
 - (i) co-operate in the preparation of programmes of educational and expert training; and
 - (j) carry out such other functions as may be assigned to it by or under this Act or any other law.
- (2) The Council, with the concurrence of the Minister, shall make regulations governing the conditions and procedures for the grant of veterinary licences.

43. (1) Professional veterinary activities shall comprise both State and private veterinary activities. Professional veterinary activities.
Amended by: XVIII. 2002.10; XXIII. 2009.104; XXXIV. 2016.8.
- (2) No person shall practice as a veterinary surgeon unless -
- (a) he holds a warrant to practice from the President of Malta; and
 - (b) his name is registered in the Veterinary Surgeons' Register.
- (3) Warrants shall be granted to any applicant who produces a certificate issued by the Council showing that the Council is satisfied that the applicant -
- (a) *Repealed by Act XVIII. 2002.10;*
 - (b) has graduated in veterinary medicine and surgery, having a degree or formal qualification recognised by the Council, after consultation with the Malta Qualifications Council and in terms of the [Mutual Recognition of Qualifications Act](#) and legislation made thereunder, as being comparable to the degree or formal qualification, in the subject, in Malta, or in a Member State, and in trading partners; Cap. 451.
 - (c) *Repealed by Act XVIII. 2002.10;*
 - (d) is of good character;
 - (e) is in a state of good physical and mental health;
 - (f) *Repealed by Act XVIII. 2002.10;*
 - (g) is a citizen of Malta or of a Member State or is otherwise legally entitled to work in Malta.
- (4) (a) The Council shall acknowledge receipt of an application for a warrant as soon as possible and in any case by not later than one month of receipt of all relevant documentation submitted in fulfilment of the requirements listed in the last preceding sub-article. The acknowledgment shall include the time by which the Council expects to reach a decision in terms of this sub-article and the available means of redress from decisions of the Council:
- Provided that in the case of incomplete documentation, the Council shall inform the applicant accordingly:
- Provided further that where the applicant is already established in another Member State and, or has obtained his qualifications in another Member State and, or is a citizen of another Member State, the Council may seek to verify any of the documentation submitted by the applicant with the relevant competent authority of that Member State in terms of the [Services \(Internal Market\) Act](#). Cap. 500.
- (b) The Council shall examine all documentation submitted by the applicant as early as possible and lead to a duly substantiated decision within three months. Such period shall commence to run from the

date of receipt of all necessary documentation. Where duly motivated, this period may be extended by one month by the Council, provided that the applicant is notified before the original period set in paragraph (a) has expired.

- (c) Lack of response within the timescales set in accordance with this sub-article shall not be deemed to imply the tacit approval of the applicant's application.

Cap. 451.

L.N. 422 of 2007

(5) Without prejudice to sub-articles (2) and (3), and in terms of the [Mutual Recognition of Qualifications Act](#), and the Recognition of Professional Qualifications Regulations, 2007, a person may provide veterinary services in Malta, on a temporary and occasional basis, provided that:

- (a) he is legally established in another Member State for the purpose of pursuing the profession of a veterinary surgeon in that Member State; and

- (b) he has pursued the profession of a veterinary surgeon for at least one year during the preceding ten years.

- (6) (a) Persons referred to in sub-article (5) shall inform the Council in advance of their intention to provide veterinary services in Malta by means of a written declaration. Such written declaration shall include:

- (i) proof of nationality;
- (ii) an attestation certifying that the person is legally established in another Member State for the purpose of pursuing the profession of a veterinary surgeon in that Member State;
- (iii) evidence of his professional qualifications and of his practice during the preceding ten years;
- (iv) details of his current insurance cover or of any other means of collective protection with regard to professional liability, as it may be applicable;
- (v) description of the services intended to be provided and the location from where such services are intended to be provided.

- (b) (i) The Council shall, immediately upon receipt of a declaration in terms of the preceding paragraph, send an acknowledgement to the applicant and inform him of any missing documentation.

- (ii) The Council shall, within a maximum of one month from the date of an acknowledged receipt of a completed declaration and all necessary accompanying documents, inform the applicant of its decision not to check his professional qualifications or, having checked his professional qualifications, to either require the applicant to take an aptitude test or to allow the provision of services.

- (iii) In case of difficulty resulting in delay, the Council shall inform the applicant making the

declaration, within the first month, of the reason for the delay and the timescale within which the Council's decision shall be finalised:

Provided that the extended timescale shall not be of more than one month.

- (iv) In the absence of a reaction from the Council within the deadlines set in this sub-article the service may be provided.
 - (v) Where there is a substantial difference between the professional qualifications of the applicant and the training required in Malta, to the extent that that difference is such as to be harmful to public health or safety, and that it cannot be compensated by the applicant's professional experience or by knowledge, skills and competences acquired through lifelong learning formally validated to that end by a relevant body, the Council shall give that applicant the opportunity to show, by means of an aptitude test, that he has acquired the knowledge, skills or competence that were lacking. The Council shall take a decision on that basis on whether to allow the provision of services. In any case, it must be possible to provide the service within one month of the decision taken in accordance with sub-paragraph (ii).
 - (vi) All aptitude tests shall be provided directly by the Council or sub-contracted to any other authority, organisation or institute as chosen by the Council.
 - (vii) All expenses in taking aptitude tests shall be borne by the applicant.
- (c) In making its decision in terms of this and the preceding subarticle, the Council shall assess and determine each application based on its individual merits.
- (6A) (a) Veterinary surgeons benefiting from the recognition of professional qualifications shall have a knowledge of languages necessary for practising the profession in Malta.
- (b) The Council shall ensure that any controls carried out to ensure compliance with the obligation under paragraph (a) shall be limited to the knowledge of one official language of Malta.
 - (c) Controls carried out in accordance with paragraph (b) may be imposed in cases where there is a serious and concrete doubt about the sufficiency of the veterinary surgeon's language knowledge in respect of the professional activities which that veterinary surgeon intends to pursue.
 - (d) Controls may be carried out only after the recognition

of a professional qualification.

- (e) Any language controls shall be proportionate to the activity to be pursued, and shall be subject to appeal.
- (7) (a) The Veterinary Surgeons' Council shall keep a list within the Veterinary Surgeons' Register of persons approved for the provision of veterinary services on a temporary or occasional basis under this article.
- (b) This registration shall be valid for one year and shall be renewed, in advance, for every year in which the applicant intends to provide temporary or occasional services in Malta during that year:
- Provided that, for reasons of public and animal health, the person shall be required to inform the Council each time he intends to provide veterinary services on a temporary or occasional basis in Malta, fifteen days in advance and shall provide the Council with the information in terms of subarticle (6)(a)(v).
- (8) (a) The Council shall keep a register, to be called the Veterinary Surgeons' Register, in which shall be entered the name of every veterinary surgeon to whom a warrant has been granted under this article.
- (b) Every veterinary surgeon shall be entitled to have entered against his name in the Veterinary Surgeons' Register, any degree or diploma which he may hold, provided that such degree, diploma or comparable formal qualification relates to the profession of veterinary surgeon and is recognised by the Council, after consultation with the Malta Qualifications Council.

Private veterinary activities.

44. The Minister may, after consultation with the Council, prescribe regulations regarding the registration of veterinary surgeons exercising private veterinary activities, the definition of private veterinary activities, and the execution of private veterinary activities.

State veterinary activities.

45. The Minister may, after consultation with the Council, prescribe regulations regarding the appointment of veterinary surgeons in charge of State veterinary activities, and the execution of State veterinary activities.

Regulations in relation to mutual recognition of qualifications.

Added by:
XVIII. 2002.10.
Amended by:
XXIII. 2009.105.
Cap. 451.
Cap. 500.

45A. The Minister may make regulations for bringing into effect the provisions of the [Mutual Recognition of Qualifications Act](#) and the [Services \(Internal Market\) Act](#), and subsidiary legislation issued thereunder, in relation to the mutual recognition of qualifications of veterinary surgeons.

Breach of obligations.

46. (1) Where a veterinary surgeon is found to be in breach of any of the obligations or conditions laid down under this Act, and without prejudice to any other liability under any other law, the Council may suspend or cancel the registration of the veterinary

surgeon from the Veterinary Surgeons' Register.

(2) The Minister may, in consultation with the Council, prescribe regulations for the implementation of the provisions of this article.

47. The Minister may make regulations prescribing the manner in which the first elections to the Council shall be held, and generally for regulating the conduct of elections to the Council.

Elections to Council.

PART VII

State Veterinary Organisation

48. (1) All State veterinary activities shall be under the direction and control of the Department of Veterinary Services, which shall be headed by the Director.

Organisation of State veterinary activities.

(2) The Department shall exercise its powers and functions in the entire territory of Malta, including customs warehouses, free zones or free warehouses.

49. (1) Without prejudice to any other obligation relating to the operation of veterinary activities arising out of the provisions of this Act, the Director shall -

The Director.
*Amended by:
XIV.2022.15.*

- (a) be the chief advisor to the Government on any matter relating to animal or veterinary public health or relating to, or in connection with, the veterinary health services;
- (b) submit periodical reports, to the Minister, on the situation concerning State veterinary activities;
- (c) report to the Minister any information concerning any new scientific evidence or facts, which may directly or indirectly affect State veterinary activities;
- (d) submit to the Minister the documentation or data required for the making, by the Minister, of rules and, or, regulations in accordance with the provisions of this Act, and advise the Minister on any matter required to be done by the Minister under this Act;
- (e) liaise with other departments or bodies on matters falling under his responsibility;
- (f) perform such duties and functions as are assigned to him by or under this Act and, generally, to monitor the running of veterinary activities;
- (g) decide upon any request made by the manufacturer, or by a duly authorized representative, of veterinary medicinal products, for the purpose of obtaining authorisation for the marketing of such products in accordance with the provisions of this Act;
- (h) where a request under paragraph (g) has been favourably decided upon, issue the authorisation for the marketing of the veterinary medicinal products and include such products in the list of approved

Veterinary Medicinal Products, which shall, from time to time, be published by the Veterinary Services;

- (i) decide on the continuation or cessation of the manufacture, importation or marketing of a veterinary medicinal product, active substance or veterinary medical device and, or on the recalling of that product, in cases where an undesirable effect has been detected or suspected;
- (j) upon a reference made to him for that purpose, determine whether particular substances or active substances have been used in the manufacture of a veterinary medicinal product;
- (k) exercise supervision and conduct inspections on the manufacture, importation, introduction, wholesale distribution, brokering, marketing, retail and use of veterinary medicinal products and active substances;
- (l) decide on the continuation or cessation of the manufacture, importation or marketing of a veterinary medicinal product, active substance or veterinary medical device in cases where a product or batch defect has been detected or suspected; and
- (m) decide on the confiscation, sealing, isolation or otherwise of veterinary medicinal products, active substances or veterinary medical devices which are found to be in breach of any of the provisions of this Act or any Regulations made thereunder.

(2) Without prejudice to the preceding sub-article, the Director may also:

(a) draw up and update assessment reports on the results of analytical and pharmaco-toxicological tests, and on the results of clinical trials of veterinary medicinal products and assessment of dossiers thereof; and

(b) test veterinary medicinal products or any of the ingredients thereof and, where necessary, intermediate products or other constituent materials, or submit such products for testing by a trading partner laboratory or by a laboratory designated for that purpose, with a view to ensuring that the manufacturing and testing methods employed by the manufacturer and described in the application are in accordance with the provisions of this Act or any regulations made thereunder.

(3) The Director may exercise any one or more of his functions either directly or through any of the officers or employees of the Veterinary Services or through the Medicines Authority or any agency

authorised for that purpose, or through a contractor or other person with whom an agreement for the performance of any one or more of such functions has been entered into:

Provided that nothing in this sub-article shall authorise the Director to contract out or delegate any:

(a) of his regulatory functions; or

(b) of his authorisation functions, unless such functions are expressly delegated to the Medicines Authority or to another public authority established by law, in particular another national competent authority as defined in this Act.

(4) The Director may approve the entering into contracts and memoranda of understanding between the Veterinary Services and the Medicines Authority for any purpose of cooperation which is deemed beneficial to any of the parties to the contract or memorandum of understanding in the carrying out of any of their functions.

(5) For the purpose of performance of any functions under this Act, the Director or any other such officer or person as may be authorised by the Director may request the assistance of the Malta Police Force, any local council, any department of Government, any agency of Government, any voluntary organisation or private sector entity.

(6) For the purposes of sub-articles (3), (4) and (5) where applicable to the Medicines Authority, these are subject to an agreement between the Medicines Authority and the Director Veterinary Services, such as in the form of a contract or memorandum of understanding.

PART VIII

Functions and Duties of the National Veterinary Laboratory

50. (1) There shall be a National Veterinary Laboratory which shall exercise the functions and duties as are assigned to it by this Act, and which shall be headed by the Head of the National Veterinary Laboratory.

The Head of the
National
Veterinary
Laboratory.
*Amended by:
XIV.2022.16.*

(2) Without prejudice to any other obligation relating to the operation of veterinary activities arising out of the provisions of this Act, the National Veterinary Laboratory shall have the following functions -

- (a) to prepare reports on veterinary medicinal products at the request of the Director; and
- (b) to support the veterinary services in the control of food and feed safety in the primary production of food of animal origin, feed, animal by-products, and in the control of animal diseases including zoonosis.

Functions in the
veterinary field.
Substituted by:
XIV.2022.17.

51. The National Veterinary Laboratory shall:

- (a) provide laboratory analyses and tests and participate in the diagnosis and control of animal diseases;
- (b) support the Veterinary Services, upon request;
- (c) conduct testing activities in the context of programmes relating to animal disease surveillance, food health surveillance, zoonotic disease surveillance, veterinary drug residue surveillance, and antimicrobial resistance; and
- (d) fulfil the role of National Reference Laboratory.

Functions related
to feeding stuffs.

52. The Minister may prescribe regulations to regulate the manner in which the National Veterinary Laboratory shall carry out research on additives, and on undesirable products and substances, which may be incorporated in feeding stuffs and products used in animal nutrition, and the methods to be used in the sampling and analysis of feeding stuffs and the assessment of products and additives used in animal nutrition.

Functions in the
field of veterinary
medicinal
products.

53. *Repealed by Act [XIV.2022.18.](#)*

PART IX

Enforcement, Offences and Penalties

Assistance.
Amended by:
XIV.2022.19.

54. For the purpose of enforcing the provisions of this Act, or any regulations made thereunder the Director may request the assistance of the members of the Police Force, the Armed Forces of Malta, or of Civil Protection units, as the case may require and, for this purpose, there shall be a committee composed of representatives from the Police Force, the Armed Forces of Malta and from Civil Protection units, and which shall meet on a regular basis so as to update emergency and contingency plans; without prejudice to the generality of the foregoing, the Director may, in particular, request such assistance -

- (a) where official veterinarians and, or officers are empowered, by the provisions of this Act or any regulations made thereunder, to carry out inspections and supervision in connection with the restriction of trading of animals or animal products, or the prohibition of the movement of persons, animals or animal products in a contaminated area;
- (b) in cases of outbreak of major epizootics, for the prevention of the spreading of the disease and the suppression of contagious animal diseases; and
- (c) where official veterinarians and, or officers are, while carrying out their duties and functions under this Act, or any regulations made thereunder confronted with physical resistance or otherwise obstructed, or when such resistance or obstruction is reasonably expected.

55. (1) The Veterinary Surgeons' Council shall set up a subcommittee, to be known as the Disciplinary Committee, which shall be empowered to conduct investigations and give directions of a disciplinary nature, upon any case in which it is alleged that a person is liable to have his name removed from the Veterinary Surgeons' Register, hereinafter referred to as "the Register", or to have his registration cancelled or suspended, or to be awarded a pecuniary penalty (recoverable as a civil debt by the Director) of not more than one thousand and one hundred and sixty-four euro and sixty-nine cents (1,164.69) and admonished, or be liable to any other penalty as may be deemed appropriate in the circumstances of the case, and in accordance with the provisions of this Act.

Veterinary
Surgeons'
Disciplinary
Committee.
*Amended by:
L.N. 426 of 2007.*

- (2) The provisions of subarticle (1) shall apply where -
- (a) a veterinary surgeon, who is registered in the Register, is convicted in Malta or abroad of a criminal offence, which, in the opinion of the Disciplinary Committee, renders him unfit to practice the veterinary profession; or
 - (b) any such veterinary surgeon is found, by the Disciplinary Committee, to have been guilty of disgraceful conduct in any professional respect; or
 - (c) the Disciplinary Committee is satisfied that the name of any such person has been fraudulently entered in the Register.
- (3) The Disciplinary Committee will report all its findings and the results of its investigations and enquiries, together with its direction, to the Council.
- (4) The Disciplinary Committee may, in cases of a grave offence, direct that a veterinary surgeon's name be removed from the Register or, except in a case falling under subarticle (2)(b), that his registration therein shall be suspended for a period to be specified in the direction.
- (5) The Registrar of the Council shall cause a notice of any direction of the Disciplinary Committee to be served on the person to whom the direction refers.
- (6) Notwithstanding any other provision of this Act, any person whose name has been removed or suspended from the Register shall automatically be deemed to have had his warrant from the President of Malta, to practice his profession, withdrawn or suspended for the period specified in the direction.
- (7) A person to whom a direction has been notified under the provisions of this article may, within twenty-eight days from the date of service on him of the notice of the direction, appeal to the Veterinary Surgeons' Council, in accordance with such regulations as may be prescribed by the Minister for the purpose of this article.
- (8) A direction given under the foregoing provisions of this article shall take effect:
- (a) where no appeal is made under subarticle (7) against the direction within the time specified for such an appeal, on the expiration of that time;

- (b) where such an appeal is brought and is subsequently withdrawn or struck out as abandoned, on the withdrawal or striking out of the appeal;
- (c) where such an appeal is brought and not withdrawn or struck out as aforesaid, when the decision on the appeal is given.

(9) Where a person's name has been removed from the Register, in pursuance of a decision as aforesaid, the name of that person shall not be entered again in the Register unless the Disciplinary Committee, on an application made to it on that behalf, otherwise directs.

(10) Where the registration of a person in the Register is suspended in pursuance of a decision as aforesaid, the name of that person shall not be entered in the Register throughout the period of the suspension, unless the Disciplinary Committee, on application made to it in that regard, otherwise directs.

(11) Any application under subarticles (9) and (10) shall not be made to the Disciplinary Committee before the expiration of ten months from the date of the removal or the suspension of the registration or ten months from the date of a previous application thereunder.

(12) The provisions of subarticles (1) to (11) shall, *mutatis mutandis*, also apply to persons registered in the Register for the Professions and Trades Supplementary to the Veterinary Profession.

Obstruction of
official
veterinarian.
Amended by:
L.N. 426 of 2007;
XIV:2022.20.

56. Any person who -

- (a) assaults, resists or wilfully obstructs an official veterinarian and, or officer in the exercise of his powers under this Act or any regulations made thereunder; or
- (b) refuses or neglects to comply with any order or direction lawfully made or given under this Act or any regulations made thereunder; or
- (c) without reasonable cause fails to -
 - (i) answer any question asked by an official veterinarian and, or officer; or
 - (ii) produce anything required to be produced, in pursuance of this Act or any regulations made thereunder; or
- (d) fails to allow a search or inspection under this Act or any regulations made thereunder; or
- (e) prevents or attempts to prevent another person from complying with such orders or directions or from answering such questions, producing anything or allowing a search or inspection; or
- (f) for the purposes of obtaining any licence or permit, or for the purported compliance with any requirement to provide any information under this Act, or any

regulations made thereunder provides information which he knows to be false in a material particular or recklessly provides information which is false in a material particular,

shall be guilty of an offence and shall be liable, on conviction, to a fine (*multa*) of not less than four hundred and sixty-five euro and eighty-seven cents (465.87) but not exceeding five thousand and eight hundred and twenty-three euro and forty-three cents (5,823.43).

57. (1) Any person who contravenes any provision of this Act or any regulations made thereunder for which no penalty is specifically provided shall be guilty of an offence and shall be liable, on conviction, to a fine (*multa*) of not more than eleven thousand and six hundred and forty-six euro and eighty-seven cents (11,646.87).

Other offences.
Amended by:
L.N. 426 of 2007;
XIV.2022.21.

(2) Where any person is convicted of an offence against this Act, or any regulations made thereunder the Court may, in addition to any other penalty that it may impose, order that any instruments, animals, products of animal origin, active substances, veterinary medical devices, veterinary medicinal products, feedingstuffs, appliances, products or substances used in the commission of the offence shall be confiscated by the Government and, if so confiscated, shall be disposed of in such a manner as the Court may determine on the advice of the Director.

58. (1) In respect of proceedings for offences charged against this Act or any regulations made thereunder, the Court may award in favour of the Government such costs and expenses incurred in relation to those proceedings as it may deem proper.

Court proceedings.
Amended by:
XIV.2022.22.

(2) Notwithstanding the provisions of article 413(1)(b) of the [Criminal Code](#), the Attorney General shall always have a right of appeal from any judgment given by the Court of Magistrates, sitting as a court of criminal judicature, in respect of proceedings for an offence against this Act.

Cap. 9.

59. The Minister may by order make such provisions as he may consider appropriate for the enforcement of any restriction or obligation relating to the carrying out of veterinary activities and to animal health in general contained in a Convention to which Malta is a party and may provide in the order that any contravention of any such restriction or obligation shall constitute an offence against this Act liable to the punishment of a fine (*multa*) as laid down in the order, which fine (*multa*) shall not exceed the sum of fifty-eight thousand and two hundred and thirty-four euro and thirty-three cents (58,234.33). Any such order may be amended, substituted or revoked by the Minister from time to time.

Convention offences.
Amended by:
L.N. 426 of 2007.

60. (1) In the case of a second or subsequent conviction against this Act, or any regulations made thereunder the person convicted shall, in addition to any other penalty, forfeit any licence authorisation or permit, and any relative entry in any register made under this Act or any regulations made thereunder shall be cancelled. The person convicted may, at the discretion of the Court and in

Forfeiture of licence or permit.
Amended by:
XIV.2022.23.

addition to any other penalty, also forfeit any fees paid for any licence authorisation or permit forfeited as aforesaid or for any entry cancelled as aforesaid, and shall be incapable for a period of three years from the day of the second or subsequent conviction, as the case may be, of holding any such licence authorisation or permit or of being so entered in the register under this Act or any regulations made thereunder or any regulations made thereunder.

(2) Notwithstanding the provisions of subarticle (1), the Minister may, in the circumstances of any particular case and upon application being made to him, direct that the provisions of that subarticle are not to apply to any particular licence, authorisation permit or entry in the record of any register under this Act or any regulations made thereunder otherwise forfeited.

Administrative penalties.
Amended by:
XIV:2022.24.

61. (1) Where the Director has reasonable cause to believe that -

- (a) an offence against this Act or any regulations made thereunder has been committed by any person; and
- (b) having regard to the previous conduct of the person concerned, it would be appropriate to impose a penalty under this article,

he may cause a notice in writing in accordance with subarticle (2) in the appropriate form to be served on that person.

(2) A notice under subarticle (1) shall specify -

- (a) the date and nature of the offence;
- (b) a summary of the facts upon which the allegation that an offence has been committed is based (being a sufficient summary fully and fairly to inform the person of the allegation against him);
- (c) any other matters (not being previous convictions) that the Director considers relevant to the imposition of a penalty;
- (d) the amount of the penalty due, and where the penalty due depends on a previous conviction, the date of such conviction; and
- (e) any necessary remedial steps to be taken by the person to whom the notice is addressed to be in compliance with the requirements of this Act or any regulations made thereunder,

and shall be endorsed on a statement setting out the provisions of this article.

(3) Any person on whom a notice under subarticle (1) is served may, within thirty days after such service by notice in writing in the appropriate form served on the Director, require that proceedings in respect of the alleged offence shall be dealt with by the Court, in which case the following provisions shall apply:

- (a) no further proceedings shall be taken under this article by the Director; and
- (b) nothing in this article shall be construed to prevent the

institution of any proceedings in respect of the alleged offence or the conviction of the person for the offence by the Court or the imposition of any penalty or forfeiture under this Act or any regulations made thereunder upon such conviction.

(4) Any person on whom a notice under subarticle (1) is served who does not wish that proceedings in respect of the alleged offence shall be dealt with by the Court may by notice in writing served on the Director -

- (a) admit the offence;
- (b) carry out all the necessary remedial steps which may be indicated in the notice served in terms of sub-article (1); and.
- (c) pay the amount of the penalty to the Director within thirty (30) days after the notice of the penalty is served or after such subsequent period as the Director may determine."

(5) Where under this article a person admits an offence and carries out all the necessary remedial steps requested in the notice in accordance with sub-article (2), the Director shall impose a monetary penalty on that person in respect of the offence amounting to one third of the maximum penalty to which the person would be liable if he were convicted of the offence by the Court.

(6) The penalty imposed under subarticle (5) shall be due as a civil debt enforceable by the competent Court of civil jurisdiction in favour of the Government and the declaration by the person on whom the penalty is imposed that he admits the charge shall constitute an executive title for the purposes of article 253 of the [Code of Organization and Civil Procedure](#) in the same manner as if it were a judgement of the competent Court of civil jurisdiction.

Cap. 12.

(7) Notwithstanding any other provisions of this Act or of any other enactment, where an offence has been admitted under this article and all requested necessary remedial steps have been taken by the person admitting such offence to be in compliance with the requirements of this Act or any regulations made thereunder no charge may be laid in respect of the offence against any person by whom it has been admitted.

(8) Where a person on whom a notice under sub-article (1) is served does not, within thirty (30) days after the notice is served on him, admit the offence and take all requested necessary remedial steps to be in compliance with the requirements of this Act or any regulations made thereunder, the Director shall institute proceedings or cause proceedings to be instituted before the Court in respect of the alleged offence.

PART X

**Veterinary Pharmacies and licences for manufacturers, importers,
wholesale distributors and brokers of Veterinary Medicinal
Products**

Licence to open a
veterinary
pharmacy.
*Added by:
XIV.2022.25.*

62. (1) It shall not be lawful for any person to open or keep a veterinary pharmacy unless he is in possession of a veterinary pharmacy licence issued in accordance with the provisions of this Act or any regulations made thereunder.

(2) Without prejudice to any exemption that may be granted by or under this Act, no person shall retail any veterinary medicinal product unless in accordance with a veterinary pharmacy licence issued in accordance with the provisions of this Act or any regulations or rules made thereunder.

(3) The licensee shall be responsible for complying with the conditions of the licence as may be established by the Director.

Application for a
veterinary
pharmacy licence.
*Added by:
XIV.2022.25.*

63. (1) Any application for the grant of a veterinary pharmacy licence shall be made to the Director and shall contain such information, documents, samples and other material as required by or under this Act, and shall in particular include the following:

(a) the name and address of the applicant;

(b) the address of the premises that is to be used for the purpose of the retail of the veterinary medicinal products;

(c) the equipment and control facilities as may be required by or under this Act;

(d) the name of a managing pharmacist who shall be professionally responsible for all activities;

(e) any other information, documentation or evidence as may be requested by the Director in accordance with or under this Act.

(2) The Director shall determine the application in such time-frame as the Minister may establish by regulations under this Act:

Provided that such time-frame may be suspended until the required information is provided by the applicant.

Granting of a
veterinary
pharmacy licence.
*Added by:
XIV.2022.25.*

64. (1) The Director shall, before determining an application for a veterinary pharmacy licence, inspect the premises indicated in the application and shall not issue a licence until he is satisfied that such premises is suitable and adequate, and that it includes suitable facilities, installations and equipment so as to ensure the proper conservation and dispensing of veterinary medicinal products:

Provided that a licence may be made conditional upon the carrying out of such obligations as may be imposed therein, which conditions may be revoked or varied by the Director at any time, as he may deem fit.

(2) A veterinary pharmacy licence shall specify the premises and the activities to which it applies:

Provided that the Director may, upon application, grant an additional licence for the use of identified premises as a store for the purpose of a veterinary pharmacy, after he is satisfied that such premises complies with any requirements established by or under this Act.

65. Where the Director considers that circumstances may exist which would render necessary the consideration of whether the licence should be varied, suspended or revoked, the Director may serve on the holder of a veterinary pharmacy licence a notice requiring him, within such time as may be specified in the notice, to furnish him with any information specified in the notice.

Notice for further information.
Added by:
XIV.2022.25.

66. (1) Subject to the provisions of this Act, every licence granted under this Part shall, unless previously revoked in accordance with the provisions of article 68, continue to be valid until such time as may be specified in the licence or in regulations adopted by the Minister under this Act:

Duration and renewal of veterinary pharmacy licence.
Added by:
XIV.2022.25.

Provided that the Director shall, prior to the renewal of the period of validity of a licence, conduct an inspection of the premises specified in the licence.

(2) Following an inspection as referred to in the preceding sub-article, the Director may either:

(a) renew the licence, with any modifications deemed necessary, for such a further period as may be specified in the licence or in regulations adopted by the Minister under this Act; or

(b) if, having regard to the provisions of this Act, he considers it necessary or expedient to do so, refuse to renew the licence.

67. No person may transfer a licence unless authorised to do so by the Director which authorisation shall not be issued unless the Director is satisfied that the new licensee complies with any requirements established by or under this Act, and upon payment of the prescribed fee.

Transfer of a veterinary pharmacy licence.
Added by:
XIV.2022.25.

Suspension or revocation of veterinary pharmacy licence.
Added by:
XIV.2022.25.

68. The Director may suspend a veterinary pharmacy licence granted under this Act prior to the expiry of the period referred to in article 66, for such period of time as he may determine, or may revoke or vary the provisions of any such licence in any of the following circumstances:

(a) where any information indicated in the application on the basis of which the licence was issued is subsequently found to be false or incomplete;

(b) where a material change of circumstances has occurred in relation to any matter indicated in the application;

(c) where the conditions of the licence have been breached by the licensee; or

(d) in any other circumstance as may be established by or under this Act:

Provided that the Director shall notify the licensee of any decision issued under this Article, giving detailed reasons for such decision.

Temporary closure of veterinary pharmacy.
Added by:
XIV.2022.25.

69. (1) The licensee of a veterinary pharmacy shall not close such veterinary pharmacy, temporarily or otherwise, unless he has given at least twenty-four (24) hours notice to, and such closure has been authorised by, the Director:

Provided that, for the purposes of this article, temporary closure shall not include the closure of a veterinary pharmacy resulting from the unforeseen or unexpected absence of the managing pharmacist, *force majeure* resulting in the inability to open the premises, or closure outside the business hours for veterinary pharmacies as may be established by regulations adopted by the Minister.

(2) Subject to the provisions of sub-article (1), the licence in relation to a veterinary pharmacy which has remained closed for a period of five (5) consecutive working days without the authorisation of the Director shall be deemed to have been automatically revoked.

(3) The Director may, upon receipt of a notice as referred to in sub-article (1), or where it has come to his knowledge that a veterinary pharmacy has been closed for a period of ten (10) consecutive working days, seal all the veterinary medicinal products, wherever kept by the licensee in terms of the provisions of this Act, and take charge of any register required to be kept by the licensee pursuant to regulations as may be adopted by the Minister.

70. The Minister may, after consultation with the Director, adopt regulations to make provisions relating to the issuing, suspension and revocation of veterinary pharmacy licenses, the period of validity of such licences, the obligations of the holders of a veterinary pharmacy licence, the obligations of managing pharmacists, the veterinary medicinal products that may exclusively be retailed from a veterinary pharmacy, standards for prescribing, dispensing, storage and disposal of veterinary medicinal products, the fees to be levied for the issuing of licences and the business hours of veterinary pharmacies.

Powers of the Minister to make regulations relating to the licensing and operation of veterinary pharmacies.
Added by: XIV.2022.25.

71. (1) It shall not be lawful for any person to act as a manufacturer, importer, wholesale distributor or broker of veterinary medicinal products unless he is in possession of a licence issued in accordance with the provisions of this Act or any regulations made thereunder.

Licences for manufacturing, importation and distribution of veterinary medicinal products.
Added by: XIV.2022.25.

(2) A licensee pursuant to this article shall be responsible for complying with the conditions of the licence as may be established by the Director.

72. (1) Any application for the grant of a licence to act as manufacturer, importer, wholesale distributor or broker of veterinary medicinal products shall be made to the Director and shall contain such information, documents, samples and other material as provided by or under this Act, and shall include in particular the following information:

Application for manufacturing, importation and distribution licences.
Added by: XIV.2022.25.

(a) the name and address of the applicant;

(b) the address of the premises that is to be used for the purpose of the manufacture, importation, distribution, storage or brokering of veterinary medicinal products;

(c) the equipment and control facilities as may be required by or under this Act;

(d) any other information, documentation or evidence as may be requested by the Director in accordance with or under this Act.

(2) The Director shall determine the application within such time-frame as the Minister may establish by regulations under this Act:

Provided that such time-frame may be suspended until the required information is provided by the applicant.

(3) The Director shall, before determining an application for any licence pursuant to this article, inspect the premises indicated in the application and shall not issue a licence until he is satisfied that such premises is suitable and adequate, and that it includes suitable

facilities, installations and equipment so as to ensure the proper manufacture, control and conservation of veterinary medicinal products:

Provided that a licence may be made conditional upon the carrying out of such obligations as may be imposed therein, which conditions may be revoked or varied by the Director at any time, as he may deem fit.

Powers of the Minister to make regulations relating to the licensing and operations of manufacturers, importers and distributors of veterinary medicinal products.
Added by:
XIV.2022.25.

73. The Minister may, after consultation with the Director, adopt regulations to make provision relating to the issuing, suspension and revocation of manufacture, import, research, wholesale distributor and broker licences, the period of validity of such licences, the obligations and responsibilities of the holders of such licences and of their employees, standards in the manufacture, importation, distribution, brokering and disposal of veterinary medicinal products, and the fees that may be levied by the Director for the issuing of such licences.

FIRST SCHEDULE

(Articles 3, 16, 35, 36, 37, 38, 44 and 45)

Germinal products, by-products and plant products subject to veterinary requirements

(a) Germinal products:

Semen, ova and embryos of domestic species and other species according to the requirements of the trading partners in this matter.

(b) By-products:

A detailed list of these products (by-products not listed in Annex II of the Treaty on the European Union), shall be drawn up in regulations prescribed by the Minister, on the advice of the Director, taking into account the requirements of the trading partners in this matter.

(c) Plant products:

A detailed list of plant products which, particularly on account of their subsequent destination, may give rise to the risk of spreading infectious or contagious animal diseases and, for that reason, are to be subjected to veterinary inspections, shall be drawn up in regulations prescribed by the Minister, on the advice of the Director.

SECOND SCHEDULE

(Articles 6, 15, 16, 35 and 37)

Repealed by Act [XIV.2022.26.](#)

THIRD SCHEDULE
(Articles 8, 35 and 37)

Bovine diseases

- Foot-and-mouth disease
- Rabies
- Tuberculosis
- Brucellosis
- Contagious bovine pleuropneumonia
- Enzootic bovine leukosis
- Anthrax

Swine diseases

- Rabies
- Brucellosis
- Classical swine fever
- African swine fever
- Foot-and-mouth disease
- Swine vesicular disease
- Anthrax

Sheep and goats diseases

- Foot-and-mouth disease
- Brucellosis (*B. melitensis*)
- Contagious epididymitis (*B. ovis*)
- Anthrax
- Rabies
- Scrapie

Equidae diseases

- Dourine
- Glanders
- Equine encephalomyelitis (of all types, including VEE)
- Infectious anaemia
- Rabies
- Anthrax
- African horse sickness
- Vesicular stomatitis

Poultry diseases

- Avian influenza

- Newcastle disease
- Fish diseases
 - Infectious salmon anaemia (ISA)
 - Atlantic salmon (*Salmo salar*)
 - VHS (Viral haemorrhagic septicaemia)
 - Salmonid species
 - Grayling (*Thymallus thymallus*)
 - Whitefish (*Coregonus* spp.)
 - Pike (*Esox lucius*)
 - Turbot (*Scophthalmus maximus*)
 - Infectious haematopoietic necrosis (IHN)
 - Salmonid species
 - Pike fry (*Esox lucius*)
 - Molluscs diseases
 - *Bonamia ostreae*
 - Flat oyster (*Ostrea edulis*)
 - *Marteilla refringens*
 - Flat oyster (*Ostrea edulis*)
 - Other species diseases
 - Newcastle disease
- Birds
 - Avian influenza
- Birds
 - Psittacosis
- Psittacidae
 - American fowlbrood
- Bees
 - Foot-and-mouth disease
- Ruminants
 - Brucellosis (*Brucella* spp.)
- suidae
 - Tuberculosis
- suidae
 - Classical swine fever
- suidae
 - African swine fever
- suidae

- Foot-and-mouth disease
- suidae
- Rabies
- All susceptible species
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FOURTH SCHEDULE
(Articles 8, 19, 35 and 37)

- Bovine disease
- Infectious bovine rhinotracheitis
- Swine diseases
- Aujeszky's disease
 - Brucella suis infection
 - Transmissible gastro-enteritis
- Sheep and goats diseases
- Contagious agalactia
 - Paratuberculosis
 - Caseous lymphadenitis
 - Pulmonary adenomatosis
 - Maedi visna
 - Caprine viral arthritis. encephalitis
- Fish diseases
- Infectious pancreatic necrosis (IPN)
 - Spring viraemia of carp (SVC)
 - Bacterial kidney disease (BKD) (Renibacterium salmonidarum)
 - Furunculosis (Aeromonas salmonicida)
 - Enteric redmouth disease (ERM) (Yersinia ruckeri)
 - Gyrodactylus salaris
- Crustaceans
- Crayfish plague (Aphanomyces astaci)
- Other species diseases
- Viral enteritis
- Mink
- Aleutian disease
- Mink
- European foulbrood
- Bees

- Varroasis and acariasis
- Bees
- Tuberculosis
- Apes and felids
- Tuberculosis
- Ruminants
- Myxomatosis
- Lagomorphs
- Viral haemorrhagic disease
- Lagomorphs
- Tularaemia
- Lagomorphs
-

FIFTH SCHEDULE

(Article 18)

Foot-and-mouth disease
Rinderpest (cattle plague)
Contagious bovine pleuropneumonia
Bluetongue
Swine vesicular disease
Classical swine fever
African swine fever
Porcine enterovirus encephalomyelitis (was Teschen disease)
Avian influenza (was fowl plague)
African horse sickness
Vesicular stomatitis
Peste des petits ruminants
Rift Valley Fever
Lumpy skin disease
Sheep and goat pox (Capripox)
Hemorrhagic disease of deer
Venezuelan equine viral encephalomyelitis

SIXTH SCHEDULE

(Article 32)

Repealed by Act [XIV.2022.27](#).
