



# Veterinary Surgeons Act 1966

## 1966 CHAPTER 36

### *Miscellaneous and general*

#### **22 Default powers of the Privy Council**

- (1) If it appears to the Privy Council that the Council of the College have failed, but ought, to discharge any of their functions under this Act, the Privy Council may notify their opinion to the Council of the College and may direct them to discharge that function in such a manner and within such a period as may be specified in the direction.
- (2) If the Council of the College fail to comply with a direction under the foregoing subsection with respect to any function of theirs, the Privy Council may themselves discharge that function.

#### **23 Exercise of powers conferred on the Privy Council**

- (1) For the purpose of exercising any powers of this Act conferred on the Privy Council a quorum of the Privy Council shall be two.
- (2) Any document purporting to be—
  - (a) an instrument of appointment or approval made by the Privy Council under this Act or any other instrument so made; and
  - (b) signed by the Clerk of the Privy Council or any other person authorised by the Privy Council in that behalf, shall be evidence (and in Scotland sufficient evidence) of the fact that the instrument was so made and of the terms of the instrument.

#### **24 Exemption from jury service**

- (1) No person registered in the register of veterinary surgeons or the supplementary veterinary register shall if actually practising veterinary surgery be liable to serve on any jury in Great Britain.
- (2) For section 10(1) of the Juries Act (Northern Ireland) 1953 there shall be substituted the following subsection:—

“(1) No person registered in the register of veterinary surgeons or the supplementary veterinary register shall, if actually practising veterinary surgery, be liable to serve on any jury, and accordingly there shall be added at the end of Schedule 3 to the Jury Laws Amendment Act (Northern Ireland) 1926 (exemption from serving on juries) the words ' persons registered in the register of veterinary surgeons or the supplementary veterinary register, if actually practising.’”

## **25 Regulations, rules and orders**

- (1) No regulation or rules of the Council under this Act shall have effect unless approved by order of the Privy Council.
- (2) Any order under the foregoing subsection may be revoked by a subsequent order of the Privy Council.
- (3) Any power to make orders conferred by this Act on the Privy Council or the Ministers, and any power to make rules so conferred on the Lord Chancellor, shall be exercisable by statutory instrument.
- (4) The Ministers shall not make an order under section 19(5) of this Act unless a draft of the order has been approved by both Houses of Parliament.
- (5) Any statutory instrument made under this Act in the exercise of powers conferred by section 1(4), 3, 19(4) or 21 of this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament.

## **26 Notices**

- (1) In this Act " notice " means a notice in writing.
- (2) Any notice or other document authorised or required to be served under this Act on a person registered in the register of veterinary surgeons or the supplementary veterinary register may, without prejudice to any other method of service, be served on him by post in a letter addressed to him at his address in the relevant register, or at his last known address if that address differs from his address in the relevant register and it appears to the registrar that such service will be more effective.

## **27 Interpretation**

- (1) In this Act, except so far as the context otherwise requires.—
  - " animals " includes birds and reptiles ;
  - " College " means the Royal College of Veterinary Surgeons ;
  - " Commonwealth qualification " and " foreign qualification " have the meanings respectively assigned to them by section 6 of this Act;
  - " Council " means the Council of the College;
  - " disciplinary case " has the meaning assigned to it by section 15 of this Act;
  - " elected members of the Council " has the meaning assigned to it by section 1 of this Act;
  - " the Ministers " means the Minister of Agriculture, Fisheries and Food, the Secretary of State and the Minister of Agriculture for Northern Ireland acting jointly;

" qualification " means any diploma, degree, fellowship, membership, licence, authority to practise, letters testimonial, certificate or other status or document granted by any university, corporation, college or other body or by any department of, or persons acting under the authority of, the government of any country or place;

" recognition order " has the meaning assigned to it by section 3 of this Act;

" register " means the register of veterinary surgeons ;

" veterinary surgery " means the art and science of veterinary surgery and medicine and, without prejudice to the generality of the foregoing, shall be taken to include—

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

- (2) Anything required by this Act to be done by or to the registrar may be done by or to any assistant registrar appointed by the Council.
- (3) References in this Act to any other enactment shall be construed as references thereto as amended, and as including references thereto as extended, by or under any subsequent enactment.

## **28 Repeal, saving and transitional provisions**

- (1) The enactments described in Schedule 4 to this Act are hereby repealed to the extent specified in column 3 of that Schedule.
- (2) Nothing in this Act shall be construed as derogating from so much of the charter of the College dated 8th March 1844 as incorporates the College, recognises the veterinary art as a profession, authorises the College to have a common seal, to hold property, to sue and be sued and to appoint officers and servants and provides for the vesting of the property of the College.
- (3) In so far as any Order in Council, regulation, rule, order or other instrument made or issued under any enactment repealed or any charter provision superseded by this Act or any other thing done under any such enactment or provision could have been made, issued or done under a corresponding provision of this Act it shall not be invalidated by the repeals effected by this section or by any other provision of this Act but shall have effect as if made, issued or done under that corresponding provision.
- (4) Without prejudice to the last foregoing subsection—
  - (a) any persons registered in the register immediately before the commencement of section 2 of this Act by reason of his having obtained a diploma granted on examination by the College shall be treated as if he had been registered in that register in the general list;
  - (b) any person registered in the register under section 13 of the Veterinary Surgeons Act 1881 as a colonial practitioner or a foreign practitioner immediately before the commencement of the said section 2 shall be treated as if he had been registered in the register in the Commonwealth list or the foreign list, as the case may require;

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

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- (c) any order made under section 1 of the Veterinary Surgeons Act 1948 and in force immediately before the commencement of section 3 of this Act shall have effect as if it had been made under the said section 3.
- (5) Without prejudice to subsection (3) of this section, any provision of this Act relating to anything done or required or authorised to be done under, or by reference to, that provision or any other provision of this Act shall have effect as if any reference to that provision or to that other provision, as the case may be, included a reference to the corresponding provision of the enactments repealed by this Act or the corresponding charter provision superseded by this Act, as the case may require.
- (6) Without prejudice to subsection (3) of this section, the tenure of office of a person elected or appointed a member of the Council, or President or Vice-President of the College, before the day appointed for the commencement of Schedule 1 to this Act, or of any person thereafter elected or appointed to fill a casual vacancy in the office of a person of the former description, shall be computed as if the said Schedule 1 had come into operation on the day on which the person of the former description was elected or appointed a member of the Council or President or Vice-President of the College, as the case may be.
- (7) Nothing in this Act shall affect the enactments repealed thereby in their operation in relation to offences committed before the commencement of sections 19 and 20 of this Act.
- (8) Any enactment passed before this Act referring, whether specifically or by means of a general description, to an enactment repealed or a charter provision superseded by this Act shall, unless the contrary intention appears, be construed as referring to the corresponding provision of this Act, and any document made or issued (whether before or after the passing of this Act) referring whether specifically or by means of a general description, to an enactment repealed or a charter provision superseded by this Act shall, unless the contrary intention appears, be similarly construed.
- (9) In this section "charter provision" means a provision of a charter of the College.

## **29 Short title, extent and commencement**

- (1) This Act may be cited as the Veterinary Surgeons Act 1966.
- (2) It is hereby declared that this Act extends to Northern Ireland, and for the purposes of section 6 of the Government of Ireland Act 1920 (which precludes the Parliament of Northern Ireland from amending Acts of the Parliament of the United Kingdom passed after the day appointed for that section to come into operation) this Act shall be treated as passed before that day.
- (3) This Act shall come into operation on such day as Her Majesty may by Order in Council appoint and different days may be appointed under this subsection for different purposes; and any reference in this Act to the commencement of any provision thereof shall be construed as a reference to the day appointed under this subsection for the coming into operation of that provision.
- (4) Any Order under this section may make such transitional provision as appears to Her Majesty to be necessary or expedient in connection with the provisions thereby brought into force, including such adaptations of those provisions, of any provisions of this Act then in force or of any provisions then in force of the enactments described in Schedule 4 to this Act as appear to Her to be necessary or expedient in consequence

of the partial operation of this Act (whether before or after the day appointed by the Order).