

Ministry of Agriculture and Forestry, Finland

NB: Unofficial translation; legally binding texts are those in Finnish and Swedish.

**Act on Access to and Pursuit of the Profession of Veterinary Surgeon
29/2000**

(amendments up to 1087/2010 included)

Chapter 1 – General provisions

Section 1 – Objective and scope of the Act

- (1) The objective of this Act is
 - 1) to ensure that those pursuing the profession of veterinary surgeon have the training necessary for this and other qualifications required for the professional activity; and
 - 2) to organise the supervision of those who pursue the profession of veterinary surgeon; provisions on the supervision obligation of employers are issued separately.
- (2) In this Act one who pursues the profession of veterinary surgeon means a person who practises as a veterinary surgeon as a licensed veterinary surgeon or with temporary authorisation in a permanent post or employment relationship or in other assignment or as a private veterinary surgeon.
- (3) In this Act the Ministry means the Ministry of Agriculture and Forestry, unless otherwise provided by decree.

Section 2 – Right to pursue the profession of veterinary surgeon

- (1) Only a person who has been licensed as a veterinary surgeon under this Act or who has temporary authorisation to pursue the profession of veterinary surgeon under this Act has the right to pursue the profession of veterinary surgeon.
- (2) Only a person entitled to pursue the profession of veterinary surgeon under this Act may decide on a veterinary examination of an animal, diagnosis of diseases and the related treatment and medication. Provisions on the use of animals for experimental purposes are, however, issued separately.
- (3) A person who pursues the profession of veterinary surgeon may not perform any measures for which his or her training and experience is to be considered insufficient or the ability to act is to be considered limited.

Chapter 2 – Licensing of a veterinary surgeon and pursuit of the profession of veterinary surgeon on a temporary basis

Section 3 – Licensing as a veterinary surgeon on the grounds of a degree completed in Finland (301/2006)

- (1) The Finnish Food Safety Authority grants, upon application, the right to practise as a licensed veterinary surgeon to a person who has completed the Licentiate of Veterinary Medicine degree on the basis of a Bachelor of Veterinary Medicine Degree, other lower university degree of at least three years or other training of the corresponding level as well as has given the veterinarian's oath to the Finnish Food Safety Authority both orally and in writing. The formula of the veterinarian's oath is approved by the Finnish Food Safety Authority.

Section 4 – Licensing as a veterinary surgeon on the grounds of international obligations

(301/2006)

- (1) The Finnish Food Safety Authority may grant, upon application, the right to practise as a licensed veterinary surgeon to a citizen of a state within the European Union or European Economic Area who has obtained the qualifications of a veterinary surgeon referred to in the European Community legislation or agreement concerning the European Economic Area in a state within the European Union or European Economic Area as well as given the veterinarian's oath referred to in section 3. Further provisions on the qualifications of a veterinary surgeon referred to in this subsection may be issued by Decree of the Ministry of Agriculture and Forestry.
- (2) The Finnish Food Safety Authority may grant, upon application, the right to practise as a licensed veterinary surgeon to a citizen of a Nordic country who has been awarded a degree in veterinary medicine in a state other than those within the European Union or European Economic Area on the grounds of which he or she is entitled to practise as a veterinary surgeon in some Nordic country. A further condition for the licensing is that the applicant has given the veterinarian's oath referred to in section 3.
- (3) Further provisions on the licensing in Finland required by the European Community legislation and the Agreement on a Common Nordic Labour Market for certain categories of health personnel and veterinarians (Treaty Series of the Statutes of Finland 2/1994) are issued by Decree of the Ministry of Agriculture and Forestry.
- (4) In cases other than those referred to in subsections 1 and 2 above that fall within the scope of the Act on the Recognition of Professional Qualifications (1093/2007) the Finnish Food Safety Authority decides on the right to practise as a veterinary surgeon on the grounds of qualifications of a veterinary surgeon obtained abroad as laid down in the said act. A further condition for the licensing as a veterinary surgeon is that that the veterinarian's oath referred to in section 3 is given. (1094/2007)
- (5) This Act also applies to the licensing as a veterinary surgeon and provision of veterinary services which is based on an agreement between the European Community and its Member States with another party or on Community legislation concerning the position of citizens of states other than those within the European Union. (1094/2007)

Section 5 – *Licensing as a veterinary surgeon on the grounds of other foreign degree*

(301/2006)

- (1) In cases other than those referred to in section 4 the Finnish Food Safety Authority grants, upon application, the right to practise as a licensed veterinary surgeon to a citizen within the European Union or European Economic Area who has completed a degree in veterinary medicine in a state other than those within the European Union or European Economic Area. A further condition for the licensing is that the applicant has completed the necessary additional training in veterinary medicine, proven sufficient skills in the Finnish or Swedish language and given the veterinarian's oath referred to in section 3.
- (2) On the grounds referred to in subsection 1 above the Finnish Food Safety Authority may grant the right to practise as a licensed veterinary surgeon to a person who is a citizen of a state other than those within the European Union or European Economic Area and who has completed a degree in veterinary medicine in a state other than Finland.
- (3) Further provisions on the additional training and language skills required for licensing are issued by Decree of the Ministry of Agriculture and Forestry.

Section 5 a – *Annexes to the licensing application*

(1094/2007)

- (1) In cases referred to in sections 4 and 5 the following documents must be annexed to the application concerning licensing as a veterinary surgeon:

- 1) a document which proves the citizenship of the applicant;
 - 2) a diploma or certificate of having completed training in veterinary medicine on the grounds of which the person has the right to independently pursue the profession of veterinary surgeon in the state which awarded the diploma or certificate;
 - 3) if the person has been granted the right to independently pursue the profession of veterinary surgeon in a state other than Finland, a certificate issued by the competent authority of the state concerned no more than three months earlier that this right has not been limited due to a serious fault or neglect in professional matters or other similar cause; and
 - 4) in cases referred to in section 5 a diploma or certificate on the completion of the required additional training and the language skills.
- (2) In cases referred to in section 4(1) the Finnish Food Safety Authority may also require the applicant to annex to the application a certificate that the degree in veterinary medicine is in accordance with the legislation of the European Community, or a certificate of pursuing the profession of veterinary surgeon.
- (3) The annexed documents must be given as originals or as certified copies. Translations of the annexed documents written in a language other than the Nordic languages into Finnish or Swedish done by an authorised translator must be annexed to the application.

Section 6 – Rejection of a licensing application

- (1) If an applicant fulfils the requirements laid down in section 3 or 4 or 5(1), the application concerning the licensing as a veterinary surgeon can only be rejected on grounds by which the right to pursue the profession of licensed veterinary surgeon can be restricted or it can be abolished.

Section 7 – Pursuit of the profession of veterinary surgeon on a temporary basis by a student of veterinary medicine

(301/2006)

- (1) A person who has completed a Bachelor of Veterinary Medicine degree and the studies required for the Licentiate of Veterinary Medicine degree may, prior to licensing as a veterinary surgeon, pursue the profession of veterinary surgeon on a temporary basis but for no more than three years as a substitute of a licensed veterinary surgeon or veterinary surgeon referred to in section 8. The time period of three years is calculated as from the time when the right referred to above is obtained. The Finnish Food Safety Authority may extend the time period for special reasons. Further provisions on the studies required for obtaining the right are issued by Decree of the Ministry of Agriculture and Forestry.
- (2) The Finnish Food Safety Authority may, on special grounds, grant the right to pursue the profession of veterinary surgeon on a temporary basis to a person who studies to become a veterinary surgeon in another state within the European Union or European Economic Area who has completed studies which correspond to the Bachelor of Veterinary Medicine degree and studies referred to in subsection 1.

Section 7 a – Temporary right to pursue the profession of veterinary surgeon in teaching and research tasks in veterinary medicine

(1087/2010)

- (1) The Finnish Food Safety Authority may grant, upon application, a person referred to in section 5 a temporary right to pursue the profession of veterinary surgeon in university research and teaching tasks without the requirements concerning additional studies or language skills. The temporary right may be granted for no more than five years at a time and subject to restrictions concerning the specific fields and place of activity. The

provisions of paragraphs 1–3 of section 5 a(1) and section 5 a(3) apply to the documents to be annexed to an application concerning the temporary right.

- (2) The granting of a temporary right is subject to the condition that the applicant is particularly skilled and experienced in the field concerned and he or she has an unlimited right in force to pursue the profession of veterinary surgeon in his or her country of origin. A person who has obtained the temporary right may pursue the profession of veterinary surgeon only under the supervision and guidance of a responsible person licensed as a veterinary surgeon in Finland appointed by the university who practises in the same place of activity.

Section 8 – Provision of veterinary services on a temporary and occasional basis
(1094/2007)

- (1) A citizen of a state within the European Union or European Economic Area who has the legal right to independently pursue the profession of veterinary surgeon in a state within the European Union or European Economic Area other than Finland may practise as a veterinary surgeon on a temporary and occasional basis without licensing as a veterinary surgeon after having notified the Finnish Food Safety Authority of the provision of veterinary services on a temporary basis. The notification is in force for one year and it may be renewed, where necessary. Further provisions on the content of the notification and procedure to be followed in giving the notification may be issued by Decree of the Ministry of Agriculture and Forestry.
- (2) The title "veterinary surgeon" must be used in the provision of services on a temporary and occasional basis.

Section 9 – Use of the title "veterinary surgeon"
(1087/2010)

- (1) Only a veterinary surgeon licensed under this Act as well as a person referred to in section 7 a and 8 may use the title "veterinary surgeon". Provisions on the use of titles of diplomas in veterinary medicine in Finland required by the legislation of the European Union are issued by Decree of the Ministry of Agriculture and Forestry.

Chapter 3 – Rights and obligations of a person who pursues the profession of veterinary surgeon

Section 10 – Prescription and purchase of medicines

- (1) A person who pursues the profession of veterinary surgeon has the right to prescribe medicines from the pharmacy for veterinary or veterinary science purposes. Further provisions on the prescription of medicines may be issued by Decree of the Ministry of Agriculture and Forestry. The provisions on the sale and other supply of medicines to veterinary surgeons from pharmaceutical wholesales are laid down in the Medicines Act (395/1987). (301/2006)
- (2) A person referred to in section 7 above is obligated to write on the prescription the office, position or task which he or she manages.

Section 11
(Repealed by 301/2006)

Section 12 – Notification obligation and obligation to give information
(1484/2009)

- (1) A person who pursues the profession of veterinary surgeon is obligated, the secrecy provisions notwithstanding, to give notifications and statistical information according to the

orders of the Finnish Food Safety Authority on the diseases in animals he or she treats as well as accounts and explanations relating to diseases or other pursuit of the profession of veterinary surgeon required by the Finnish Food Safety Authority or Regional State Administrative Agency. A licensed veterinary surgeon who pursues the profession of veterinary surgeon is also obligated to notify his or her place of residence and address and any changes to these to the Finnish Food Safety Authority and the Regional State Administrative Agency.

- (2) A person who pursues the profession of veterinary surgeon is obligated, the secrecy provisions notwithstanding, to notify without delay information about a disease he or she treats which is necessary under the Animal Disease Act (55/1980) to prevent the spread of animal diseases to be combated to the veterinary surgeons and authorities responsible for tasks relating to the implementation of the Animal Disease Act. When required for animal welfare reasons, a person who pursues the profession of veterinary surgeon is obligated, the secrecy provisions notwithstanding, to notify without delay a disease he or she has treated or observations made in the animal premises in connection with the treatment to the animal welfare authority and to give the information necessary for investigating the case.

Section 13 – *Obligations relating to professional ethics*

- (1) The objective of the professional activity of a person pursuing the profession of veterinary surgeon is to maintain and promote animal health and welfare, prevent and cure illnesses and alleviate suffering as well as preserve public health and food safety. In their professional activities persons pursuing the profession of veterinary surgeon must apply commonly approved, experience-based and well-justified practices in accordance with their training, while constant efforts must be made to supplement the training.

Section 14 – *Indispensable help for animal welfare reasons*

- (1) In case of a serious accident or other unforeseeable event where considerable pain, suffering or distress is caused to the animal and urgent veterinary help is indispensable due to animal welfare reasons and there is no veterinary surgeon available at the specific location who in his or her official capacity provides such help, every person entitled to practise the profession of veterinary surgeon is obligated to provide first aid.

Section 15 – *Patient records*

- (1) A person who pursues the profession of veterinary surgeon must draw up and retain the patient records concerning the animals examined and treated in accordance with the further provisions issued by the Ministry.
- (2) The owner of the animal has the right to obtain all patient information concerning an animal he or she owns from the patient records.

Section 16 – *Secrecy obligation*

- (1) A person who pursues the profession of veterinary surgeon or his or her assistant may not disclose to a third party, without permission, any information concerning an animal which is treated or kept in the same animal premises or the economic position, health, social circumstances or other similar information concerning the private life. The secrecy obligation remains in force also after the pursuit of the profession has ended.

Section 17 – *Veterinary certificates*

- (1) When giving veterinary certificates and statements and other certificates to be presented to a court of justice or other public authority a person who pursues the profession of veterinary surgeon must attest the certificate by words "which I solemnly declare upon my honour and

conscience". A certificate which has thus been attested is valid without attestation by oath, unless a court of justice orders for special reasons that a certificate must be attested by oath or affirmation.

- (2) Further provisions on issuing certificates and statements may be issued by Decree of the Ministry of Agriculture and Forestry. (301/2006)

Section 18 – *In-service training obligation*

- (1) A person who pursues the profession of veterinary surgeon is obligated to maintain and develop the professional skills required for pursuing the professional activity and to learn about the rules and regulations concerning the professional activity.
- (2) The employer of a person who pursues the profession of veterinary surgeon must create conditions where the person who pursues the profession is able to participate in the necessary professional in-service training.

Chapter 4 – **Direction and supervision of a person who pursues the profession of veterinary surgeon**

Section 19 – *Direction and supervision*

(301/2006)

- (1) The Ministry directs and supervises the implementation of and compliance with this Act and provisions issued under it as the supreme authority.
- (2) The Finnish Food Safety Authority directs and supervises the implementation of and compliance with this Act and provisions issued under it as the central government authority.
- (3) The Regional State Administrative Agency sees to the implementation of this Act and provisions under it and the supervision of the compliance with these within its jurisdiction. (1484/2009)

Section 20 – *Assessment of the ability work*

(301/2006)

- (1) If there is reasonable cause to assume that a person who pursues the profession of veterinary surgeon has become unable to practise his or her profession due to illness, substance abuse, reduced functional ability or other similar reason, the Finnish Food Safety Authority may obligate the person who pursues the profession of veterinary surgeon to a medical examination or hospital tests.

Section 21 – *Assessment of professional skills*

(301/2006)

- (1) If there is reasonable cause to suspect that there are shortcomings in the professional skills of a person who pursues the profession of veterinary surgeon, the Finnish Food Safety Authority may obligate the person who pursues the profession of veterinary surgeon to a hearing or to giving a work demonstration to establish the professional skills or other qualifications.

Section 22 – *Inspection of the consulting activity*

(301/2006)

- (1) The Finnish Food Safety Authority or Regional State Administrative Agency may inspect the consulting, examination and treatment premises of a person who pursues the profession of veterinary surgeon as well as the patient records if this is necessary to perform the supervision laid down in this Act. The Finnish Food Safety Authority may also order the Regional State Administrative Agency to perform an inspection. (1484/2009)

- (2) An inspection may be performed in premises governed by domiciliary peace only if this is indispensable to examine the factors which are the object of inspection and there is cause to suspect that the veterinary surgeon is guilty of a procedure that is punishable under the law in his or her professional activity.
- (3) Experts may be used to assist the authorities in an inspection. The experts must be known as skilled and experienced persons who represent expertise in science, veterinary practice or another field that is relevant as regards the inspection. The experts have the right, the secrecy provisions notwithstanding, to have access to information necessary for inspecting the consulting activity. The experts are obligated to keep secret any information obtained which has been defined as secret.

Chapter 5 – **Administrative protective measures**

Section 23 – *Wrongful conduct*

(301/2006)

- (1) The Finnish Food Safety Authority may, depending on the type and extent of the infringement, issue by its decision further regulations for the professional activity to a person who pursues the profession of veterinary surgeon or restrict the right to pursue the profession until further notice or for a set time period or abolish the right to pursue the profession until further notice or for a set time period if the person who pursues the profession of veterinary surgeon has
 - 1) neglected an obligation laid down in section 10(2)(12-16) or section 18;
 - 2) performed tasks for which his or her training or professional skills are to be considered insufficient or his or her ability to act is to be considered limited;
 - 3) otherwise acted in a wrongful or reprehensible manner when pursuing the profession of veterinary surgeon.
- (2) Restricting or abolition of the right to pursue the profession of veterinary surgeon in a way referred to in subsection 1 is subject to the condition that that the wrongful conduct or neglect is serious and repeated and an admonition or caution issued to the person who pursues the profession has not led to rectification of the shortcoming in the activity.

Section 24 – *Incapacity to practise the profession*

(301/2006)

- (1) If the person who pursues the profession of veterinary surgeon has become incapable to practise the profession due to illness, substance abuse, reduced functional ability or other similar reason, the Finnish Food Safety Authority may restrict the right to pursue the profession until further notice or abolish it until further notice.

Section 25 – *Crime committed in the professional activity*

(301/2006)

- (1) If a person who pursues the profession of veterinary surgeon has been sentenced to imprisonment for a crime committed in professional activity and the sentence of the court of justice has become final and if from the circumstances pertaining to the crime it is to be concluded that the person is not worthy of the confidence he or she should enjoy, the Finnish Food Safety Authority may abolish the right to pursue the profession from the person who pursues the profession of veterinary surgeon for a set time period or, in case of particularly aggravating circumstances, permanently.
- (2) If a person who pursues the profession of veterinary surgeon in a state or municipal office or in an office of a municipal federation has been sentenced to be dismissed from the

performance of his or her official duties or from the office, the provisions of subsection 1 apply, *mutatis mutandis*.

- (3) The court of justice must send copies of minutes concerning a matter referred to in subsection 1 and 2 and of the sentence to the Finnish Food Safety Authority without delay.
- (4) The Finnish Food Safety Authority may forbid the person who pursues the profession of veterinary surgeon to pursue the profession even before the sentence of a court of justice by which the person who pursues the profession of veterinary surgeon has been sentenced to imprisonment or to be dismissed from office or from the performance of official duties has become final.

Section 26 – Temporary administrative protective measures
(301/2006)

- (1) When processing matters referred to in sections 20–25 the Finnish Food Safety Authority may forbid the person who pursues the profession of veterinary surgeon to pursue the profession or restrict the right to pursue the profession temporarily if this is necessary due to immediate danger to animal health or welfare or public health caused by the action.

Section 27 – Abolition of the right to pursue the profession at the own request of the person who pursues the profession of veterinary surgeon
(301/2006)

- (1) The Finnish Food Safety Authority may restrict or completely abolish the right to pursue the profession of veterinary surgeon at the own request of the person who pursues the profession of veterinary surgeon.

Section 28 – Restoring the right to pursue the profession

- (1) When the right to pursue the profession has been abolished from the person who pursues the profession of veterinary surgeon temporarily or until further notice or it has been restricted, the person who pursues the profession of veterinary surgeon may apply for the restoration of the authorisation to pursue the profession after the cause for the abolition or restriction of the right to pursue the profession has ceased to exist. (301/2006)
- (2) An account that the cause referred to in subsection 1 has ceased to exist must be annexed to the application.

Chapter 6 – Disciplinary and penal provisions

Section 29 – Written warning
(301/2006)

- (1) If a person who pursues the profession of veterinary surgeon has in the pursuit of the profession acted contrary to the law or provisions or regulations issued under the law, otherwise been guilty of faultiness or neglect in his or her task or behaved in an inappropriate manner, and the faultiness or neglect is not such that he or she should be accused for it in a court of justice, the Finnish Food Safety Authority may issue a written warning to him or her.

Section 30 – Reference provision concerning penalties
(410/2002)

- (1) The penalty for pursuing the profession of veterinary surgeon without the lawful right is laid down in Chapter 44, section 4 of the Criminal Code.

Section 31 – Violation of secrecy obligation

- (1) The penalty for violating the secrecy obligation laid down in section 16 is sentenced under Chapter 38, section 1 or 2 of the Criminal Code (39/1889), unless the deed is punishable under Chapter 40, section 5 or a more severe penalty is laid down for it elsewhere in the law.

Chapter 7 – Register and list of veterinary surgeons

Section 32 – *Register of veterinary surgeons* (301/2006)

- (1) In order to manage the supervision tasks laid down in this Act the Finnish Food Safety Authority keeps a register of persons who pursue the profession of veterinary surgeon. When making the entry to the register of veterinary surgeons the Finnish Food Safety Authority issues an identification number to the person who pursues the profession of veterinary surgeon.
- (2) The information to be recorded in the register is:
 - 1) name, personal identity number, identification number, date of licensing and information on having completed the degree of specialist veterinary surgeon, where available;
 - 2) place of employment and contact information of a person who pursues the profession of veterinary surgeon as well as self-employment;
 - 3) time period during which a student of veterinary medicine has the right to pursue the profession of veterinary surgeon on a temporary basis under section 7;
 - 4) time period during which a person has a temporary right to pursue the profession of veterinary surgeon under section 7 a;
 - 5) time period during which a person who pursues the profession of veterinary surgeon provides veterinary services on a temporary basis under section 8;
 - 6) temporary restriction or prohibition of the right to pursue the profession; and
 - 7) restriction or prohibition of the right to pursue to profession in force until further notice.
(1087/2010)
- (3) The Finnish Food Safety Authority may record information on a warning, fine or imprisonment or removal from office or dismissal from performing official duties received by the person who pursues the profession of veterinary surgeon in the pursuit of the profession necessary for managing the supervision tasks laid down in this Act to the register of veterinary surgeons. This information, as well as information referred to in subsection 2, may be recorded to the register even if the decision concerning the matter has not become final.

Section 33 – *Retention periods of information entered to the register of veterinary surgeons and release of information*

- (1) Information referred to in section 32(2) is removed from the register of veterinary surgeons after one year from the death of the person concerned. Information referred to in section 32(3) is removed from the register of veterinary surgeons after ten years from the issue of a decision or other solution unless a longer time period for removing the entry is laid down in the Personal File Act (1010/1989). An entry to the register concerning a penalty is also removed from the register of veterinary surgeons when the punishability of the act which was the cause for sentencing to the penalty has been removed. If a piece of information entered to the register of veterinary surgeons is based on a decision which is not yet final and the decision is repealed later on, the piece of information must be removed immediately after the decision concerning the repeal has become final.

- (2) The Regional State Administrative Agency has, for the supervision tasks under this act, and an authority of a state within the European Union or European Economic Area when required by an international obligation binding on Finland the right to obtain information from the register of veterinary surgeons free of charge. Information may also be released free of charge to a court of justice and other authority or corporation which has the right to obtain information under the law. To the Regional State Administrative Agency the register of veterinary surgeons and the information contained in it may also be given in electronic form. (1484/2009)
- (3) The Finnish Food Safety Authority may give information from the register of veterinary surgeons by telephone concerning the right of the person who pursues the profession of veterinary surgeon to pursue the profession or the restriction or abolition of the right temporarily or until further notice. (301/2006)

Section 33 a – *Public information service*

(1087/2010)

- (1) The Finnish Food Safety Authority may release information entered to the register of veterinary surgeons concerning the name and identification number as well as the right to pursue the profession and restriction of the right of the person who pursues the profession of veterinary surgeon via the public information network (*public information service*). In case of a person who pursues the profession of veterinary surgeon on a temporary basis under sections 7, 7 a or 8 information may also be released concerning the period during which the temporary right to pursue the profession is in force.
- (2) Information may be searched from the public information service only as single searches using the name or identification number of the person as the search criterion.
- (3) The Finnish Food Safety Authority must remove the information concerning a person who pursues the profession of veterinary surgeon from the public information service immediately after the right to pursue the profession has been removed or when information on the death of the person who pursues the profession has arrived. In other respects the provisions of section 33(1) on retaining the information entered to the register of veterinary surgeons apply to the information entered to the public information service.

Section 34 – *List of veterinary surgeons*

(1484/2009)

- (1) On the basis of information mentioned in section 32(2) the Finnish Food Safety Authority publishes a list of veterinary surgeons intended for public use. The list of veterinary surgeons may not contain the home address or personal identity number without the consent of the person who pursues the profession of veterinary surgeon. The list of veterinary surgeons is delivered annually to the Regional State Administrative Agency, pharmacies and pharmaceutical wholesalers free of charge. It may also be delivered in electronic form free of charge to the authorities, pharmacies and pharmaceutical wholesalers.
- (2) As regards the municipal veterinary surgeons the list of veterinary surgeons including the personal identity numbers may be delivered in written or electronic form free of charge to the pension institutes which handle the pensions of the municipal veterinary surgeons.

Chapter 8 – **Miscellaneous provisions**

Section 35 – *Hearing*

(301/2006)

- (1) Before the final decision on a matter referred to in sections 20–25 or 29 the Finnish Food Safety Authority must give the person who pursues the profession of veterinary surgeon the opportunity to give an explanation on the matter.

Section 36 – *Experts*

(301/2006)

- (1) When resolving a matter referred to in sections 20, 21, 23–25 or 29 the Finnish Food Safety Authority may use the assistance of permanent experts invited for this purpose. Permanent experts must be known as skilled and experienced persons who represent relevant scientific, practical veterinary medicine or other expertise. A person who has agreed to act as a permanent expert on the request of the Finnish Food Safety Authority is obligated to provide experts assistance in the field he or she represents.
- (2) The secrecy provisions notwithstanding, the permanent experts have the right to access information necessary for the provision of expert assistance. They are obligated to keep secret any information obtained which has been defined as secret.
- (3) The Finnish Food Safety Authority pays remuneration to the permanent experts for the tasks they have performed and compensations for travel costs.

Section 37 – *Penalty payment*

- (1) If a person who pursues the profession of veterinary surgeon neglects the notification obligation and obligation to give information referred to in section 12 or the obligation to draw up and retain patient records laid down in section 15, the Finnish Food Safety Authority may order him or her to fulfil the obligation by a threat of penalty payment.
(301/2006)
- (2) Otherwise the provisions of the Penalty Payment Act (1113/1990) apply to a matter concerning penalty payment under this Act.

Section 38 – *Executive assistance*

- (1) If a person who pursues the profession of veterinary surgeon does not agree to an inspection of the consulting activity the police must give executive assistance, where necessary.

Section 38 a – *Resolution of an application concerning the right to pursue the profession in certain cases*

(1094/2007)

- (1) An applicant referred to in section 4(1) above must be notified of the receipt of the application and of any documents that are missing within a month from the arrival of the application. The application must be resolved no later than within three months from the presentation of the required documents.

Section 39 – *Appeal*

(1094/2007)

- (1) A decision under this Act is appealed as laid down in the Administrative Judicial Procedure Act (586/1996).
- (2) If a decision on an application referred to in section 4(1) has not, contrary to section 38 a, been given within the set time period, the applicant may file an appeal following the procedure laid down in the Administrative Judicial Procedure Act, which in such a case is considered to concern a decision rejecting the application. Such an appeal may be filed until a decision has been made on the application. The Finnish Food Safety Authority must notify the appellate authority of issuing a decision.
- (3) Decisions referred to in sections 20 – 26 must be implemented in spite of appeal.

Section 40 – *Right to information*
(1484/2009)

The secrecy provisions notwithstanding, the Finnish Food Safety Authority and Regional State Administrative Agency have the right to obtain, free of charge, information and reports necessary for performing tasks under this Act from the state or municipal authority or authority of a municipal federation and other corporations governed by public law as well as a pharmacy and pharmaceutical wholesalers.

Section 41 – *Announcement in the official journal and notice to pharmacies and pharmaceutical wholesalers*
(301/2006)

- (1) The Finnish Food Safety Authority must announce the restricted, abolished and restored right to pursue the profession in the official journal without delay.
- (2) In addition, the Finnish Food Safety Authority must notify the pharmacies and pharmaceutical wholesalers of the abolished or restricted right to purchase or prescribe medicines and abolished or restored and, where necessary, restricted right to pursue the profession of veterinary surgeon.

Section 42 – *Right to practise as specialist veterinary surgeon*

- (1) Provisions on the specialised training of veterinary surgeons are laid down by decree. Only a veterinary surgeon who fulfils the qualifications requirements for specialisation laid down by decree has the right to declare him or herself as specialised veterinary surgeon.
- (2) In cases which fall within the scope of the Act on the Recognition of Professional Qualifications the Finnish Food Safety Authority decides on the right to practise as a specialist veterinary surgeon on the grounds of qualifications of a specialist veterinary surgeon obtained abroad as laid down in the said act. (1094/2007)
- (3) In cases other than those referred to in subsection 2 the Finnish Food Safety Authority may grant the right to practise as a specialist veterinary surgeon to a person who has completed a degree which corresponds to the degree of specialist veterinary surgeon in a country other than Finland. A further condition for the licensing is that the applicant has completed the necessary additional training in veterinary medicine in Finland. Further provisions on the additional training are laid down by Decree of the Ministry of Agriculture and Forestry. (301/2006)

Section 43 – *Qualifications to certain offices and posts*

- (1) Only a licensed veterinary surgeon may be assigned or appointed as a veterinary surgeon to an office or post of a veterinary surgeon in the central government, municipality, public corporation or other body.
- (2) A person referred to in section 7 may manage an office or post temporarily, unless otherwise provided elsewhere in the law. (1094/2007)

Section 44 – *Notification obligation of an educational establishment*

- (1) The education establishment in which the studies and degrees that are the grounds for the right referred to in section 7(1) have been completed must notify the Finnish Food Safety Authority of this without delay.

Section 45
(Repealed by 301/2006)

Chapter 9 – Entry into force and transitional provisions

Section 46 – *Entry into force*

- (1) This Act enters into force on 1 February 2000.
- (2) This Act repeals the Act on Access to and Pursuit of the Profession of Veterinary Surgeon of 24 May 1985 (409/1985), with subsequent amendments. However, the Decisions of the Veterinary and Food Department of the Ministry of Agriculture and Forestry under the said Act remain in force until otherwise provided.
- (3) Measures necessary for the implementation of the Act may be undertaken before the Act's entry into force.

Section 47 – *Transitional provision concerning the right to pursue the profession*

- (1) A veterinary surgeon who has been licensed under provisions in force before this Act or a person who has earlier been awarded the right to pursue the profession of veterinary surgeon in Finland continues to be, the provisions of Chapter 2 of this Act notwithstanding, entitled to pursue the profession of veterinary surgeon in Finland.
- (2) A student of veterinary medicine who before the entry into force of this Act has been granted the right to pursue the profession of veterinary surgeon on a temporary basis retains this right for three years as from the entry into force of this Act.

Section 48 – *Other transitional provisions*

- (1) Persons invited as permanent experts of the Ministry of Agriculture and Forestry under section 19 a of the repealed Act on Access to and Pursuit of the Profession of Veterinary Surgeon continue in their expert tasks after the entry into force of this Act, until otherwise decided.
- (2) Matters pending upon the entry into force of this Act are processed in accordance with the provisions in force upon the entry into force of this Act.
- (3) After the entry into force of this Act references to the Act on Access to and Pursuit of the Profession of Veterinary Surgeon repealed by this Act or to a person who pursues the profession of veterinary surgeon are considered to mean a reference to this Act and a person who pursues the profession of veterinary surgeon.

Entry into force and application of amending statutes:

410/2002:

- (1) This Act enters into force on 1 September 2002.

301/2006:

- (1) This Act enters into force on 1 May 2006.
- (2) The lower university degree or training of the corresponding level referred to in section 3 is not required in case of a person who has completed the Licentiate of Veterinary Medicine degree in accordance with the Decree on Degrees in Veterinary Medicine (298/1978).
- (3) The Bachelor of Veterinary Medicine degree referred to in section 7 is not required to obtain the right to pursue the profession on a temporary basis in case of a person who studies for the Licentiate of Veterinary Medicine degree in accordance with the Decree on Degrees in Veterinary Medicine under the transitional provisions of the Act on Amending the Universities Act (715/2004).

- (4) A person who has obtained the right to pursue the profession of veterinary surgeon before the entry into force of this Act is still entitled to continue to pursue the profession.
- (5) Persons invited as permanent experts under section 36 before the entry into force of this Act continue in their tasks until otherwise ordered by the Finnish Food Safety Authority.

1094/2007:

- (1) This Act enters into force on 1 January 2008.
- (2) The provisions of this Act apply to applications which became pending before the entry into force of this Act if the decision is made after the entry into force of this Act. In cases referred to in section 4(4), the additional studies which the person has completed after the entry into force of this Act shall be taken into account when assessing the need for compensatory measures.

1484/2009:

- (1) This Act enters into force on 1 January 2010.
- (2) Measures necessary for the implementation of the Act may be undertaken before the Act's entry into force.

1087/2010:

- (1) This Act enters into force on 1 January 2011.
- (2) Measures necessary for the implementation of the Act may be undertaken before the Act's entry into force.