

1962 No. 2557

VETERINARY SURGEONS**The Veterinary Surgery (Exemptions) Order 1962**

Made - - - - 21st November 1962
 Laid before Parliament 28th November 1962
 Coming into Operation 1st December 1962

The Minister of Agriculture, Fisheries and Food, the Secretary of State and the Minister of Agriculture for Northern Ireland, acting jointly, in exercise of the powers conferred on them by section 5 (2) (b) and by section 5 (3) of the Veterinary Surgeons Act 1948(a), and of all other powers enabling them in that behalf, after consultation with the Council of the Royal College of Veterinary Surgeons, hereby make the following Order:—

Citation, commencement and extent

1. This Order, which may be cited as the Veterinary Surgery (Exemptions) Order 1962, applies (subject to Article 4 (f) of this Order) to the United Kingdom and shall come into operation on 1st December 1962.

Revocation

2. The Veterinary Surgery (Exemptions) Order 1949(b) is hereby revoked, but without prejudice to anything lawfully done thereunder before the revocation thereof.

Interpretation

3.—(1) In this Order—

“the Act” means the Veterinary Surgeons Act 1948;

“fowl” means a domestic fowl or turkey;

“licensed vaccine” means a vaccine of which the manufacture for sale or the importation into Great Britain is licensed, as respects England and Wales by the Minister of Agriculture, Fisheries and Food, or as respects Scotland by the Secretary of State, under any order for the time being in force made under Part II of the Diseases of Animals Act 1950(c); and

“suitable instrument”, in relation to any operation, means an instrument that is in a fit state of repair and has been designed, or is of a kind commonly used, for the purpose of performing that operation.

(2) Other expressions used in this Order which are used also in the Act have the same meanings as in the Act.

(3) The Interpretation Act 1889(d) applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament, and as if this Order and the Order hereby revoked were Acts of Parliament.

(a) 11 & 12 Geo. 6. c. 52.
 (c) 14 Geo. 6. c. 36.

(b) S.I. 1949/1410 (1949 I, p. 4097).
 (d) 52 & 53 Vict. c. 63.

Exemption from restrictions on practice of veterinary surgery

4. The expression "veterinary surgery" in section 5 (1) of the Act (which prohibits the practice of veterinary surgery by any person who is not registered in the Register of Veterinary Surgeons or in the Supplementary Veterinary Register) shall not include the following minor treatment, test, and operations, that is to say—

- (a) any treatment by physiotherapy given to an animal by a person acting under the direction of a person, registered in the Register of Veterinary Surgeons or in the Supplementary Veterinary Register, who has examined the animal and has prescribed the treatment of the animal by physiotherapy ;
- (b) the taking from a fowl of blood from a superficial wing vein for the purpose of a test being carried out for bacillary white diarrhoea, being the test commonly referred to as the rapid (or slide) test ;
- (c) the removal from a fowl by means of a suitable instrument of—
 - (i) not more than a one-third part of both its upper and lower beaks, measured from the tip towards the entrance to the nostrils, if carried out as a single operation ; or
 - (ii) not more than a one-third part of its upper beak only, measured as aforesaid,
 and the arrest of any subsequent haemorrhage from the beak by cauterization ;
- (d) the removal from a turkey poult of its snood, either by manual pinching out or by means of a suitable instrument ;
- (e) the removal from a fowl of its comb or of the dependent portion of its wattles, carried out in either case by means of a suitable instrument ; and
- (f) except in Northern Ireland, the vaccination of a fowl against fowl pest with a licensed vaccine :

Provided that, without prejudice to the first four paragraphs of Part I of schedule 1 to the Act, nothing in the foregoing provisions of this Article shall authorise the performance of any minor treatment, test or operation by a person under the age of 18.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on the 9th November 1962.

(L.S.)

Christopher Soames,
Minister of Agriculture, Fisheries
and Food.

Given under the Seal of the Secretary of State for Scotland on the 14th November 1962.

(L.S.)

Michael Noble,
Secretary of State for Scotland.

Given under the hand of the Minister of Agriculture for Northern Ireland on the 21st November 1962.

H. W. West,
Minister of Agriculture for Northern
Ireland.

EXPLANATORY NOTE

(This Note is not part of the Order but is intended to indicate its general purport.)

This Order, made under section 5 of the Veterinary Surgeons Act 1948, revokes the Veterinary Surgery (Exemptions) Order 1949 (S.I. 1949/1410), and re-enacts it with amendments.

The principal change is to add to the list of acts which may be performed in Great Britain by persons who are not registered in the Register of Veterinary Surgeons, or in the Supplementary Veterinary Register, the vaccination of poultry against fowl pest with vaccine which is licensed under orders made under Part II of the Diseases of Animals Act 1950 (which regulates the manufacture and importation of veterinary therapeutic substances).

The Order also authorises, throughout the United Kingdom, certain minor operations to poultry consisting of the removal (subject to conditions) of the snood and the comb, and parts of the beak and the wattles.