

SCHEDULE

Section 1

CONSTITUTION OF FARRIERS REGISTRATION COUNCIL ETC

PART 1

CONSTITUTION OF FARRIERS REGISTRATION COUNCIL

1 For Part 1 of Schedule 1 to the Farriers (Registration) Act 1975 substitute—

“PART 1

CONSTITUTION

1 Membership

- (1) The Council is to consist of the following members—
 - (a) three persons appointed by the Company, at least one of whom must be a practising farrier,
 - (b) four practising farriers appointed in accordance with a scheme made by the Council,
 - (c) two registered persons appointed by the National Association of Farriers, Blacksmiths and Agricultural Engineers,
 - (d) two veterinary surgeons appointed by the Royal College of Veterinary Surgeons, and
 - (e) one lay person appointed by each of the persons mentioned in sub-paragraph (2).
- (2) Those persons are—
 - (a) the British Horseracing Authority Limited,
 - (b) the Royal Society for the Prevention of Cruelty to Animals,
 - (c) Lantra (the company registered in England and Wales with the company registration number 2823181),
 - (d) Scottish Enterprise, and
 - (e) the British Equestrian Federation.
- (3) A scheme made by the Council under sub-paragraph (1)(b)—
 - (a) may, in particular, provide for elections to be held for the purpose of determining the persons to be appointed;
 - (b) may be amended or replaced by the Council.
- (4) In making a scheme under sub-paragraph (1)(b), the Council must have due regard to the desirability of securing that the Council includes persons representative of all parts of Great Britain.
- (5) In this paragraph—

“lay person” means a person other than—

 - (a) a registered person,
 - (b) a person who, in the opinion of the person making the appointment, is qualified to be a registered person,

Status: This is the original version (as it was originally enacted).

- (c) a veterinary surgeon, or
 - (d) a veterinary practitioner;
- “practising farrier” means a registered person who carries out farriery.

2 Term of office

- (1) Appointment as a member of the Council is for a term of 4 years.
- (2) A person may not be appointed as a member more than twice.
- (3) A member may resign at any time by notice given to the registrar.
- (4) A member may be removed from office if the member fails to satisfy any conditions about fitness to be a member that are determined by the Council.
- (5) The procedure for removal of a member from office is to be determined by the Council.

3 Casual vacancies

- (1) Where a vacancy occurs among the members of the Council otherwise than by the expiry of a member’s term of office, a person must be appointed to fill the vacancy.
- (2) So far as practicable, the appointment must be made so as to enable the person appointed to assume office at the time the vacancy arises.
- (3) The appointment is for a term expiring on the date on which the term of office of the member whose vacancy the person fills would have expired.
- (4) The appointment does not count as an appointment for the purposes of paragraph 2(2) (limit on number of times a person may be appointed as a member of the Council).

4 Procedure

- (1) The quorum for a meeting of the Council is—
 - (a) seven, or
 - (b) another number determined by the Council.
- (2) The Council must elect one of its members to act as chair of the Council.
- (3) The Council may make rules governing its meetings and procedure.
- (4) The rules may in particular provide—
 - (a) for a member of the Council to act as its chair in the absence of the member mentioned in sub-paragraph (2);
 - (b) for a member acting as chair to have an additional casting vote.

5 Validity of acts

- The validity of anything done by the Council is not affected by—
- (a) a vacancy among its members, or
 - (b) a defect in the appointment (or election) of a member.”

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

- 2 (1) Part 2 of Schedule 1 to that Act is amended as follows.
- (2) Omit paragraphs 7 and 8.
- (3) In paragraph 9—
- (a) the existing text becomes sub-paragraph (1);
 - (b) after that sub-paragraph insert—
 - “(2) The Council may make rules governing the meetings and procedure of an additional committee or area council.
 - (3) The rules may in particular provide—
 - (a) for a member of the additional committee or area council to act as its chair;
 - (b) for a member acting as chair to have an additional casting vote.”
- 3 In section 18 of that Act (interpretation), insert at the appropriate places—
- ““registered person” means a person who is registered in the register;”;
 - ““veterinary practitioner” means a person registered in the supplementary veterinary register kept under the Veterinary Surgeons Act 1966;”;
 - ““veterinary surgeon” means a person registered in the register of veterinary surgeons kept under that Act.”

PART 2

CONSTITUTION OF INVESTIGATING COMMITTEE

- 4 In section 13(1) of the Farriers (Registration) Act 1975 (the Investigating Committee), omit “from among its members”.
- 5 For Schedule 2 to that Act substitute—

“SCHEDULE 2

Section 13

CONSTITUTION OF THE INVESTIGATING COMMITTEE

Membership

- 1 (1) The Investigating Committee is to consist of six members appointed by the Council.
- (2) At least two of the members must be registered persons.
- (3) None of the members may be—
- (a) a member of the Council,
 - (b) an officer or servant of the Council, or
 - (c) a member of the Disciplinary Committee.
- (4) The Council must designate a member of the Investigating Committee to act as its chair.
- (5) The Council may delegate its function under sub-paragraph (1) to any extent.

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

Term of office

- 2 (1) Appointment as a member of the Investigating Committee is for a term determined by the Council.
- (2) A member may resign at any time by notice given to the registrar.
- (3) A member may be removed from office if the member fails to satisfy any conditions about fitness to be a member that are determined by the Council.
- (4) The procedure for removal of a member from office is to be determined by the Council.

Procedure

- 3 (1) The quorum for a meeting of the Investigating Committee is three, of whom one must be a registered person.
- (2) The Council may make rules governing the Committee's meetings and procedure.
- (3) The rules may in particular provide—
- (a) for a member of the Committee to act as its chair in the absence of the member designated under paragraph 1(4);
 - (b) for a member acting as chair to have an additional casting vote.

Validity of acts

- 4 The validity of anything done by the Investigating Committee is not affected by—
- (a) a vacancy among its members, or
 - (b) a defect in the appointment of a member.”

PART 3

CONSTITUTION OF DISCIPLINARY COMMITTEE

- 6 In section 14 of the Farriers (Registration) Act 1975 (the Disciplinary Committee)
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- (a) in subsection (1), omit “from among its members”;
 - (b) in subsection (2), for “and procedure of” substitute “of, and proceedings before,”.
- 7 For Part 1 of Schedule 3 to that Act substitute—

“PART 1

CONSTITUTION OF DISCIPLINARY COMMITTEE

1 Membership

- (1) The Disciplinary Committee is to consist of nine members appointed by the Council.
- (2) At least three of the members must be registered persons.
- (3) None of the members may be—
 - (a) a member of the Council,
 - (b) an officer or servant of the Council, or
 - (c) a member of the Investigating Committee.
- (4) The Council must designate a member of the Disciplinary Committee to act as its chair.
- (5) The Council may delegate its function under sub-paragraph (1) to any extent.

2 Term of office

- (1) Appointment as a member of the Disciplinary Committee is for a term determined by the Council.
- (2) A member may resign at any time by notice given to the registrar.
- (3) A member may be removed from office if the member fails to satisfy any conditions about fitness to be a member that are determined by the Council.
- (4) The procedure for removal of a member from office is to be determined by the Council.

3 Procedure

- (1) The quorum for a meeting of the Disciplinary Committee is five, of whom one must be a registered person.
- (2) A person who has acted in relation to a case as a member of the Investigating Committee may not act in relation to the case as a member of the Disciplinary Committee.
- (3) The Council may make rules governing the Disciplinary Committee’s meetings and procedure.
- (4) The rules may in particular provide for a member of the Committee to act as its chair in the absence of the member designated under paragraph 1(4).
- (5) But the power to make rules under this paragraph may not be used to make provision that could be made by rules under paragraph 4.

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

3A Validity of acts

The validity of anything done by the Disciplinary Committee is not affected by—

- (a) a vacancy among its members, or
- (b) a defect in the appointment of a member.”

8 In Part 2 of Schedule 3 to that Act, in the heading, for “Procedure of” substitute “Proceedings before”.