

SCHEDULE 7

Regulation 36

TRANSITIONAL PROVISIONS: CERTIFICATES

PART 1

SIMPLIFIED PROCEDURE FOR PERSONS WHO HAVE THREE YEARS' PROFESSIONAL EXPERIENCE

Application

1.—(1) This part applies to a person who applies for a certificate before 8th December 2015 who, on the date of application, has at least three years' professional experience in relation to the operation, category of animal and (where appropriate) type of equipment in respect of which the certificate is sought.

(2) A person to whom this part applies is not required to comply with regulation 8(b) if that person—

- (a) demonstrates to the satisfaction of the competent authority that the person has, at the date of application, at least three years' professional experience in relation to the operation, category of animal and (where appropriate) type of equipment in respect of which the certificate is sought; and
- (b) provides a written declaration from an authorised veterinary surgeon that, in the opinion of the authorised veterinary surgeon, the person is a fit and proper person to hold a certificate.

PART 2

SIMPLIFIED PROCEDURE FOR PERSONS WHO DO NOT HAVE THREE YEARS' PROFESSIONAL EXPERIENCE: TRANSITIONAL CERTIFICATE

Transitional certificates

2. This Part applies to a person who is unable to apply for a certificate under paragraph 1 of Part 1 by reason of the fact that that person at the time of application does not have at least three years' professional experience in relation to the operation, category of animal and (where appropriate) type of equipment in respect of which the certificate is sought, but who can be reasonably expected to accrue three years' experience by 8th December 2015.

3. A person to whom paragraph 2 applies may apply for a transitional certificate.

4. A person to whom paragraph 3 applies is not required to comply with regulation 8(b) if that person—

- (a) demonstrates to the satisfaction of the competent authority that at the date of application the person has had professional experience in relation to the operation, category of animal and (where appropriate) type of equipment in respect of which the certificate is sought; and
- (b) provides a written declaration from a veterinary surgeon that, in the opinion of the veterinary surgeon, the person is a fit and proper person to hold a transitional certificate.

Conditions for a transitional certificate

5. An applicant for a transitional certificate shall—

Status: This is the original version (as it was originally made).

- (a) not be less than 16 years old;
- (b) submit a written declaration stating that they have committed no serious infringement of Community law and/or national law on the protection of animals in the three years preceding the date of application for a transitional certificate; and
- (c) provide written details if the applicant has—
 - (i) been convicted of an offence concerning the welfare of animals;
 - (ii) been refused a licence under the 1996 Regulations; or
 - (iii) had any such licence to kill animals revoked or suspended.

Grant of a transitional certificate

- 6.—(1) The competent authority shall grant a transitional certificate if—
- (a) the applicant meets the conditions in paragraph 5; and
 - (b) it is satisfied that the applicant is a fit and proper person to hold a transitional certificate.
- (2) An applicant granted a certificate under sub-paragraph (1) shall be subject to continuous assessment by an authorised veterinary surgeon and shall “work under the supervision and guidance of” an authorised veterinary surgeon.

Withdrawal of transitional certificate and review

- 7.—(1) A transitional certificate may be withdrawn at any time by the competent authority if an authorised veterinary surgeon declares that the holder of the certificate is not a fit and proper person to hold a certificate.
- (2) The holder of a certificate which is withdrawn under sub-paragraph (1) has a right to make representations to the competent authority as if the holder were a person aggrieved by a decision of the competent authority under regulation 16.

Period of validity of a transitional certificate

8. A transitional certificate shall cease to be valid after 8th December 2015.