

2014 No. 3493

VETERINARY SURGEONS

**The Veterinary Surgeons and Veterinary Practitioners
(Registration) Regulations Order of Council 2014**

Made - - - - - *17th December 2014*

Coming into force - - - - - *14th January 2015*

At the Council Chamber, Whitehall, the 17th day of December 2014

By the Lords of Her Majesty's Most Honourable Privy Council,

The Council of the Royal College of Veterinary Surgeons, in exercise of the powers conferred by section 11 of the Veterinary Surgeons Act 1966^(a), have made the Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations 2014 ("the Regulations") set out in the Schedule to this Order.

By virtue of section 25(1) of that Act, the Regulations do not have effect unless approved by order of the Privy Council.

In exercise of the power conferred by section 25(1) and (2) of the Veterinary Surgeons Act 1966, their Lordships make the following Order:

Title and commencement

1. This Order may be cited as the Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations Order of Council 2014 and comes into force on 14th January 2015.

Approval

2. The Regulations set out in the Schedule are approved.

Revocation

3. The Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations Order of Council 2010^(b) is revoked.

Richard Tilbrook
Clerk of the Privy Council

(a) 1966 c.36.
(b) S.I. 2010/2854.

SCHEDULE

Article 2

The Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations 2014

The Council of the Royal College of Veterinary Surgeons, in exercise of its powers under section 11 of the Veterinary Surgeons Act 1966, makes the following Regulations.

PART 1

General

Citation

1. These Regulations may be cited as the Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations 2014.

Interpretation

2.—(1) In these Regulations—

“the Act” means the Veterinary Surgeons Act 1966;

“Disciplinary Committee” means the disciplinary committee of the Council;

“inform” and “notify” include making a communication by electronic means;

“non-practising registrant” means a registrant who has declared in writing to the registrar that they will not practise, either in the British Islands or anywhere else;

“overseas practising registrant” means a registrant who has declared in writing to the registrar that they will not practise in the British Islands;

“practise” or “practising” means practising veterinary surgery^(a) or engaging in any professional activity as a veterinary surgeon, whether or not for remuneration;

“registrant” means a person whose name has been entered in either of the veterinary registers, and shall include a person who has applied for their name to be entered in the register^(b);

“registrar” means the registrar of the College^(c);

“registration” means the entry of a person’s name in either of the veterinary registers for the first time, and the verb “register” shall be construed accordingly;

“registration fee” means a fee charged to a registrant on registration;

“restoration” means the restoration of a name which has been removed from either of the veterinary registers, and “restore” shall be construed accordingly;

“restoration fee” means a fee charged on the restoration of a name to either of the veterinary registers;

“retention” means the retention of an existing registrant’s name in either of the veterinary registers;

“retention fee” means a fee charged in respect of the retention of a registrant’s name in either of the veterinary registers for each retention fee year;

“retention fee year” means, for a temporary registrant, each period of twelve calendar months beginning with the first anniversary of the date of registration; and for all other registrants, the period running from 1st April following the date of registration until the following 31st March, and each period of 12 months thereafter;

(a) See section 27(1) of the Act for the meaning of “veterinary surgery”.

(b) See section 27(1) of the Act for the meaning of “register”.

(c) See section 27(1) of the Act for the meaning of “College”.

“standard registrant” means a registrant other than a non-practising registrant or an overseas practising registrant;

“supplementary veterinary register” means the register of veterinary practitioners maintained under section 8 of the Act;

“temporary registrant” means a registrant entered into the register under section 7 of the Act;

“veterinary registers” means the register and the supplementary veterinary register;

“visiting practitioner” means a person to whom Schedule 1B to the Act applies;

“voluntary removal” means removal from the register under section 13(2) of the Act.

(2) In these Regulations, a reference to a table is a reference to a table in Part 4 of these Regulations.

PART 2

The Keeping of the Register

Registration and restoration

3. The registrar may refuse to make any entry into either of the veterinary registers until any fee required by Part 3 of these Regulations for registration or restoration has been paid.

Changes to particulars

4. A registrant must notify the registrar within 28 days of any change to the particulars entered in either of the veterinary registers.

Removal

5. A request by a registrant for their name to be removed from either of the veterinary registers must state the ground upon which the request is made, and be accompanied by a declaration that they are not aware of any reason for the institution of proceedings which may lead to a direction of the Disciplinary Committee under section 16 of the Act.

6. The registrar may remove a registrant’s name from either of the veterinary registers where—
- (a) the full retention fee for the registrant has not been received by 31st May of the relevant retention fee year; or
 - (b) in the case of a temporary registrant, the full retention fee has not been received by the date eight weeks after the beginning of the retention fee year.
7. The registrar—
- (a) must notify a registrant at least four weeks before removing the registrant’s name from either of the veterinary registers by reason of non-payment of the retention fee; and
 - (b) may proceed to remove the registrant’s name even if a notification given in accordance with sub-paragraph (a) has not been received.

PART 3

Fees

Saving for visiting practitioners and certain persons within the Republic of Ireland

8. No fee is payable for registration, retention or restoration by a visiting practitioner or by a person to whom article 3(1) or (2) of the agreement given effect by the Veterinary Surgeons (Agreement with the Republic of Ireland) Order 1988(a) applies.

Registration fees

9. A person applying for registration in the general, Commonwealth or foreign list of the register must pay the fee specified in Table 1.

10. Subject to regulation 11, a person applying for registration in the temporary list of the register must pay the fee specified in Table 2.

11. The normal registration fee specified in Table 2 is payable by a person applying for registration in the temporary list of the register unless the registration is subject to the restriction that the registrant may only practise for a period of six months or less.

12. If an application for registration is refused, or is withdrawn before registration takes place, the registration fee paid shall be refunded to the applicant.

Retention fees

13. No retention fee is payable by a registrant in the general, Commonwealth or foreign list of the register or the supplementary veterinary register—

- (a) who does not practise in the British Islands or elsewhere; and
- (b) who is over the age of 70 on 1st April in that retention fee year.

14. A temporary registrant must pay the retention fee specified in Table 2 at the beginning of each retention fee year.

15. All other registrants must pay the retention fees specified in Table 3 at the beginning of each retention fee year.

16. Where during the course of a retention fee year a non-practising registrant who has already paid the relevant retention fee begins to practise either in or outside the British Islands, the registrant must—

- (a) notify the registrar; and
- (b) pay the extra fee specified in Table 4.

17. Where during the course of a retention fee year an overseas practising registrant, who has already paid the relevant retention fee, begins to practise within the British Islands, the registrant must—

- (a) notify the registrar; and
- (b) pay the extra fee specified in Table 4.

18.—(1) A standard registrant who has paid a retention fee in accordance with Table 3 and who becomes either an overseas practising registrant or a non-practising registrant before 1st October in the same retention fee year shall be credited a sum as specified in Table 5.

(2) A registrant to whom paragraph (1) applies who during the same retention fee year—

(a) S.I. 1988/784

- (a) becomes an overseas practising registrant but then resumes practising within the British Islands; or
- (b) becomes a non-practising registrant but then resumes practising either in or outside the British Islands,

must notify the registrar and the credit referred to in paragraph (1) shall be cancelled.

(3) An overseas practising registrant who has paid a retention fee in accordance with Table 3 and who becomes a non-practising registrant before 1st October in the same retention fee year shall be credited a sum as specified in Table 5.

(4) If during the same retention fee year the registrant in paragraph (3) resumes practising either in or outside the British Islands, the registrant must make the appropriate declaration in writing to the registrar, and the credit referred to in paragraph (3) shall be cancelled.

(5) A sum credited under paragraph (1) or (3) shall be—

- (a) deducted from future fees payable by the registrant; or
- (b) refunded if the registrant's name is removed from the register under section 13(2) of the Act.

Restoration fees

19.—(1) A registrant whose name has been removed (whether for non-payment of a retention fee or otherwise), and who seeks restoration must pay—

- (a) the restoration fee specified in Table 6; and
- (b) subject to paragraph (2) below, the retention fee specified in Table 3 for the retention fee year in which restoration takes place.

(2) The retention fee to be paid under sub-paragraph (b) above shall be as set out in column A of Table 3, except that where—

- (a) the registrant was removed for reasons other than the non-payment of a retention fee; and
- (b) restoration takes place on or after 1st October,

50% of the retention fee shall be payable.

Refunds on voluntary removal

20. A registrant in the general, Commonwealth or foreign list of the register or the supplemental veterinary register, who is removed by voluntary removal before 1st October in any year, shall be refunded 50% of the relevant registration or retention fee set out in column A of Table 3.

Method of payment

21. Payment of any fee due under these Regulations may be made by any method acceptable to the Council, including payment by electronic means.

PART 4

Fees payable

Table 1

Registration fees payable under regulation 9

<i>Type of registrant</i>	<i>Fee payable (£)</i>
New graduates registered by 31st December following graduation	150
Other persons registered between 1st April and 30th September	299
Other persons registered between 1st October and 31st March	150

Table 2**Fees for temporary registrants payable under regulations 10, 11 and 14**

<i>Type of fee</i>	<i>Fee payable (£)</i>
Normal registration fee	299
Registration fee for practice restricted to period of six months or less	150
Retention fee	299

Table 3**Retention fees payable under regulation 15**

<i>Circumstances</i>	<i>Column A – Fee payable if payment received by 30th April (£)</i>	<i>Column B – Fee payable if payment received after 30th April (£)</i>
Standard registrant	299	334
Overseas practising registrant	150	185
Non-practising registrant	49	84

Table 4**Additional fees payable under regulations 16 and 17**

<i>Fee paid (£)</i>	<i>New circumstance</i>	<i>Extra sum payable if change takes place before 1st October (£)</i>	<i>Extra sum payable if change takes place on or after 1st October (£)</i>
49 or 84	Practising, but not in the British Islands	101	50
49 or 84	Practising in the British Islands	250	125
150 or 185	Practising in the British Islands	149	75

Table 5**Credits payable under regulation 18**

<i>Fee paid (£)</i>	<i>New circumstance</i>	<i>Sum to be credited (£)</i>
299 or 334	Non-practising registrant	125
299 or 334	Overseas practising registrant	75
150 or 185	Non-practising registrant	50

Table 6**Restoration fees payable under regulation 19**

<i>Type of restoration</i>	<i>Fee payable (£)</i>
Restoration under section 11(3) of the Act following removal for non-receipt of retention fee	299

PART 5

Revocation of Previous Regulations

Revocation

22. The Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations 2010 are revoked.

Pursuant to a resolution of the Council of the Royal College of Veterinary Surgeons held on 6th November 2014 the Common Seal of the said Royal College was affixed on the 6th November 2014 in the presence of—
(L.S.)

S.W.J. Reid
Member of Council

B.P. Viner
Member of Council

G.A. Hockey
Officer of the College

6th November 2014

EXPLANATORY NOTE

(This note is not part of the Order)

This Order approves the Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations 2014 (“the 2014 Regulations”) made by the Council of the Royal College of Veterinary Surgeons (“the RCVS”) under section 11 of the Veterinary Surgeons Act 1966 (“the Act”) and which replace the Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations 2010 (“the 2010 Regulations”). This Order also revokes the Veterinary Surgeons and Veterinary Practitioners (Registration) Regulations Order of Council 2010 which approved the 2010 Regulations.

Part 2 of the 2014 Regulations makes provision about the keeping of the register of veterinary surgeons and the supplementary register of veterinary practitioners (maintained under section 8 of the Act.) Regulation 3 provides that the registrar may refuse to make an entry into the registers until the appropriate fees are paid, and sets out the circumstances in which a person’s name can be removed from a register for non-payment of fees.

The requirements to pay various fees are set out in Part 3, and the exact fees are set out in tables in Part 4. The fees are the same as in the 2010 Regulations but there is a change in the circumstances in which a registration fee of £150, rather than £299, is payable on temporary registration under section 7 of the Act. Under the 2010 Regulations that fee is applicable to nationals of developing countries undergoing certain courses of study lasting six months or less. The 2014 Regulations provide for that fee to be payable if practice by the registrant is restricted to a period of six months or less, regardless of the circumstances.

Regulation 8 continues to provide that no retention fee is payable by certain veterinary surgeons resident in the Republic of Ireland. The circumstances in which this applies are, however, now specified by reference to the Veterinary Surgeons (Agreement with the Republic of Ireland) Order 1988, SI 1988/784, rather than being set out in the Regulations.

Regulation 18 provides that where the circumstances of registrants change during the retention fee year, so that lower fees become payable, they may qualify for a credit (rather than a refund, as under the 2010 Regulations). The rules on adjustment of retention fees during the course of the year are also changed so as to provide that a lower fee is only payable if the relevant conditions are satisfied for the whole of a six-month period (1st April to 30th September or 1st October to 31st March) (see regulations 16 and 17.).

Under regulation 19, fees payable on restoration to the register are set at £299 or £75, as under the 2010 Regulations, but the higher rate is no longer applicable on the restoration of a name which was removed at the direction of the Disciplinary Committee. Regulation 20 provides for 50% of any registration or retention fee paid to be refunded to a registrant (other than a temporary registrant) whose name is removed voluntarily from the register before 1st October.

No impact assessment has been produced for this Instrument.

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